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House of Representatives

The House met at 10 a.m.

The Chaplain, Reverend James David Ford, D.D., offered the following prayer: Grant us, O God, the vision to see not only what is before us, but to lift our eyes to those things eternal and lasting. May the verities of faith and hope and love ennoble our souls and give solace and grace to us at every hour. With the cluttered and crowded days of work and the endless demands on time and attention, may we seek Your still small voice that pardons and forgives, that enables great acts of justice, that grants peace and serenity, that strengthens and makes whole. O gracious God from whom all blessings flow, bless our lives this day and every day, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. STEARNS) come forward and lead the House in the Pledge of Allegiance.

Mr. STEARNS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 15 Members on each side for one-minute speeches.

D.C. SCHOOL CHOICE

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, I think we all in this Congress have a unique moral burden for the children of Washington, D.C. We can talk about education in America, but education in most of America is the legitimate responsibility of the States, of the local school boards and of folks back home.

The District of Columbia is a Federal burden and a Federal responsibility. The tragedy is that the children of our national capital have been failed by a system which spends over $10,000 per student. This is a system which traps children in schools that fail. It traps them in a system where they are not learning. It has a very high dropout rate.

Recently, several very patriotic Americans gave of their own money to establish a scholarship program. Over 7,500 children applied for those scholarships. It is clear that the parents of Washington, D.C., want a choice, and as William Raspberry said in a recent column, even if you disagree that this will save the entire system, if it is only a lifeboat to save a few thousand, should we not at least try to save some children, to give them a chance to go to college instead of prison, to give them a chance to learn instead of drop out, to give them a chance to be in a safe, disciplined education environment rather than in a dangerous, undisciplined place where no education occurs?

I commend the majority leader, the gentleman from Texas (Mr. ARMEY) for the passion and the effort he has put into an unending effort to make sure that every child in our national capital has a choice and that we have a scholarship program that will give every child a better future. The D.C. Opportunity Scholarship program, I think, is vital, and I hope every Member will decide to vote for the children when the time comes.

ISTEA

(Mr. ROTHMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHMAN. Mr. Speaker, as of March 31, just a few weeks away, there will be no more Federal dollars going for highway or mass transit funding going to our States. No more money, period.

This is the construction season and businesses and builders are making their decisions now. If we miss this building season because the House is unable to get its act together about the refunding of highway and mass transit infrastructure money in the United States, then we are going to lose out in New Jersey where I am from and we are going to lose out all across America. A delay will cost our States more money because they will have to close down their projects and then reopen them.

For every billion dollars that we do not send to the States to rebuild our highways, roads and mass transit, 1,400 projects nationwide will be stalled, 42,000 men and women will be out of work.

And what are we talking about? We are talking about jobs, businesses being able to compete in the global economy; and we are talking about the quality of life for ourselves and our children. I call upon the leaders in the House of Representatives to get their act together, to pass the reauthorization of highway, road and mass transit funding so we can get our country moving again.

SCHOOL OPTIONS FOR SCHOOL CHILDREN IN DISTRICT OF COLUMBIA

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

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Mr. ARMEY. Mr. Speaker, tomorrow the Committee on Education and the Workforce subcommittee under the direction of the gentleman from California (Mr. RIGGS) is going to hold a special hearing on the question of school choice options for the children of D.C.

As we know, Washington, D.C., has some very, very good schools and schools that we can be proud of. But unfortunately, it has some very tragic failures of schools. And in these hearings tomorrow, the gentleman from California (Mr. RIGGS) and his committee are going to focus on this number, 7,573, one out of every 10 families in the city who qualified for low-income scholarships to take their children from a school that was failing the children to a school where they would have new opportunity, who are left disappointed because we have not yet been able to convince the President to sign a simple bill that takes $7 million of additional money and allocates it to scholarships for these children.

I would like to talk for a moment about just one of these children, little David, nine years old, finally got from a school where he was frightened, where he was intimidated, where he felt himself to be a failure, to a school where the other students respected him, appreciated him, the teachers nurtured him.

He was liked and popular because he got good grades in math and science. Because he got good grades in math and science, he was popular with the other students, he was popular with the teachers, and he had a new self-esteem.

David's mother unhappily does not do well in her personal life. She is not often there for David. His father, unfortunately, is even more rarely there for David and uses him as a lookout for illegal transactions when he does pay any attention to him.

But David has found a joy in his life. Because somebody thought enough of this child to give him a helping hand, David gets himself up every morning, gets himself on the bus, gets himself to school where he will make of himself a successful and happy man in his adulthood, caring more than he was ever cared, for his own children.

These are the things we can do if we just care enough to reach out to these children, one child at a time.

HELP FOR D.C. SCHOOLS

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, I just want to correct the record. The District is nobody's burden and no one's responsibility except the responsibility of the residents of the District. I correct what the Speaker said in that regard.

The majority claims it wants to help, it wants a D.C. voucher bill to help D.C. youngsters. How can such a claim be credible when a veto of vouchers has been promised and a lawsuit would be inevitable?

Do Members want to help? Our youngsters need help now. Twenty-five percent of our students will be attending a newly established summer program to keep them from failing, to quickly improve their performance and even to offer advanced work and enrichment as the city pressures themselves to new and more vigorous standards.

Do my colleagues want to help? Help these 25 percent who need our help now. Vouchers for 7,000 kids will not do it.

BOUNTY HUNTERS

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTCHINSON. Mr. Speaker, in July of 1994, Jrae Mason, a grandmother, was sitting on the front porch of her house in Manhattan when she was approached by two strangers, bounty hunters who believed her to be a woman who had skipped bail in Tuscaloosa, Alabama. Despite Ms. Mason's protests to the contrary, these strangers handcuffed her and forcibly took her to the police station. Despite police verification that she was who she said she was, the bounty hunters forcibly took her from New York to Alabama in handcuffs, in essence, kidnapped her.

In Alabama, Ms. Mason finally convinced authorities that she was the wrong person. It was not hard to do since she looked nothing like the bail jumper.

Three-and-a-half days and 910 miles later the bounty hunters finally acknowledged their error. Did they send her back to New York on an airplane? Of course not. They paid for a bus ticket to send Ms. Mason home.

Is it not time for a little accountability in the bounty hunter profession? Skilled professional bounty hunters want it. Our law enforcement community wants it. And certainly innocent Americans want it.

This will be the subject of a hearing in the Committee on the Judiciary tomorrow. I urge my colleagues to support the Citizens Protection Act.

PASS SCHOOL CONSTRUCTION LEGISLATION

(Mr. ETHERIDGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, this Congress must take action to address the serious need for school construction in this country for our children.

Across this country at this very moment more than 52 million school children are attending class. Unfortunately, far too many of these children are not being educated in modern, well-equipped facilities where discipline and order foster academic achievement. Unfortunately for many of our Nation's school children, class is being taught in a trailer, in a closet, in an overstuffed or run-down classroom.

Mr. Speaker, the General Accounting Office has identified more than $112 billion in school construction needs in America. As a former State superintendent of our State's schools, I know that North Carolina needs more than $6 billion to build new school facilities for our children.

For example, there are as many as 13,000 children in Wake County, North Carolina, alone right now being educated in trailers. Experts at the Department of Education project that my State's high school enrollment will grow by more than 27 percent in the next decade.

Mr. Speaker, no student in America should be forced to attend class in substandard facilities. No teacher in America should be required to struggle in overcrowded classrooms, and no child in America should be condemned to school in a trailer. We need to fix it now.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, why is enactment of the Marriage Tax Elimination Act so important? Do Americans feel that it is fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel that it is fair that 21 million American married working couples pay $1,400 more in taxes than an identical couple with identical incomes living together outside a marriage? Do Americans feel that it is right that our tax code actually provides an incentive to get divorced? Of course not.

The marriage tax penalty is unfair and it is wrong. The marriage tax penalty results when you have two individuals who choose to marry and their combined income, when they file jointly, pushes them into a higher tax bracket.

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Twenty-one million married working couples pay this tax penalty, on average $1,400 a year. And on the south side of Chicago and the south suburbs I represent, that is 1 year's tuition at a local community college; that is 3 months' worth of day care at a local child care center.

The Marriage Tax Elimination Act now has 238 bipartisan sponsors and would immediately eliminate the marriage tax penalty. The marriage tax penalty is unfair, it is wrong. Let us eliminate it and let us eliminate it now.

CONGRESS MUST STEP IN AND SOLVE IRS ABUSE

(Mr. TRAFICANT asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Imagine this, Mr. Speaker. The IRS kicks down your door without a warrant and takes everything. Then the IRS, without a warrant, raids your partner's home. They arrest him at gunpoint in front of his small children and take everything. Then the IRS goes to your business, they question your customers, they threaten your employees, they take everything that is not nailed down.

Sound incredible? Not for the IRS. It was later ruled that the IRS was guilty, guilty, guilty. Guilty of assault, guilty of illegal search and seizure and guilty of false imprisonment.

Beam me up, Congress. When the IRS starts acting like Nazis, that is right, listen to the word, Nazis, Congress must step in and Congress must solve this dilemma for the American people.

I am asking you to cosponsor H.R. 3277, my bill that will stop illegal searches and illegal seizures.

100TH ANNIVERSARY OF MONROE REGIONAL MEDICAL CENTER

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I had the privilege of serving on the board of trustees for the Monroe Regional Medical Center in my hometown of Ocala, Florida. It is an honor for me this morning to take the floor to recognize the 100th anniversary of this wonderful hospital.

In 1898, the Marion Surgical Hospital was organized into two rooms on the third floor of an office building in Ocala, Florida. Since then, the hospital has been in different locations under different names but its mission has remained constant, serving the medical needs of those within the community.

We are proud that our hospital provides care for patients without regard to race, religion, national origin or financial status. The Monroe Regional Medical Center has changed dramatically from its modest beginnings. It is now a modern 323-bed, acute-care facility. This is a not-for-profit hospital. It is owned and supported by our community.

I appreciate this opportunity to pay tribute to the fourth oldest hospital in the State of Florida for 100 years of service. Congratulations.

CONGRESS MUST ENSURE THAT MANAGED CARE IS QUALITY CARE

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, health care is in transition. Private and public purchasers of health care are turning to managed care. Today, more than 160 million Americans are in managed care plans.

The shift to managed care has implications for health care quality. Managed care must be more than managed cost.

On the cover of today's Washington Post is a story about a woman who fell from a cliff while hiking. She had fractures to her skull, arm and pelvis. Her HMO refused to pay her hospital bills, saying she had failed to obtain preauthorization. Only after several court battles did the HMO pay anything for this woman's care.

This is unacceptable. Individuals must have access to and payment for emergency care in any situation that a prudent layperson would regard as an emergency. Every American deserves quality care. Managed care reforms are necessary to ensure that managed care is quality care.

AMERICANS DEMAND COMPLETE OVERHAUL OF IRS AND REFORM OF TAX CODE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, yesterday the Associated Press released its results on the latest survey conducted on how much Americans trust their government. Well, not surprisingly, it found that out of every 10 Americans only three or four believe their government will do the right thing most or all the time. Mr. Speaker, more than 60 percent of Americans do not trust their government.

This survey also asked people what they felt about various government agencies in Washington that increasingly intrude into their daily lives. Well, not surprisingly, the numbers showed that the IRS has dropped significantly. Of all the government agencies, the IRS has the lowest approval rating of all. Truly shocking? Not really.

Now, even though there is a strong message here, I have absolute total confidence that my liberal colleagues and defenders of big government will ignore it. However, the message is clear: The people demand a complete overhaul of the IRS and real reform of our Tax Code and now is the time to act.

REPUBLICAN INACTION ON TOBACCO

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, this year Congress has been the do-nothing Congress. The Republican leadership sits idle while each day 3,000 children get hooked on tobacco products. Of those, 1,000 who start today will die early because of tobacco-related diseases. This is an epidemic that deserves congressional action now.

While the Republican leadership continues to cash in on big tobacco campaign contributions, Democrats today will roll out legislation that stops tobacco companies dead in their tracks from peddling their poison to children.

So far in this Congress we have managed to rename airports, post offices and public buildings. Congress needs to step up to the plate and pass tobacco legislation for America's children. The evidence is clear: Big tobacco has pushed their product onto children.

Democrats are fighting to prevent tobacco companies from this nasty habit. The Republican leadership would rather protect their special interest friends than protect the Nation's children from joining the tobacco ranks. The American people will not stand for this inaction.

CONGRESS MUST TAKE ACTION NOW TO STOP IRS ABUSE

(Mrs. CHENOWETH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, I learned as a child from reading the Bible that tax collectors have never been popular, and that, I suspect, will never change. But I do not think that that can explain the growing hostility of more and more taxpayers towards the IRS.

Now, I know that our liberal friends will dismiss that out of hand, saying how easy it is to bash the IRS. But they demonstrate in doing this that once again they simply do not care how good decent American taxpayers are treated by the IRS. We were elected to care and to do something about this runaway agency.

The fact is people are unhappy with the IRS for a very good reason. There is clearly an abuse of power. I am talking about honest, average Americans facing an audit, who make an honest mistake and then are treated as criminals by the IRS, while the courts turn their back on the fact that these people deserve due process. Mr. Speaker, we must, in the Congress, do something about this abuse.

LOIS CAPPS WINS 22ND CONGRESSIONAL DISTRICT ELECTION IN CALIFORNIA

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, I rise to congratulate my soon-to-be colleague, Lois Capps. Lois won an impressive victory in yesterday's special election in California's 22nd Congressional District. She won the election 53 percent to 45 percent with a margin of more than 12,000 votes.

The message from this special election is clear: The Democratic agenda, providing education opportunities, putting 100,000 new teachers in our classrooms, providing affordable and safe child care, access to health care and

livable wages, is striking a responsive note with American voters.

Lois, we look forward to having you here in Congress working on the issues that people in your district and across the Nation really care about. Congratulations, Lois. We will see you soon.

PRESIDENT'S BUDGET DOES NOT AGREE WITH DECLARATION THAT ERA OF BIG GOVERNMENT IS OVER

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, I often go home to my district and I ask my constituents: Is there any message for Washington? I would like to pass on some of the responses that I have been getting.

They say: Do not spend the surplus; do not bust the budget deal that you agreed to last summer; do not start any new government programs; do not create new entitlement programs; and do not add more people to Medicare until we first figure out how we are going to save Medicare from going bankrupt. Oh, yes, the big one is, do not raise taxes.

In fact, Mr. Speaker, I hear over and over again that the President's budget is going in the wrong direction because it does all those things that most people are opposed to: Taxes are raised by billions and billions of dollars, spending is increased by hundreds of billions of dollars, entitlements are expanded, and new spending programs are created. It simply does not agree with the President's declaration to the American people 2 years ago that the era of big government is over.

Mr. Speaker, the American people tell me that words mean something and that it is time that here in Washington we start honoring the pledges we make.

CONGRESS FACES HISTORIC OPPORTUNITY TO ACT ON TOBACCO-RELATED DISEASES AND CHILD CARE ISSUES

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, yesterday the President came to Connecticut and talked about the many challenges facing American parents as they try to raise happy and healthy children. On one hand there is an epidemic of teen smoking. Three thousand kids start smoking every day, a thousand of whom will die from tobacco-related illnesses.

On the other hand, there is an appalling lack of affordable and quality child care for working parents in this country. Multi-State studies have proven that nearly half of the care in this country for very young children is of such poor quality that it threatens their health and their safety.

Luckily, as the President said yesterday, we have a historic opportunity to act on both of these issues. By supporting tobacco legislation that stops this billion dollar special interest from killing our kids, we can make a difference.

We can save our children. We can save their lives and provide them with quality, affordable, accessible child care. I urge my colleagues to support our children and stop supporting the special interests.

PHONY SURPLUS WILL NOT END RAID ON GOVERNMENT TRUST FUNDS

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, just an aside. I understand that when the President was in Connecticut, that he was at a fundraiser at a tobacco lawyer's house.

Mr. Speaker, this is a riddle: If you are in debt but you balance your budget and have surpluses for 5 years in a row, at the end of that time will you owe more or less money? If you are an individual, you will owe less money. But if you are the Federal Government, you will owe more money, almost $1 trillion more between now and 2002.

How can this be? Here is the ugly truth. There is no budget surplus. The so-called budget surplus is a figment of clever Federal Government accounting. In 1988, the Congressional Budget Office, CBO, projects there will be a surplus of $8 billion and the national debt will be $5.5 trillion this year. In 2002, after 5 years of balanced budgets and surpluses, the national debt will be $6.4 trillion, almost $1 trillion more.

The national debt will grow because the Federal Government does not count the billions spent each year from government trust funds like Social Security. Clearly, there is no surplus and the budget, obviously, is not balanced.

ABUSES BY IRS REVEALED TO BE EVEN WORSE THAN FIRST THOUGHT

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, it is amazing what a little sunshine will do.

Political corruption, fraud, criminal activity and wrongdoing cannot operate in the light of day. When corrupt practices are opened up to public scrutiny, wrongdoers are held accountable for their actions.

The White House Travel Office abuse of power; the 900 FBI files of Republicans that were discovered; the entertaining of drug dealers and arms smugglers in the White House; the use of the Lincoln bedroom for fund-raising; dialing for dollars from the White House; the selling of trade missions to raise money; the laundering of money at a Buddhist temple; putting $25,000 price tags on White House coffees; returning over $2 million in campaign contributions because they came from illegal sources. All these were activities that were not conducted in the light of day and had to be exposed by journalists and congressional investigators.

And now we have the IRS. The abusive practices of the IRS, known to millions of individual Americans, began to be open to public scrutiny last year as a result of the Senate hearings. The first rays of sunshine are starting to come through, and the IRS looks even worse than we thought.

Free people cannot tolerate any of these abuses, at the White House or at the IRS.

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THREE STRIKES AND YOU ARE OUT

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, we need a three-strikes-and-you-are-out law in Washington, and we can change this administration real quickly. And here is what I mean: Strike number one: 1990, the Congressional Bipartisan Budget deal broken by President Clinton; 1993, the President sets his own budget deal, broken in 1994 and 1995; now 1997, there was yet another deal, and Clinton is out to break it by $56 billion. Three strikes; you are out. That should be what we can do to turn the budget around and turn around our fiscal picture.

Our spending right now is $268 billion higher than during the Carter administration after you adjust it for inflation. Reagan cut the budget by 15 percent, and I am talking about domestic discretionary spending, but now it is up 23 percent over that. We are very proud that the budget is about to be balanced, but that is no excuse for continuing to spend. And that is what is going on.

Three strikes and you are out. Stick with your word, Mr. President. Let us surprise everybody.

DEVELOPMENT OF CRITICAL TELEVISION VIEWING SKILLS IN ELEMENTARY SCHOOL STUDENTS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise to bring another example of wasted Federal education tax dollars to your attention. Through the Department of Education, we funded an education study entitled, ''The Development of Critical Television Viewing Skills in Elementary School Students.''

Our kids do not need Federal assistance to watch television to develop,

''television viewing skills.'' Rather, they should be learning to read and write, finding solutions to math problems and perform science experiments. While American schoolchildren lag behind the rest of the developed world in basic academic skills, our Federal education dollars are paying for our children to watch television effectively.

If my colleagues believe that Federal education dollars should be made available to kids in classrooms instead of funding studies like this one, I urge them to cosponsor the dollars to the Classroom Act, which will require 95 cents of every Federal dollar to be used in the classroom where learning basic skills occur.

LOIS CAPPS ELECTED TO HOUSE OF REPRESENTATIVES

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, yesterday was a very important day. I suppose that gets said a lot of times here in the well. But yesterday, the American people, in the form of the California delegation, elected Lois Capps to the House of Representatives. It was a campaign filled with millions of dollars of advertisement about abortion and about term limits and about a lot of other irrelevant issues.

But the American people voted for a candidate who said she wanted to come back here and work on education, who wanted to come back here and work on a patients' bill of rights, who wanted to come back here and do the things that affect the American people.

People of her district listened to all these television ads. I mean, they cannot get away from it. The air was filled with it. She spent $1,600,000. And this House has never yet brought out on this floor for debate a campaign finance reform bill. The people said we want somebody who is going to work on our problems.

D.C. SCHOOL CHOICE

(Mrs. NORTHUP asked and was given permission to address the House for 1 minute.)

Mrs. NORTHUP. Mr. Speaker, I know what it is like to worry every day about how your child is doing in school. It must be terrible if your child is trapped in a school that is unsafe and unworkable; your daughter's sleepless nights become your own sleepless nights.

Most parents with children in the D.C. public schools live under these intolerable conditions. D.C. Schools have received national attention. In spite of funding per student that ranks among one of the highest districts in the Nation, education in this district has reached crisis proportions. Decrepid school buildings are literally falling part.

Just this year, a high school student interned in my office because opening day was delayed 3 weeks. The local news here is filled with stories of fire code violations, violence in schools, and failing test scores.

The problem with D.C. schools is that the entire system is broken. It is not just a bad teacher or disorganized principal or leaking roof or unrestrained bully in fourth grade; it is all of these and more. Parents cannot just change their child's class or even their child's school. They simply cannot escape. And so, their children are trapped.

Hopefully, the District will begin the long process of improvement. But, in the meantime, we need to give children a choice.

CONGRATULATIONS TO LOIS CAPPS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, the people of the 22nd District of California have spoken. Congratulations, Lois Capps, newly elected Democrat to the United States Congress, someone who stood for education, patients' rights, the preservation of social security, understanding the needs of the people, and, yes, understanding the rights of women. Lois Capps will come and take her place. We salute her because this is a place where we need to stand by those who need us most.

I would like to encourage my colleagues this morning, as we proceed historically to support the first African trade bill that this United States Congress has ever debated, give Africa a chance and equal partnership, a chance to do trade, a chance to improve their economic standing, a chance to create jobs, a chance to work with Americans. We can do great things together. I know that Lois Capps will help us do it. Today let us pass the African trade bill.

TRIBUTE TO NEW HAMPSHIRE OLYMPIANS

(Mr. BASS asked and was given permission to address the House for 1 minute.)

Mr. BASS. Mr. Speaker, I know that my colleagues will join me in paying tribute to several New Hampshire Olympians who skated their way into America's heart last month. Their dazzling talent and can-do spirit and proud patriotism gave the world a glimpse of what makes our Nation so special.

As an American, I can think of few prouder moments in our history than when the U.S. women's hockey team claimed the Gold Medal for our country. As a Nation, we felt the magic of this newest miracle on ice as our heroes collected their hard-earned prize and secured their place in Olympic history.

Like all great champions, Team USA gave us something greater than a victory; they inspired girls all over the world to dream new Olympic dreams and strive to achieve their goals with grace and class. As a father of such a little girl, I thank them for being such wonderful world models.

Today, as New Hampshire pays tribute to Team USA, I congratulate the New Hampshire natives and Dartmouth and UNH grads who represented our State so proudly: Tricia Dunn, Katie King, Tara Mounsey, Colleen Coyne, Sue Merze, Kayrn Bye, Gretchen Ulion, Sarah Tueting. May your spirits always shine as brightly as the gold that you have won.

SCHOOL CHOICE WORKS

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, school choice works. Consider the recent example of Albany, New York. Philanthropist Virginia Gilder identified one of the worst schools in the entire city and offered every student a scholarship of $2,000. One-sixth of the children at that school took her up on the offer and transferred to private schools.

What was the result? Here is what the Washington Post reports: ''It worked. The school board ousted the principal, brought in nine new teachers, added two assistant principals and invested in books, equipment and teacher training after years of neglect.''

Faced with the prospect of losing its students to the competition, Albany's school system reformed itself. Albany's example shows that school choice helps not only the students who receive scholarships, it also helps the children who remain in public schools.

Mr. Speaker, if it worked in Albany, it can work in Anacostia. Next month, the House will consider school choice legislation for the children of the District. I urge my colleagues to support it.

AFRICA GROWTH AND OPPORTUNITY ACT

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 383 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

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.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H.R. 383 is a structured rule providing for consideration of H.R. 1432, the Africa Growth and Opportunity Act, a bill designed to usher in a new era in U.S. African relations by stimulating market incentives and increasing trade.

H. Res. 383 provides for 2 hours of general debate with 1 hour divided equally between the chairman and ranking minority member of the Committee on International Relations, and 1 hour divided equally between the chairman and ranking minority member of the Committee on Ways and Means.

The rule provides for the consideration of the Committee on Ways and Means' amendment in the nature of a substitute now printed in the bill as modified by the amendments printed in Part I of the report of the Committee on Rules as an original bill for the purpose of amendment and considered as read.

H. Res. 383 also waives points of orders against the committee amendment for failure to comply with clause 7 of rule XVI, that is, the rule on germaneness.

The resolution also makes in order six amendments printed in Part II of the Committee on Rules' report. The amendments shall be considered only in the order specified in the report, may be offered only by the Member designated by the report, and shall be considered as read, shall be debatable for the time specified in the report, equally divided between a proponent and opponent, and the amendments are not subject to amendment.

This rule also allows the Chairman of the Committee of the Whole to postpone recorded votes and reduce to 5 minutes the voting time after the first of the series of votes provided that the first vote is not less than 15 minutes. This provision will facilitate consideration of amendments.

House Resolution 338 also provides for one motion to recommit with or without instructions as is the right of the minority.

Mr. Speaker, this legislation is designed to reinforce the positive developments taking place in the sub-Saharan African region by promoting a United States trade policy with those countries that are committed to market incentives, human rights reforms, and private sector growth.

The countries affected by this legislation are moving toward democracy and opening their economies. This legislation will help expand this move by encouraging sub-Saharan countries that are truly reform minded to expand their trade and investment ties with the United States.

I think it is important to note that this bill requires the President to identify those countries that are moving toward the establishment of a market-based economy and that there is a strong eligibility criteria to ensure human rights and penalize those caught engaging in illegal behavior.

These conditions will continue to be helpful in terms of reforms that might otherwise not be made because these nations view this as a partnership and an opportunity to improve relations with the United States.

The United States has proven adept at providing developmental aid and humanitarian relief to this region in the past. However, as we move into the 21st Century, this legislation is part of a new strategy designed to stimulate growth by promoting free trade and market economies. If we do not open these new markets, I fear that we will lose valuable economic activities and thwart job creation for American business and workers.

The Committee on International Relations informs us that trade between the United States and Africa can be greatly expanded with over 11 million United States jobs, including one in five manufacturing jobs being supported by our exports. The potential for job creation is high.

□ 1045

Over the last 4 years alone U.S. exports have created 1.4 million new American jobs. However, if the United States continues to opt not to participate, we all know that other nations will move forward in our place, forge free trade agreements with those countries and leave us behind.

With regard to the consideration of amendments, the Committee on Rules has done its best to permit the consideration of amendments to this legislation that do not touch upon the Committee on Ways and Means' portions of H.R. 1432. In testimony yesterday, the gentleman from Illinois (Mr. CRANE), the chairman of the Subcommittee on Trade, and the gentleman from New York (Mr. RANGEL), the ranking minority member of the House Committee on Ways and Means, argued for the traditional protections for tax and trade provisions under the jurisdiction of the Committee on Ways and Means. In permitting only these amendments, the committee has followed precedent during the consideration of Ways and Means bills in an effort to preserve the integrity of the trade laws.

H.R. 1432 was ordered reported unanimously from both the Committee on International Relations' Subcommittee on Africa and the full Committee on International Relations. In addition, H.R. 1432 was ordered reported out of the Committee on Ways and Means unanimously with only a single amendment offered and considered.

I urge my colleagues to support this rule so that we may proceed with general debate and consideration of the amendments and the merits of this important bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, over the last month I have been very impressed by the gentleman from New York (Mr. SOLOMON), my chairman, who has made in order open rule after open rule. Unfortunately, today, Mr. Speaker, it appears that that open rule streak has come to an end.

The rule we are considering today is a modified closed rule for a very, very important bill to which Members really have a lot of amendments. But this closed rule, Mr. Speaker, will prohibit all but a very few amendments. For that reason, I urge my colleagues to oppose the rule.

This African trade bill is designed to stimulate growth and reduce poverty in eligible sub-Saharan countries. It encourages investment in some African

countries which are already turning out to be rich markets for American technologies and exports. It also enables African countries to have the kind of trade consideration that countries in Europe, Asia, Mexico and Canada have enjoyed for years. Mr. Speaker, that is to say, it is about time.

But unfortunately, Mr. Speaker, unless we can make some major changes in this bill, any help this bill gives African countries will be at the expense of American workers, particularly American textile workers. Unless we change this bill, huge Asian textile corporations will be able to transship their products through Africa and will avoid an 18 percent import duty. Mr. Speaker, that does not help African workers and it sure does not help American workers.

They can make the clothes in Asia, in Chinese sweatshops if they want. They can ship them to Africa to be packaged and avoid all kinds of quotas, all kinds of tariffs. Meanwhile, slave trade in China continues to flourish, African workers do not get much of anything to do, and American workers are laid off left, right and center.

But since my Republican colleagues have closed the rule to keep us from improving this bill, we cannot require progress on workers' rights, on child labor. We cannot prevent transshipping, we cannot require African countries to open markets for American goods like clothing, footwear and yarn.

Mr. Speaker, if my colleagues thought NAFTA was bad for American workers' rights, if they thought NAFTA would cause irreparable environmental damage, wait until they get a load of this African trade bill. It looks like we have not learned anything from NAFTA's mistakes.

This bill helps powerful Asian manufacturers at the expense of both African workers and American workers. It turns a blind eye to child labor, to basic workers' rights, and it will hurt the American textile business.

This bill purports to help Africans, which it may not, and it does so at the expense of African Americans who make up one-third to one-half of all textile and apparel workers here in the United States.

In the past few years, there has been a remarkable economic and political transformation in sub-Saharan Africa. President Clinton is going to Africa in less than 2 weeks. He would like to open up more trade. But right now, Mr. Speaker, he can do that only at a very high price to American taxpayers and to American workers.

So in the interest of all working people, I urge my colleagues to oppose this closed rule. We can send the bill back to the Committee on Rules, we can make these improving amendments in order, and this would vastly improve the bill. Mr. Speaker, I think we should.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules.

Mr. SOLOMON. I thank the gentleman for yielding me this time.

Mr. Speaker, I am shocked to hear the words coming out of the gentleman from Massachusetts (Mr. MOAKLEY), the former chairman of the Committee on Rules, criticizing this rule as a closed rule. I just have to remind the membership, Mr. Speaker, that I labored for 6 years under the tutelage and the leadership of the gentleman from Massachusetts (Mr. MOAKLEY), and time after time after time he took to this floor and said we must not, under any circumstances, open up a Ways and Means section of any bill to amendment, because the Tax Code in this country is so complicated that we must make sure that hearings have been held before we ever, ever allow amendments on the floor.

Mr. Speaker, I have simply followed the leadership of my chairman, which means so much.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, I am afraid the gentleman has watched too closely. But also he may remember the most-favored-nation status China trade bill that I opened the rule because there were some very-much-needed amendments, and it is very reminiscent of what we are doing today.

Mr. SOLOMON. I do not recall that, and I will discuss it with the gentleman later. But, Mr. Speaker, the truth is that this is a controversial bill. I have a lot of concerns about it myself. I am concerned with the people that used to work in the trade, of making the shirts that we are wearing on our backs today. I was in several department stores and several discount stores like Kmart and Wal-Mart not too long ago, looking at all the shirts, the dress shirts like these that they had on display, and there were nine different countries that have brought these shirts into this country. I could not find one American shirt being manufactured here.

The gentleman from New York (Mr. RANGEL) used to represent a lot of those people in New York City, I represented them in the Hudson Valley. There are practically none left.

But notwithstanding that, Mr. Speaker, this is a fair rule. What we have done is to make every amendment in order, every single amendment coming out of the Committee on International Relations, the committee of jurisdiction. We have made amendments for the gentlewoman from Washington (Mrs. LINDA SMITH), the gentlewoman from California (Ms. WATERS) we made 3 amendments in order, the gentleman from Illinois (Mr. DAVIS), all Democrats. Every single amendment that was filed with the Committee on Rules was made in order except those that would interfere with the U.S. Tax Code.

The gentleman from Ohio (Mr. TRAFICANT), sitting over there, had several amendments that were good amendments and that I would support, but we just cannot bring those amendments to the floor under these circumstances because it would open up the U.S. Tax Code. Therefore, I would ask the gentlewoman from California (Ms. WATERS), I know she is chairman of the Black Caucus, I would ask her when she comes over here to urge support of this rule because it is a fair rule.

We need to at least debate this issue on the floor and then let the chips fall where they may. But please come over and support the rule. It is a very fair rule.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, I rise in support of the rule.

One of the reasons why certain amendments were not allowed under the rule is because it would preclude the African people from exporting their goods to the United States. It would seem to me that if we are going to have a trade bill, then certainly removing the ability of people that are really trying to build up some industry in these poor, impoverished countries, that we should not deny them the opportunity to develop their own fabrics, sew them together and send them to the United States.

Under the amendment that was not accepted by the Committee on Rules, the African workers in these countries would not be able to manufacture their own goods. They would have to accept American-manufactured goods, cut in America, sent across the Atlantic, sewed together and sent back over. They say, ''Well, it's been done in Mexico.''

There is a big difference between the line on the map between Mexico and the United States and the Atlantic Ocean, and it is just not feasible. The amendment would have precluded all of the GSP provisions in the trade bill. And so let us not hear that if we had had a better rule, we would have voted for the African trade bill. What would be better to say is that if you want to kill the African Growth and Economic Opportunity bill, if you want to deny the people in this part of the world participation in world trade, then you deny us the opportunity to bring it on the floor. And if you do not want the bill on the floor, then you have to vote against the rule.

The rule gives us an opportunity to vote up or down. It denies us the opportunity to take a lot of amendments and to change what the bill was.

And about transshipment. Transshipment is an international problem.

Let me make it abundantly clear that transshipment is a problem for the United States and that is the reason why special consideration was given in this bill where the offending countries are not only penalized, but it is governed by the International Trade Commission, the World Trade Organization, and if these countries in the sub-Saharan can manage to export and reimport the type of goods that the supporters of the amendments are talking about, we would know it in a hurry. Believe me, these countries are in such despair economically that they are only trying to participate.

I ask Members to support the rule, give these African countries a chance. We promised it to them. Let us not deny it through a parliamentary procedure.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BALLENGER).

Mr. BALLENGER. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in opposition to the rule on H.R. 1432, the Africa Growth and Opportunity Act. Unfortunately, the rule does not permit a perfecting amendment which would require that apparel receiving duty-free and quota-free treatment be constructed of U.S.-manufactured yarn and fabric, as is the law today on imports from the Caribbean basin, another group of impoverished people.

In its current form, H.R. 1432 poses a serious risk to our domestic textile industry and its employees. The bill does not prevent the illegal transshipment of apparel from other countries, particularly China that has avoided quotas in the past. In actuality, the bill could throw thousands of U.S. workers out of their jobs.

Over my years in Congress, I have supported many trade agreements that have produced positive results. However, I believe trade agreements should give American workers a fair shake, not hurt them. As it stands, the Africa Growth and Opportunity Act will only produce negative results.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MILLER).

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

□ 1100

Mr. MILLER of California. Mr. Speaker and members of the committee, I rise in strong opposition to the rule and H.R. 1432, the African Growth and Opportunity Act. This restrictive rule prevents most Members of Congress from offering any amendments to perfect this bill and to ensure that it is the people of Africa who will benefit from this legislation.

This rule makes it impossible to require that the benefits provided by the United States under this legislation be granted only if the countries of Sub-Saharan Africa employ African workers in the production of goods granted preferential market access to the United States.

I favor the goals of this bill to provide a foundation for strong democracy and a sustainable social and economic development in Africa. However, I cannot sanction legislation that, in its current form, promotes these goals at the expense of African workers, the very sector of society upon which future economic development relies. At the very least, we must promote an economic foundation for Africa which has as its cornerstone the provision of the ample employment opportunities for the indigenous citizens and permanent residents.

Were this a fair rule, I would have been allowed to offer a simple but vital amendment. My amendment would have required that the benefits provided in this legislation, including duty-free and quota-free access to U.S. markets, only be afforded to those African countries if the goods produced were created by a work force that is composed of at least 80 percent permanent resident workers. In addition, my amendment would have required that these countries avoid the use of indentured, bonded, forced, convict or exploited child labor in the manufacture of these goods.

My colleagues say that this is not going to happen, that this is not possible, that the ocean is too far. Well, let me explain to my colleagues that the Chinese garment makers send to the northern Mariana Islands goods woven in China, cut in China, and assembled in the northern Marianas by the Chinese workers, a totally controlled work force that is indentured, that is bonded, where the young people are forced into forced abortions and into prostitution. It is a simple matter for the Chinese to do the same thing in Africa, because it is very clear why they are there. They can get there under the U.S. quota.

This is just legalizing transshipment, and what happens is that those workers can be imported from China, from India, from Bangladesh, as they are in the Northern Marianas, and they will be there to do the work, to create the goods that my colleague held up here; they will not be created by African workers because those workers will work for far less than any of the wages that are offered to them in Africa.

This is a fact of life. We deal with it now. Almost a billion and a half dollars worth of garments comes in quota-free, duty-free from the Marianas. We should not set up a parallel system. We should not set up a parallel system in Africa.

This legislation should bestow the benefits of this bill on the African people, not on the corporations that will set up in these zones and then import their workers, workers who will have paid large amounts of money, who in fact become indentured and work for pennies a day in violation of all, all working conditions that we would consider acceptable. This bill should be sent back to the Committee on Rules.

Mr. LINDER. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. DREIER), a member of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule. This is actually a very great day for this institution. I believe that the American people would be very proud of the process that went into fashioning this measure. It is clearly bipartisan; it crosses ideological lines. We have some of the most conservative Members of this institution strongly supportive of the measure, and some of the most liberal.

On the Committee on Ways and Means we have the leadership, including the gentleman from California (Mr. THOMAS) who is here on the floor, along with the gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means, the gentleman from Illinois (Mr. CRANE), the gentleman from New York (Mr. RANGEL), the gentleman from California (Mr. MATSUI), the gentleman from Washington (Mr. MCDERMOTT) and others who have played a role in looking at this issue.

And quite frankly, while we hear about this question of whether or not we are allowing for the free flow of ideas here on the floor, the opportunity existed there in the Committee on Ways and Means. And frankly, as this measure moved, there was very little debate, but opportunity for it, and we also saw that there were no amendments when this measure moved out on a voice vote.

Mr. Speaker, I would also say that there is a complete open process with every germane amendment that is considered under the international relations portion, and I should praise my colleague, the gentleman from California (Mr. ROYCE), chairman of the Subcommittee on Africa, who has also worked long and hard on this.

So what we have here, Mr. Speaker, is I believe a measure which is really based on goals that we as Americans and as Democrats and Republicans share. Every one of us clearly wants to help the poorest and most disadvantaged among us. Every one of us wants to encourage individuals to help themselves, and so this measure is really based on the proverb, ''Give a man a fish and he will eat for a day. Teach him to fish and he will eat for a lifetime.''

As we look at the problems that my friend Mr. RANGEL mentioned of Sub-Saharan Africa, it is a very tragic history that I am very pleased to say is beginning to turn around. Sub-Saharan Africa is the only place on the face of the Earth where actually the children are doing worse than their grandparents.

As we look at the last 2 decades, what has existed in the United States? We have continued to funnel more and

more U.S. taxpayer assistance to Africa. We, in fact, have followed the policy of aid, not trade. Well, with this measure we are by 180 degrees, I am happy to say, reversing that pattern, and we know that it is going to create the kind of opportunity that is necessary there, not only for people who are recognizing free markets and political pluralism in Sub-Saharan Africa, but also for the people of the United States of America who are going to also be beneficiaries.

The gentleman from New York (Mr. RANGEL), was also right as he in the Committee on Rules yesterday talked about how we have spent years focusing on Asia and Latin America, and unfortunately, we have not put enough attention on that very, very important and most impoverished spot on the face of the Earth, Sub-Saharan Africa.

So this measure, Mr. Speaker, is going to be beneficial. We are not going to be seeing countries using Sub-Saharan Africa as a launching pad to export into the United States, because again, as Mr. RANGEL said, we clearly will be able to differentiate between those goods that are coming from Sub-Saharan Africa and those that might come from other parts of the world, and we know that there is a 35 percent value-added content that is required, so we will have U.S. customs and, as the gentleman from New York (Mr. RANGEL) said, the World Trade Organization and other entities very closely monitoring that.

Mr. Speaker, this is a very good measure. I am very pleased that it has come out under Republican leadership here in the House of Representatives, and I urge my colleagues to support this rule and support the measure as we move forward.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, every Member in this body wants to help Africa and African workers. So do I. But I do not want to help Africa and African workers at the expense of America and American workers.

Now, I support the gentleman from New York (Mr. RANGEL), his philosophy and ideology all the way through, and I believe him when he says that we will minimize that transshipment opportunity that exists in the bill. But quite frankly, I believe the gentleman, but the law says something else.

I say to my colleagues, this is not the African Growth and Opportunity Act, this is the Chinese-Japanese Growth and Opportunity Act for the following reason. I would like to explain it.

The bill defines an African product as one that contains at least 35 percent local value, African local value. Now, that is the standard minimum for the GSP program, which is the Generalized System of Preference. And understand that this bill does not specifically address that, but by God, we should, with record trade deficits year in and year out. And the silence is deafening.

I have not opposed the rule because quite frankly, I think the Republicans have had some fair and generous open rules, and Mr. LINDER and Mr. SOLOMON have done a great job, but let me tell my colleagues something. I believe this rule should be defeated because I believe we open up a window of opportunity for Japan and China and other competitors who have great access, who deny American access, and they will use that window of opportunity to continue to penetrate our markets.

How many more record trade deficits will we experience? How many more jobs do we send overseas? Our biggest export is American jobs. In addition, this bill authorizes the program for 10 years. I believe Congress should limit that so that we can actually find out, not guesstimate, what the impact will be on our jobs and our economy, and then we could have revisited this in Congress with statistics. But I understand the program, and this is a political good one because everybody does want to help Africa, and Africa deserves our help.

Mr. Speaker, let me just say this to my colleagues on the Democrat side. We have been talking about trade for years. We have done nothing about trade, except open up our markets and allow us to get the shaft. If Congress embraces and challenges any stupid policy, it will be our trade policy, and we are failing to do that. So I cannot support this rule.

I will support Chairman MOAKLEY, and I will say this. I would like to see it go back to the Committee on Rules so we could put these protections in, and mine says it shall be at least 50 percent local value. That will help Africa, that will help African workers, and that will protect the American economy and American workers. We do not have to kill the bill. Send it back for another rule.

Mr. LINDER. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. THOMAS), a member of the Committee on Ways and Means.

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, I had the privilege of hearing my colleague, the gentleman from California (Mr. MILLER) and my colleague, the gentleman from Ohio (Mr. TRAFICANT) and rarely do they wind up on the same side. My hope would have been that they wound up on the same side that was right. Unfortunately, I believe they wound up on the side that was wrong, because when we analyze this legislation, it will do none of what they claim, quite frankly.

Just as my colleague, the gentleman from California (Mr. DREIER), indicated that we want to exchange aid for trade, it makes sense to do it with Sub-Saharan Africa, it makes sense to do it with Israel. We created a free trade agreement with Israel which allowed them to earn rather than to receive the aid that we provided. There should be no one who would fear a textile import flood from Sub-Saharan Africa. It just is not going to happen. The two countries that do have a bit of a textile production, Mauritius and Kenya, are less than 1 percent of United States imports.

The thing I think everyone has to realize is that because the United States signed the World Trade Organization, quotas will be phased out beginning in 2005. All this does is give those Sub-Saharan African nations a few years' head start before we phase out the quotas. That is entirely appropriate and fair to allow them to begin to earn their way instead of welfare.

Mr. Speaker, in addition to that, if my colleagues are concerned about point of origin or transshipment, and we certainly are, there are many parts of the world that utilize their locations as a drop stop, repackage and send-on. That is not what we intend and that this bill does not allow. The country of origin rules are as stringent as we have in place anywhere for any country.

The gentleman from Ohio (Mr. TRAFICANT) was concerned about the 35 percent domestic content. It requires a 35 percent domestic content and substantial transformation. That is, one has to do things to the product. One cannot just pass it through.

The gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means, placed an amendment in the bill denying the opportunity to be involved in this trade for 2 years if one is found guilty of transshipment, a very rigid penalty that had not been included before. I think it is appropriate. We need to make sure that people do not violate the rules.

Mr. Speaker, my colleagues need to understand that all of the other trade rules that we have in place are not suspended. The arguments that were made for the textile concerns in the Caribbean I think carried great weight. Given the proximity of the Caribbean, given the ability to move product through the Caribbean, there was some concern.

No one can present a credible economic argument for the utilization of Sub-Saharan Africa the way that the Caribbean could have been used because it is simply not economic, dealing with textiles, to make the same argument. One cannot pencil out a cost-effective argument the way one could this in the Caribbean.

Besides all of that, the Generalized System of Preference, which protects sensitive industries in the United States, is completely available to that textile industry or any other industry if they have import-sensitive products and make their point. The full weight of the Federal Government in denying the importation of products is available under the Generalized System of Preferences.

So this bill is not, unfortunately, all that its strongest proponents claim it

to be; it is a modest, modest, long overdue, self-help structure. And it is nowhere near its strongest proponents' arguments because it simply is not going to open the flood gates the way my colleagues have intimated.

□ 1115

It is a well-crafted bill. The thing I could say most about it is that it is probably long overdue. It is entirely appropriate.

The United States has nothing to fear from sub-Sahara Africa, and if we do, we have in place a number of protections that are automatic and they trigger severe penalties. This is a reasonable rule. More importantly, it is a modest and reasonable proposal. We should vote yes on the rule; we should vote yes on this long overdue opportunity to allow people to earn their own way with a free trade zone between the United States and sub-Sahara Africa.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MATSUI).

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from California.

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from California (Mr. MATSUI) is recognized for 2 minutes.

Mr. MATSUI. Mr. Speaker, I thank the gentleman from Massachusetts and the gentleman from Georgia for yielding the time to me.

Mr. Speaker, I urge very strong support of the rule. A vote against this rule will really be a vote against this bill. This bill will not come back up if this rule fails today. If in fact we lose this rule, we are not going to be able to bring this bill because the whole essence of this bill is the whole issue of trade and textiles.

I will tell the Members, there is a lot of misleading information that has been passed around over the last few months. This bill will not do any damage to the U.S. textile industry. The fact of the matter is that right now, Africa gives about two-thirds of 1 percent of all U.S. textiles to the United States. In 10 years under this legislation, it will only go up to about 1½ percent. That is not going to do any damage.

In fact the reality is it probably will not result in any more textiles coming to the United States than currently, mainly because we will see a displacement. Other countries in Asia will probably have less shipments of textiles as a result of this. This will only create, according to the International Trade Commission, which has done an objective study, about 600 jobs lost in the United States.

The job gain will be phenomenal over the next 10 or 20 years. Africa has 680 million people. There are 48 nations in this region that we are talking about. Thirty of them right now are moving to a market system of government and a market system of the economy, just like the United States. Twenty-five of them have fledgling democracies. Are we going to turn our backs on this great region of the world that over the next 20, 30, 50 years will be one of the regions of which all of us are going to want to be part?

Because for national security purposes, for obvious purposes of making sure that the Asian nations remain stable and the Middle East remains stable, Africa will be essential to the security of the free world and certainly of the United States.

A vote against this bill will break up the partnership between the United States and the African nations. The fact is that the President, in the next 3 weeks, will be going to Africa. If we turn this bill down, it will be a disgrace to this country.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Speaker, I rise in opposition to this rule. I find it unfortunate that those of us who are not members of the Committee on Ways and Means are unable to offer amendments to this bill. As someone who is a member of the Committee on Appropriations, we have 13 bills a year. Each one is brought here under an open rule. So we have open opportunity in our bills for people to offer amendments, and it is unfortunate we are not allowed to on this bill.

I went to the Committee on Rules yesterday with an amendment that I thought was a very fair amendment, that was going to be good to help improve the bill, which was basically to take unused sugar quota and give it to the countries of sub-Saharan Africa. It was going to help those countries. But just because of a blanket opposition to all amendments, it was unfortunate, but it was turned down.

What my amendment was proposing was to take these unused quotas. We have this program called the Sugar Program, one of the last of its type in this country, thank goodness. It is a command and control type system where we control the supply of sugar in America, and force the price of sugar at twice the world price in this country, so we pay twice the world price. When we buy sugar from around the world, and we have to buy sugar because we cannot grow enough in this country, we pay places like Australia twice the world price. Some countries cannot fill their quotas.

All we want to do is say if you cannot fill your quota, let us give it to the 10 countries of sub-Saharan Africa that need to have this economic growth. They would love to sell us more sugar because we will pay them twice as much as anywhere else around the world.

We have this crazy program that makes no economic sense. It costs jobs already in this country. It is bad for the environment, it is bad for the economy, it is just big government at its worst. All we are saying is let this program exist. We have these quotas, but some of them are not filled. Why not give them to the 10 countries of sub-Sahara Africa, rather than leave them unused and no one else can use them?

I am disappointed that the Committee on Rules has a blanket opposition to all amendments without considering the merits. I rise in opposition to the rule and urge its defeat.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, this bill embodies a very, very important ideal, which I have long supported; namely, that the countries of sub-Saharan Africa should improve their economic lot through development and trade. This bill would begin the process of leading these countries from our traditional direct aid relationship.

However, Mr. Speaker, charity begins at home. I and other bipartisan Members with legitimate concerns for the health of the already suffering textile and apparel industries that we represent feel that we have not been allowed an adequate voice in this process. For this reason, my colleagues and I proposed a bipartisan substitute that we hoped that the Committee on Rules would have ruled in order.

I firmly believe that our substitute, if it were ruled in order, would result in a healthier U.S. textile and cotton industry, and sorely needed economic development and employment for the peoples of sub-Saharan Africa. The sponsors of this substitute only ask for the chance to vote for a good bill on the floor.

We ask this, despite assurances from some of our colleagues, that the bill will be fixed in the Senate. But as I have reminded those Members, those of us who occupy the seats in this House only have a vote in this House, and trusting the Senate to fix what we do not do properly in the House is not a good idea.

Mr. Speaker, I urge my colleagues to vote no on this rule, send it back, allow us to adopt the substitute, which is a win-win for American textiles as well as for sub-Saharan Africa. Help us defeat this rule, vote no on the rule, and then let us put a good bill on the floor so we can help Africa and help American workers.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. COLLINS).

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. COLLINS) is recognized for 3 minutes.

Mr. COLLINS of Georgia. Mr. Speaker, I will talk slowly, because I want him to understand what I have to say. Mr. Speaker, I have been asked: What has been the most difficult vote for you to cast in Congress? The most difficult votes for me are those on trade issues.

I fully understand the importance of expanding trade legislation, and the American worker understands its importance, also. There is not an American worker who does not take pride in manufacturing a product and having it sold worldwide. But that same worker knows that while the U.S. has aggressively lowered or eliminated many of its barriers to foreign products, most countries are still closed to U.S. products. These workers believe that trade bills export jobs and not products. Time after time they have seen the trade agreements we have enacted result in a few hundred jobs lost here, a few hundred jobs lost there, and Mr. Speaker, those numbers add up.

More importantly, those numbers represent families in communities losing income and economic strength. Those are the same workers that used to walk in a store and see the ''Made in the U.S.A.'' label sewn in the garment. Today, that same worker sees the same label ''Made Anywhere But the U.S.A.'' That is salt in the wound to those who have seen their jobs exported and the products they used to make imported.

Yesterday, a Member of this body, as well as a member of the Committee on Ways and Means, made a powerful statement before the Committee on Rules. He said, it is time that we give up on textile jobs. He added, we need to recognize, too, that it is too late to save these industries.

Mr. Speaker, that kind of a statement is exactly what the people of this country are angry about. They know that there are Members of Congress who have forgotten that the U.S. textile industry employs some 2 million people in this country, and most of those workers do not have the security of a higher education or the security of a trade or profession, as does a lawyer or a college professor.

Mr. Speaker, just this past week the Bibb Company textile mill located in Columbus, Georgia, announced that it would close its door March 20. That means that of thousands of textile jobs in Georgia, we lose some 250 more. Mr. Speaker, textile workers in this country deserve to know that legislators have not given up on their jobs.

The amendment I would have offered today, if the Committee on Rules had made it in order, would have provided that American workers receive some benefits from this trade bill. It would have guaranteed that the demand for U.S. products is as important to this body as creating jobs in Africa. Mr. Speaker, if the rules of origin and the GSP product exemptions were good enough to put in NAFTA, then they are good enough to put in this sub-Saharan Africa trade bill.

Mr. Speaker, I have tremendous respect for my colleagues in this Chamber, particularly the chairman of the Committee on Ways and Means, but Mr. Speaker, I must represent the people of the Third District of Georgia. I strongly urge defeat of this rule, defeat of this bill. I will not give up on American textile jobs, which represent the livelihoods of families in Georgia and the economic strength of communities all across this country.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, this is not a textile bill. This is a bill that gives Africa the same opportunities to enter the world economy that Asia had. We gave it to them 35 or 40 years ago.

When I was in Africa in 1961 in Ghana, Ghana and Korea were exactly in the same place. Today, Korea has risen to the 11th largest economy in the world, and Ghana is down from where they were in 1961.

This bill has been endorsed by the President and Prime Minister of every Asian and African country. Andrew Young, a former United Nations Ambassador, C. Payne Lewis of Africare, the Urban Institute, the National Conference of Mayors, Mayor Dinkins of New York, and the Constituency for Africa, all these groups have looked at this and said this gives Africa an opportunity to play the game.

The amendment that was being discussed here could have been offered in the Committee on Ways and Means. It was not. We went out of there without that being discussed, because people knew that it was not, in the long run, a good amendment. It is not a textile amendment. It sets the bar so high that no one could start a textile industry in Africa.

If we say that every piece of cloth that is going to be worked in Africa has to be shipped from the United States, cut, and only can be sold in Africa, and then shipped back, it would not work fiscally, even. It is not a good amendment. I support the rule.

Mr. Speaker, I include for the RECORD a letter from the President and Secretary of State to the gentleman from New York (Mr. RANGEL), as well as an editorial from the Washington Post.

The material referred to is as follows:

[From the Washington Post, Mar. 7, 1998]

HOW TO HELP AFRICA

The House is scheduled to vote next week on an African trade bill. In the past, that would have been an oxymoron. The United States traded with Asia and Europe but sent aid to sub-Saharan Africa. This new approach, which treats African nations more as partners than as charities, is welcome—though not sufficient.

Many of the world's poorest people inhabit Africa, their economies in danger of being left behind altogether as trade and investment unite the rest of the world. But in recent years, the true picture has not been quite as gloomy as news reports on civil wars and coups d'etat might suggest. Many African countries have moved toward democracy and free-market reforms. Many are trying to spend more on basic health and primary education. Many want to help themselves and not depend forever on foreign aid.

This bill is aimed at those nations. It was put together by Republican Rep. Philip Crane and Democrats Charles Rangel, Jim McDermott and William Jefferson, and embraced by the Clinton administration. It would seek to encourage trade between Africa and the United States by removing quotas and many tariffs from the kinds of products these poor nations could most plausibly export: textiles, clothing, footwear. It would stimulate and insure private U.S. investment in Africa, and create forums for African and American businessmen to cooperate.

The legislation carries a tiny price tag, but some in the House and Senate oppose it for protectionist reasons. Yet African textiles now account for only two-thirds of one percent of total U.S. textile imports and are unlikely to rise above 2 percent even in the most optimistic (by African lights) scenarios. Africa's industry is not a threat to the U.S. economy.

A more serious objection—though not a disqualifying one—is that this bill will accomplish less than some rhetoric suggests. For countries as poor as those in sub-Saharan Africa, where average annual per capita income hovers below $500, trade and investment alone can't do the job. Aid remains essential, as the bill's authors acknowledge, and yet U.S. assistance to Africa declined by 25 percent during the past two years. This trade bill can help, but only in combination with effective aid and substantial debt relief.

THE SECRETARY OF STATE,
Washington.

DEAR MR. RANGEL: The African Growth and Opportunity Act, H.R. 1432, is scheduled for a floor vote today. Passage of this landmark legislation is one of our highest legislative priorities. As you know, President Clinton made a strong statement in support of the bill during the State of the Union speech.

Passage of the African Growth and Opportunity Act will send an important signal to Africa that we will help those countries which help themselves by pursuing sound economic and political reform policies. The Act will provide substantial trade and debt relief benefits to those African countries which are undertaking significant economic reforms. The African Growth and Opportunity Act will help African countries improve their own business climates so that U.S. companies can better compete in the important emerging markets of Africa.

We believe the legislation contains adequate provisions to prevent injury to U.S. industries and jobs. The impact on U.S. consumers, workers and industries must be assessed by the International Trade Commission (ITC) before the President is authorized to grant the additional duty-free preferential market access provided by the Bill. A recent ITC study of the textile provisions in the Act concluded that duty-free, quota-free entry of textile and apparel products from Africa would have a negligible impact on U.S. industries and workers.

This critical legislation will advance one of our most important foreign policy goals in Africa—integration of African countries into the global economy. The approximately 600 million consumers in Africa deserve a better future. The African Growth and Opportunity Act is an important first step in that direction, and I strongly urge you to support it.

Sincerely,

MADELEINE K. ALBRIGHT.

THE WHITE HOUSE,
Washington, March 11, 1998.

Hon. CHARLES B. RANGEL,
House of Representatives,
Washington, DC.

DEAR CHARLIE: I strongly support passage of H.R. 1432, the African Growth and Opportunity Act, which would provide enhanced trade benefits for sub-Saharan countries engaged in meaningful reform efforts.

The United States strongly supports a stable, prosperous Africa. Africa is a continent on the doorstep of a new era of democracy and prosperity, and many countries have adopted market-oriented economic and political reforms in the past seven years. A stronger, stable, prosperous Africa will be a better economic partner, a better partner for security and peace, and a better partner in the fight against drug trafficking, international crime, terrorism, the spread of disease and environmental degradation. Africa is already an important trading partner for the United States. Our exports to Africa are over $6 billion annually.

In addition, America has its own special reasons to contribute to Africa's economic development. Over thirty million Americans have ancestral origins in Africa. We should work to help African nations achieve greater prosperity and stronger democracies, which will improve the lives of the African people. This bill helps us do that.

This bill is supported by a bipartisan and diverse cross-section of Americans and concerned groups—including Jack Kemp, David Dinkins, Andrew Young, the United States Conference of Mayors and the National Urban League. They know this bill is good for both Africa and America.

We face a historic opportunity to assist the renaissance in Africa. Congress has the chance to help this transformation by enacting the African Growth and Opportunity Act. When it comes time to cast your vote, I urge you to support this legislation.

Sincerely,

BILL.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I must urge my colleagues to vote in favor of this rule. I do it, raising the question as to why this Congress ought to treat Africa any differently than it treats any other continent in the world.

Why would we say to the African nations that we must send all of our cloth to them and have them work on it, when we do not say it to other countries in the world? Why do we say to Africa, we cannot trust you to work with our customs people, with our government, on the transshipments issue, when we do not say it to every other country in the world?

Transshipment is not an issue, it is an issue as old as time. Every time we had to do a trading arrangement, we worried about transshipment, and every time we do that, we deal with the transshipment question as best we can. The African nations, to me, ought to be insulted by the way we are approaching this bill, because what we are saying is we trust them less than we trust the rest of the world to cooperate with us on transshipment questions. What is the basis for that?

We have the facts in front of us. The facts say that the entry of textiles in our marketplace will have little to no effect. We disregard that and argue, as I have heard some argue, that it is going to have a tremendously deleterious effect on the jobs in our country.

It is not true at all. What it will do is have almost no effect here and a huge effect there. We ought to treat Africa the way we treat the rest of the world. There is no reason to discriminate against that continent. I hope we vote for the rule.

□ 1130

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN).

(Ms. CHRISTIAN-GREEN asked and was given permission to revise and extend her remarks.)

Ms. CHRISTIAN-GREEN. Mr. Speaker, I thank my colleague, the gentleman from Georgia (Mr. LINDER) for yielding me this time.

As one of the 30 million proud Americans of African descent, I rise today in support of the rule on H.R. 1432, the African Growth and Opportunity Act, a bill which would provide significant economic opportunities and incentives, fueling economic growth in that region of the continent of Africa known as sub-Saharan Africa.

Mr. Speaker, H.R. 1432 is a good bill for both Africa and the United States, for Africa because this bill, which was drafted with the full input of African governments, will position Africa to favorably compete with other countries that have well-established industries and global market shares.

It is our duty and responsibility to see to it that Africa is not left behind. In addition and importantly, H.R. 1432 represents a shift from dependence on foreign assistance to a private sector and market incentives approach which will create a sustainable development strategy for the region.

This bill is important to us because it will strengthen an already important trading partner; a stronger, more stable Africa will be a better partner for us in the fight against drug trafficking, international crime, terrorism, the spread of disease and environmental degradation.

Mr. Speaker, H.R. 1432 represents, I think, a fair compromise of all of the differing concerns that were raised about it. My colleagues and I intend to do all that we can to make sure that if this bill becomes law we continue to reinforce the positive developments taking place in Africa and see to it that it benefits, rather than harms, our American work force. I would vote for it if I could and I urge my colleagues to vote in favor of the passage of both the rule and the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to be able to follow my colleague, the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN) for her very able remarks and simply to say that I disdain a closed rule. I believe in an open rule. But, frankly, if we vote against this rule, we defeat the bill.

I think it is extremely important that we get the basic facts. This is a real opportunity for the first time in the history of this Nation to promote opportunities between the United States business community, small and medium, and the continent of Africa, 48 sub-Saharan states.

I believe in the sensitivities and the needs of my friends in the textile industry. I believe in workers' rights. I believe in helping Africa cure its HIV problem. But I think that as we move toward trade and creating opportunities, we can work on these concerns, insist upon working and resolving these concerns, not only in conference committee but in the Senate.

If Members take the opportunity away to move this bill forward, they take the opportunity away for us to get legislation passed that does several things: $500 million in infrastructure that American businesses can engage with Africa and help them to produce the infrastructure system that they need, $150 million in joint venturing. When I had a conference in my district, many, many people came to that conference, small- and medium-sized businesses, the backbone of America, because they want a joint venture with Africans creating jobs in the respective districts and communities around this Nation.

We have a real opportunity, Mr. Speaker, to do something good to establish a relationship with a continent that has been colonized by our brothers and sisters in Europe. We have not had that kind of baggage. Americans can create the kind of economic security for its citizens by supporting this bill, supporting this rule, working with us in conference, working with us in the United States Senate and helping our friends in the textile community, as well as encouraging them to work in combination with Africa.

The transshipment question has been answered. Diplomats have told me, we are strengthening our Customs laws. Diplomats have told me, we will be watching for dumping and we have a monitoring system. This bill takes care of human rights. This bill allows these countries to move their economic standards up.

Mr. Speaker, this is a new day for Africa. This is not an exclusion of aid, for aid is needed. My personal commitment is to work on the question of HIV infection. But this does create a partnership for aid and trade and opportunities for Americans in inner city communities all over this country.

Vote for the rule and let us move to a new level with the continent of Africa.

Mr. MOAKLEY. Mr. Speaker, could the Chair inform my colleague and me of the remaining time?

The SPEAKER pro tempore (Mr. SNOWBARGER). The gentleman from Massachusetts (Mr. MOAKLEY) has 9 minutes remaining, and the gentleman from Georgia (Mr. LINDER) has 5 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentleman for yielding me the time.

I rise in opposition to the rule. There has been a lot of discussion this morning about the merits or lack of merits of particular amendments. Unfortunately, a number of those amendments will never get to be debated on the floor, and that is why we should be opposing the rule.

If the Committee on Rules had made various amendments in order for debate, we could have debated and understood the pros and cons of those amendments and the body could have worked its will. That is what democracy is all about. We could have tried to improve this bill. And if the majority had voted against our improvements, then at least the opportunity would have been provided. That is what democracy is all about.

Instead, the Committee on Rules decided that it was going to enact its own fast track legislation. Basically what it said was, we are not going to give you an opportunity to allow democracy to work. We are going to bring this bill to the floor, not give you an opportunity to offer amendments, not give you an opportunity for debate, not give the body the opportunity to work its will on a majority basis. We are going to deprive you of your rights as Members of this body. That, in and of itself, regardless of the merits of the amendments, is enough to justify a vote against the rule.

I urge my colleagues to oppose this rule, send it back, send out these amendments and let us debate them on the floor.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I rise in opposition to this rule. This is a modified closed rule and it does not permit the consideration of vital elements that are missing from H.R. 1432, the African Growth and Opportunity Act, which should indeed be an historical beginning. The act is well-meaning legislation, a purpose and concept which I support, and in fact I am an original cosponsor of this bill. If perfected by the proposed substitute, it could help facilitate the economic growth, opportunity and self-reliance in Africa that each of us supports.

First, while it intends to provide jobs for Africa in its current form, it will take jobs from America. It takes jobs from America because it allows yarn to be imported to Africa from other countries, countries whose labor standards are lower, and would give them an unfair advantage over American workers.

Second, the act proposes to encourage the building of a textile industry in Africa, but instead it discourages and destroys because only as little as 35 percent of the textile or apparel must be manufactured in Africa. Under the act in its current form, nations such as China and other Asian nations with cheaper labor could benefit, leaving Africa as a nation to benefit very little.

Third, the act makes a weak and feeble attempt at preventing the illegal shipping of apparel by an unintended beneficiary nation and would again leave Africa in a deficit position.

Finally, the act does not effectively address human and workers' rights and does not effectively address child labor restrictions.

For these and many other reasons, I urge my colleagues to defeat the rule and make sure we have a historical, meaningful bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I rise to oppose this closed rule. Several of us have tried in the Committee on Rules to offer amendments to attach labor, environmental, and human rights standards to this measure. We were denied that by the Committee on Rules and by the closed rule.

The Africa Growth and Opportunity Act, so-called, is just like fast track. There are no environmental, there are no human rights, there are no labor rights safeguards. It is just like CBI, the Caribbean Basin Initiative. There are no labor standards, there are no environmental standards, there are no human rights standards. And it is just like the North American Free Trade Agreement. Again, there are no environmental standards, there are no worker safety standards.

There are no labor standards of any kind, or human rights standards, in this bill. In fact, Mr. Speaker, this bill is misnamed. The Africa Growth and Opportunity Act should be known as the ''NAFTA Expansion to Africa Act.''

We should have learned something from the North American Free Trade Agreement. When we pass these trade agreements and we do not put environmental standards in, we do not put labor standards in, we do not protect workers in both, in all the countries involved, ours and theirs, we end up costing American jobs. We end up exploiting workers in those countries, whether it is Mexico, whether it is in the Caribbean, whether it is in Africa, whether it is in China, however we write these trade agreements.

And we ultimately hurt people in both countries. We hurt workers in the United States. We hurt workers in Africa. You lock in the exploitative conditions of those workers in those countries so their standards of living never improve.

Go to the Mexican border, go into homes in Mexico where two people, a home I visited, two people, both working for a major American auto company, do not make enough money, husband and wife, to have electricity in their home, to have running water in the home. That is what we are doing when we lock in these kinds of trade agreements without human rights, without worker safety standards, without labor rights, without environmental standards.

Mr. Speaker, I ask for defeat of the closed rule.

Mr. LINDER. Mr. Speaker, that last speaker has just energized my chairman, and I yield 1 minute to the gentleman from New York (Mr. SOLOMON).

Mr. SOLOMON. Mr. Speaker, I have said enough on the bill and the rule itself, but I have to take exception with my good friend, the gentleman from Ohio (Mr. BROWN).

The gentleman appeared before the Committee on Rules. He had a very complex amendment. It dealt with both the Ways and Means aspects and the International Relations aspects. We explained to him that if he could remove the Ways and Means implication from his amendment, we would certainly make it in order. I know that he attempted to do that, but nevertheless the Parliamentarian still ruled that his amendment dealt with the Ways and Means implications and, therefore, could not be made in order.

The gentleman should not take the well and talk about a closed rule when it is not a closed rule. It is a modified open rule, and it would behoove him to state the explanation of the rule correctly, especially if he wants to come up to the Committee on Rules and have us treat him fairly, as we usually do.

Mr. MOAKLEY. Mr. Speaker, my last speaker on this modified closed rule is the gentleman from South Carolina.

Mr. Speaker, I yield the balance of my time to the gentleman from South Carolina (Mr. SPRATT).

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. SPRATT) is recognized for 3 minutes.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, let us be clear what this bill is about. This bill will allow 42 African countries to ship textile and apparel products, clothing, to this country free of any duties, that run as high as 30 percent and average 18 percent, and free of any quotas now and forever more.

How good a deal is this? This is a better deal than Mexico gets under NAFTA. It is a better deal than any of 26 Caribbean countries get under the Caribbean Basin Initiative. It is unprecedented. It is unilateral. We get nothing in return. There is no reciprocity for our textile and apparel products entering these 42 countries. It is wide-open access.

Let us be clear about this. When we open our ports wide open to exports from these 42 African countries, we will not see African goods coming through our ports. We are going to see goods made in Asia. They may make the labels in Africa, but they will be transshipped through Africa from countries like China and Hong Kong and Pakistan and Macao, who already are notorious for transshipping. The volumes run into the billions and the problems that are sweeping Asia now are only going to make them more prone to transshipment. And the prospect of Africa as a duty-free, quota-free transit

point will be too much for them to resist and too much for our Customs Service to police.

□ 1145

And who will bear the brunt of all these imports? Sixty percent of all apparel workers, 60 to 70 percent in this country, are women. More than half of them are minorities. Most of them are African-Americans.

This bill not only affects textiles and apparel, it also affects carbon and stainless steel, ferroalloys, footwear, leather products and wine. That is because these products now enjoy an exemption from the Generalized System of Preferences, GSP, and this bill removes that full or limited exemption.

Now, everybody knows where I am coming from. I have a constituency with a lot of good, hard-working textile workers who simply want the right to earn their way in our economy, nothing more. So my colleagues know what my interest in it is.

But do not take my word for it. Listen to what Randall Robinson said in a scathing critique of this bill. Everybody knows he is an eloquent, outspoken advocate for Africa, and has been for many years. He calls this bill, his words, ''an Africa de facto re-colonization act.'' At the end of his scathing analysis he says, ''Absent significant changes, this bill combines the worst of NAFTA and the harsh IMF structural adjustment program.''

Well, we have significant changes. We have an amendment offered by two Republicans and three Democrats, offered yesterday in the Committee on Rules, which would give Africa special access, give them basically the same kind of access that the Caribbean countries and Mexico enjoy today, gives them substantial privileges and, furthermore, imposes some realistic, tough transshipment remedies here, if indeed the transshipment problem does occur after these special access benefits kick in.

Mr. Speaker, all we wanted was a chance to argue the merits of our amendment. It is a sad day in the House when we cannot come here and argue on behalf of our constituents. I urge a ''no'' vote against this rule so we can have that opportunity.

Mr. Speaker, ''The Africa Growth and Opportunity Act'' will allow textile and apparel imports to come from Africa to our country duty free and quota free Neither Mexico under NAFTA nor the Caribbean countries under the Caribbean Basin Initiative (CBI) enjoy such wide-open access to our markets. Most of the imports will not be made in Africa. They will be made in Asia and transshipped through Africa to avoid quotas and tariffs. Countries like China and Pakistan and Hong Kong are notorious for transshipping now; the financial problems sweeping Asia will make them only more prone to transship; and the prospect of Africa as a duty-free, quota-free transit will be too much to resist.

Who will bear the brunt of all these imports? 60% of all U.S. apparel workers are women, 35% are minorities, mostly African-American. U.S. apparel workers earn better wages than ever and many enjoy health benefits. The local apparel plant is often the anchor business in a small town or one of the few job sources in the inner city. These are the workers this bill will hurt.

Eight countries in Africa have been identified by the U.S. Customs Service as transit points for illegal shipments of Chinese textile and apparel goods. This transshipment is occurring now just to evade China's quotas. The Africa Free Trade Bill will increase the rewards of quota evasion by eliminating all tariffs. Profits from transshipment will increase by the amount of the tariffs evaded, which average 18% on apparel and run as high as 30%. The result will be an explosion of transshipment through Africa, which will be all but impossible for customs to police. Another result: rampant transshipment will remove the incentive for investment in African apparel production.

This bill not only affects textiles and apparel; it also affects carbon and stainless steel, ferroalloys, footwear, leather, and wine. These products now enjoy either an exemption from the Generalized System of Preferences (GSP) or limited application of GSP. The Africa Free Trade bill removes all such exemptions, and subjects these products to competition with duty-free imports from sub-Saharan Africa. Included among these countries is South Africa, an industrially developed country which recently completed the world's largest, most modern steel plant.

Yesterday, Randall Robinson of TransAfrica blasted this bill as ''an Africa de facto re-colonization act.'' The bill adds a long list of mandates that Africa countries must meet to obtain GSP benefits which no countries anywhere else are required to satisfy. The receive aid and trade benefits under this bill, African countries are required to lower corporate taxes, to sell off government-owned industries, and to give national treatment to foreign capital (aka MAI). But they are not required to protect human rights or religious freedom or the environment.

Randall Robinson has written members of the House a letter saying, ''Under the cover of an appealing name and non-binding preamble, this bill contains numerous provisions aimed at benefiting large foreign private investors and multi-national corporations at the expense of true and equitable African development. The bill assaults the sovereignty of African countries in ways not present in our dealings with other countries . . . Absent significant changes, this bill combines the worse of the North American Free Trade Agreement (NAFTA) and the harsh International Monetary Fund structural adjustment program.''

Our amendment proposes ''significant changes'' to the bill to protect African workers and American workers alike. Our amendment:

Protects U.S. textile workers by limiting duty-free, quota-free access to apparel that is made in Africa out of fabric made and cut in the United States. What we propose is very similar to the ''special access'' benefits enjoyed by Mexico in NAFTA and by Caribbean countries in CBI.

Protects U.S. cotton growers and synthetic fiber producers by requiring use of their yarn in apparel that is eligible for duty-free, quota-free access.

Protects other industries hurt by changes to GSP made in H.R. 1432, such as ferroalloys, footwear, stainless steel, and wine.

Adds accountability to the bill. Every African garment sold in the U.S. can be traced to U.S. fabric pieces shipped to Africa, which greatly reduces the opportunity for transshipment.

Adds tough enforcement measures to punish transshipment, including higher penalties for fraud and gross negligence. It limits the mitigation process, which allows Customs to forgive up to 100% of transshipment fines, and restores Customs' authority to seize transshipped goods.

Requires African countries to cooperate with U.S. Customs and allow full access in its investigations of transshipment.

De-links textile and apparel benefits from GSP benefits, maintaining the textile and apparel exemption from GSP.

In summary, our amendment raises the benefits of the bill to Africa by ensuring that apparel imports coming from Africa will be produced in Africa by Africans.

Some $43 billion in clothing and apparel were imported into this country last year. This industry has surrendered well over half the domestic market to developing countries. Before we decimate what is left of our domestic market with a new barrage of low-wage imports, or open the door to even more transshipment and evasion, let us have a chance to make the case for our amendment. It allows sub-Saharan Africa special access that is as good in most respects as NAFTA and CBI, and that in some respects is better because it levies no duties at all on eligible textiles and apparel. Our amendment is well conceived and carefully crafted; it deserves to be part of this debate; and members deserve the chance to vote on it. Since the rule denies us this chance, we should vote it down.

Mr. LINDER. Mr. Speaker, I yield myself the balance of my time to urge everyone in the Chamber and everyone listening and watching to vote for this rule.

There is no question on the resolution that some of the amendments others had wished to be debated were not put in order and will not be debated, under a longstanding practice in this House of not opening up the Ways and Means jurisdictional areas with respect to taxes. Anyone can imagine the kinds of mischief that could be created on this floor if people could openly amend any portion of the Ways and Means jurisdiction in respect to taxes.

So to the extent it is a closed rule, it is a modified closed rule. There will be several amendments offered, longstanding opportunity for debate on this bill, and I urge all my colleagues to support the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SNOWBARGER). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 227, nays 190, not voting 14, as follows:

[Roll No. 43]

YEAS—227

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

NAYS—190

Abercrombie
Aderholt
Andrews
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barr
Barrett (WI)
Berry
Bishop
Blagojevich
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (OH)
Bunning
Callahan
Canady
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cramer
Cummings
Cunningham
Danner
Davis (IL)
Deal
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doyle
Duncan
Edwards
Ehrlich
Emerson
Etheridge
Evans
Everett
Filner
Frank (MA)
Frost
Gejdenson
Gephardt
Gilman
Goode
Gordon
Graham
Green
Gutierrez
Gutknecht
Hall (TX)
Hefner
Hilleary
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hostettler
Hoyer
Hunter
Inglis
Istook
Jackson (IL)
John
Johnson (WI)
Jones
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Luther
Maloney (CT)
Maloney (NY)
Manton
Mascara
McCarthy (MO)
McCollum
McGovern
McHale
McIntyre
Meehan
Metcalf
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Murtha
Myrick
Nadler
Neal
Ney
Norwood
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Pelosi
Peterson (MN)
Pickering
Pickett
Price (NC)
Rahall
Reyes
Riley
Rivers
Rogers
Rothman
Roybal-Allard
Sabo
Sanders
Sandlin
Sanford
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Slaughter
Snyder
Spence
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Thurman
Tierney
Torres
Traficant
Turner
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wicker
Wise
Yates
Young (AK)
Young (FL)

NOT VOTING—14

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

□ 1211

Ms. STABENOW, Ms. MILLENDER-MCDONALD, and Messrs. NEY, YOUNG of Alaska, LAMPSON, CUNNINGHAM, WISE, HALL of Texas, RAHALL, DIXON, OWENS, SERRANO and SCHUMER changed their vote from ''yea'' to ''nay.''

Mr. LEWIS of Georgia and Mr. ENGEL changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. BARRETT). Pursuant to House Resolution 383 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1432.

□ 1213

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself 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, with Mr. SNOWBARGER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. GILMAN), the gentleman from New Jersey (Mr. MENENDEZ), the gentleman from Illinois, (Mr. CRANE), and the gentleman from New York, (Mr. RANGEL) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

□ 1215

Mr. GILMAN. Mr. Chairman, I yield myself such time as I may consume.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, while I have some reservations concerning the textile provisions in this bill, I do rise in strong support of the Africa Growth and Opportunity Act, H.R. 1432.

This legislation is a result of years of bipartisan congressional efforts to develop a comprehensive trade and development policy toward the countries of sub-Saharan Africa. On May 22 and June 25 of last year, the Subcommittee on Africa and the full Committee on International Relations held markups on this important legislation. On both dates, it was approved by voice with strong backing on both sides of the aisle.

This legislation promotes economic reform through free trade initiatives, creation of equity and infrastructure funds, the refocusing of development assistance, and the creation of special advisory committees on sub-Saharan Africa for the Export-Import Bank and the Overseas Private Investment Corporation. Under its provisions, the President is directed to determine eligibility for benefits under this bill based on a sub-Saharan country's adherence to human rights norms and a demonstrated commitment to economic policy reforms.

Africa, as we all know, is comprised of some 48 nations. It includes over 500 million people and supplies many important natural resources to our Nation, from petroleum to uranium to timber. Trade between our Nation and Africa is greater than that between the United States and the former Soviet Union and Eastern Europe combined. Yet there exist great possibilities for this trade to be expanded.

With the end of the Cold War and the demise of the apartheid regime in South Africa, sub-Saharan Africa is opening up to the world as never before. Many nations in that region are moving toward democracy, liberalizing their economies and seeking a better standard of living for their people. For the first time in almost a generation, most African countries are participating in a marked economic upturn. Often perceived as a continent of failed

or declining states, Africa is now in the midst of an economic and political rebound with overall growth rates of nearly 5 percent.

As African entrepreneurs are working to convince their own governments to reduce state regulations and constraints on domestic and foreign investment, so too should we be providing the trade and investment opportunities for these emerging-market-oriented economies.

The bill before us today provides a framework and a structure to accomplish those goals. Up to the present, our development assistance programs have been at the center of our relationship with many of the countries of sub-Saharan Africa. There is little doubt that these development programs, including the Development Fund for Africa, will continue to play an important role in bilateral relations with the countries of that continent. But for aid to achieve its real objectives, to be no longer necessary, it must be accompanied by the right trade and investment policies. Under this bill, we can help African governments strengthen their capacity to make good policy choices and to carry through on their effective implementation.

In 1996, trade between our Nation and sub-Saharan Africa grew at an impressive 18 percent rate. This growth rate shows no signs of declining as our trade with this emerging region continues to outpace the growth in United States global trade. Several African countries, including Senegal, Ghana, Ethiopia and Cote d'Ivoire are among the fastest growing economies in the world. The United States is the largest recipient of African exports, at nearly 20 percent, but we are only the fifth largest exporter to Africa. In short, we have ample opportunity to increase our export and investment opportunities in the region.

One of the provisions in this bill creating a U.S.-Africa Trade and Economic Cooperation will help to accomplish this objective. This forum will provide a focal point for Africa policy efforts in the U.S. Government in the same way that APEC annual meetings do for our overall economic policy toward Asia. It will also help promote the policy reform process in Africa, particularly in the trade and investment area.

Mr. Speaker, the Africa Growth and Opportunity Act, with its bipartisan backing from Speaker GINGRICH to the gentleman from New York (Mr. RANGEL), support our interests in Africa and the aspirations of African entrepreneurs across the continent. The lowering of tariffs, the expansion of trade, the encouragement of free markets over the past decade has benefited American companies and workers alike and has served our overall foreign policy interests.

Now I urge my colleagues to let us include Africa in our trade policy for the next century. I urge adoption of the African Growth and Opportunity Act.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from California (Mr. ROYCE), the chairman of our Subcommittee on Africa, who has ably managed this important measure through the committee. We look forward to his continued strong leadership today.

Mr. Chairman, I ask unanimous consent that the gentleman from California (Mr. ROYCE) the distinguished chairman of the Subcommittee on Africa, control the balance of my time in general debate.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MENENDEZ. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the winds of change are blowing in Africa. From the end of apartheid in South Africa to the successful democratic transition of power in Botswana, tremendous economic growth in Uganda, infrastructure improvements in Ghana, the privatization of formerly state-owned industries in Mozambique, and growing stock markets in Zimbabwe and Ghana, African nations are taking the requisite steps to shed Africa's media image of poverty and conflict and recast Africa as a new frontier for investors. Today, a majority of sub-Saharan Africa's 48 countries have adopted market-oriented economic and political reforms, including open markets, privatizing industries, stabilizing their currencies, and simply making their countries more investor friendly.

As President Clinton noted, there really is a dynamic new Africa out there. African nations are looking to enhance trade, not aid, to foster their economic development and political stability. While trade cannot supplant aid entirely, at least not yet, trade is a missing link in the final leg of U.S. policy towards the continent.

The Africa Growth and Opportunity Act is America's response to positive changes in Africa, and it seeks to harness Africa's potential in a manner which benefits Africans and Americans.

Africa is already an important trading partner for the United States. Our exports to Africa have grown 14 percent over the last 2 years and are now more than $6 billion annually. Exports from my own home State of New Jersey to sub-Saharan Africa are more than $200 million. In fact, exports to Africa are 27 percent greater than our exports to all of the former Soviet Union combined. When former Secretary Ron Brown traveled to Africa, he pointed out that while investment in Africa was sometimes more difficult than your average foreign investment, it also yields a greater than average return on direct investment, about 25 percent, compared with 8.5 percent for direct investment worldwide.

In 1995, the World Bank estimates that sub-Saharan Africa's GDP grew by 4 percent. Thirty countries reported growth over 3 percent, and four countries, Uganda, Angola, Malawi and Lesotho, grew by more than 10 percent. Many countries have embraced political and economic reforms which are encouraging foreign investors to look at new investment in the continent.

This legislation provides opportunities both for Africans and for Americans. The bill is a comprehensive program. Not only will it facilitate trade and investment, but it is a landmark piece of legislation because it places new emphasis on the importance of Africa to America, and as a result, it will engage Americans and American businesses in Africa.

Before the 1990s, Africa was an ideological Cold War battleground where U.S. policy focused largely on promoting Cold War interests and responding to imminent humanitarian concerns. Africa's tremendous economic potential was ignored. This legislation says, no more. More economic opportunity means less poverty, less emergency humanitarian relief, more peace. Less likely to have U.S. troops deployed to end mass slaughters, we can save money and we can make money as trading partners; we can limit the risk to American lives and also, ultimately, we can encourage greater stability and peace within Africa itself. And that is good for Africans. That is a win-win situation.

We are ready for a new era in America's policy toward Africa. With the passage of this legislation, we will launch that era, an era where America wholeheartedly embraces Africa, its people and its enormous wealth of opportunity, an era in which we pursue policies that seek to improve the lives of Africans as part of our policy, not just as an afterthought.

I urge my colleagues to support this historic opportunity for America and Africa by supporting this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. ROYCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this legislation is long overdue. This African Growth and Opportunity Act is long overdue. For too many years, we have thought of Africa in terms of aid only. All of our attempts to promote economic development in Africa have been a matter of sending aid and more aid. Yet many African countries are poorer today than they were at the time of their independence in the early 1960s.

There are many reasons for this. Some African countries have been crippled by civil wars, some which were fueled by the Cold War. Some African countries have been hit by natural disasters, including droughts. Downward changes in the world prices of some African commodities have hurt.

But our aid has been part of the problem, too, part of the problem because it has often sustained what have proven to be unsustainable economic policies in Africa. Like other areas of the world, Africa went the route of socialism in the 1960s and 1970s. It was fashionable then for African governments

to nationalize industries, to close economies to imports, to try to manage commerce down to setting the price on a bag of corn and otherwise kill the entrepreneurial spirit in Africans that is common to people all over the world. Africa's poverty today has much to do with these disastrous policies.

Like other regions of the world, though, Africa has been changing. Over the last 10 years, many African countries have been reforming their economies, allowing everyday Africans to seize their own economic destinies. State-controlled companies have been sold, commerce-crippling red tape has been cut, and partnerships with foreign investors have been permitted. In short, African nations have begun to give themselves a chance to develop just like other countries in the world.

There have been impressive results. Many of my colleagues today will tell the story of what some are calling the African Renaissance. Many African countries are having real economic growth of up to 10 percent for the first time in years.

□ 1230

One country, Uganda, probably the most aggressive economic reformer in Africa, has been growing at 10 percent for several years running. Uganda is now being called the African lion.

This growing economy means that the development, better health, nutrition, education, the things that everyone in this House wants to see for Africa, is beginning to happen. And it does not take too many years of 10 percent economic growth to make some real progress. That is why Americans are thinking about Africa in new terms. All this is a new beginning for Africa. Though we should not ignore the real challenges these countries face, more reforms are needed, and economic reform can be trying, but if African countries meet this challenge, then the Africa of the 21st century will be a far different Africa than the Africa of the recent past.

The African Growth and Opportunity Act is all about helping these countries along with this reform plan. It does this by identifying those countries that are committed to reform as the countries the United States wants to develop a special economic relationship with. These countries, those that are giving themselves the best chance to develop, that are giving U.S. businesses the chance to take part in their development through American exports and investment, will take part in annual trade forums with the United States. They will also have greater opportunities to sell some of their goods to American consumers. These are real benefits, benefits that should be incentives to African countries to continue their reform path, allowing their citizens to reach their potential, and helping American businesses too.

Now, this bill will not cure all of Africa's ills, but it helps in a big way. It also puts Africa on the map for America, not as a place of famine and poverty and of endless aid spending, but as a place where growth is offering American businesses new opportunities. Africa is changing. It is time for U.S. policy to change too. This is what this bipartisan act is about. For the sake of a brighter future for Americans and a brighter future for Africans, let us pass this very significant legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. MENENDEZ. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from New Jersey for yielding me this time.

I rise today in strong support of the African Growth and Opportunity Act, a bill which I am pleased to be a cosponsor of.

Now I realize this is not a perfect bill and that there are concerns, and I hope those concerns can be worked out, but let me emphasize today in dealing with the continent of Africa we should not let the perfect be the enemy of the good. In the past we have had a very limited trade relationship with Africa, based primarily on Cold War objectives. I am pleased to say that with this bill we are moving forward into the new millennium to develop and cultivate new trade relationships. I think that is good for America.

Currently, Europe has 30 percent of the African market. By comparison, we only have about 6 to 7 percent. It is in our national interests to support better trade relationships with Africa. It is in our interests to develop new markets. It is in our interests to avoid costly conflicts where trade replaces warfare. It is in our interests to address these global problems.

Africa does have unique problems and progress is fragile, but progress has been made. Numerous countries have moved to democratic systems and those countries are now prepared to receive our assistance in cultivating trade relationships.

It is important that we offer important reforms, such as eliminating trade barriers, such as encouraging improved fiscal policies, promoting private sector development, fostering good government and fighting corruption, debt forgiveness. All of these are objectives that can be accomplished if we pass this bill.

Let me hasten to point out, however, that this bill will not benefit countries that continue to engage in human rights violations. They will not be eligible for those benefits. But for those countries that are truly moving toward democracy, those countries that are truly eliminating human rights violations, those countries will be able to benefit.

But, more importantly, we in the United States will be able to benefit because a stronger Africa represents new markets for our goods, and to the extent that we can take advantage of these new markets, we can have a more prosperous economy here in the United States.

Mr. Chairman, I strongly urge support for this very excellent bill.

Mr. ROYCE. Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I thank my colleague from California for yielding me this time.

I rise in very strong support for H.R. 1432, a bill to authorize new trade and investment policy for Sub-Saharan Africa.

First, let me commend the distinguished gentleman from Illinois (Mr. CRANE) and many distinguished, informed and thoughtful colleagues on both sides of the aisle for sponsoring this bipartisan initiative. This act is a much-welcome initiative for a continent in need of our focused attention, and I am very proud and pleased to be an original cosponsor.

We hear a lot of hyperbole and exaggeration around here, but I tell my colleagues, in my judgment, without fear of responsible contradiction, this is the most important foreign policy initiative of this Congress. Beyond that, this is the most important thing that we have done potentially for Africa in post-colonial times, and I believe that the potential will be shown to be a reality.

Why do I say that? Well, first of all, we know, of course, that the United States has been committed to Africa in terms of foreign assistance for many years now, but our commitment to Africa in terms of trade has been less steadfast. In fact, our trade policy at times discourages private sector enterprises in Africa. These trade barriers can negate the benefits of U.S. foreign assistance to some of the same African countries that we are trying to help.

Oftentimes, we hear from these countries, ''We want trade,'' and they even go on to say, ''We do not need aid if you give us adequate trade opportunities.'' This is a win/win situation for the United States and these African countries.

As a strong supporter of the aid to Africa through the Development Fund for africa, in fact, Mr. Wolpe I think was the original initiator, and other mechanisms, I believe this legislation finally coordinates and sufficiently focuses America's resources on both trade and aid in Africa, and there are a number of amendments made in order that will improve this legislation.

By requiring African countries to show their commitment to market reform, this bill lays the proper foundation for a very positive, cooperative relationship between the United States and these many countries of Africa. By proposing a framework for investment assistance, export promotion, free trade arrangements, and the abolition of trade barriers, this legislation creates a reward system that ensures those market reforms in Africa are more likely to continue.

Finally, by maintaining our foreign assistance program for sustainable development and humanitarian purposes, this legislation commits us not only to economic liberalization in Africa, but also to equitable and efficient development that does not overlook the poor or those most in need.

Mr. Chairman, I find it very hard to imagine how someone could oppose this legislation once they have examined it. This legislation has received widespread attention both inside the United States and outside this country from our allies and friends. Ask the African countries and their leaders and their people how they feel about it. If they know about it, they are in favor of it. It has been received well as a coordinated, thoughtful component to our foreign policy toward the individual countries of Africa.

I say to my colleagues who know about my involvement in Africa and foreign affairs issues for some time, I say to them, this legislation is a very positive contribution to Africa and to the United States. I strongly urge that my colleagues support the most important foreign policy initiative of this Congress, one that has bipartisan support.

Mr. MENENDEZ. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. JACKSON), in recognition of the gentleman's strong concerns about this issue and that it is his birthday, even though he is going to speak in opposition.

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman for yielding me this time.

Let me first thank the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. MENENDEZ) for this opportunity. I want to thank all of my colleagues for their participation in this discussion which I suspect will be a fruitful debate.

This is an historic day as this Congress discusses and debates U.S. trade with Africa on the House floor. As my colleague noted, I was born on March 11, 1965, and on December 12, 1995, I was elected to Congress as the 91st African-American to serve in this House. There have only been 102 African-Americans elected to Congress out of a total of 11,541 Americans. Ninety-eight have been in the House, 4 elected to the Senate and 2 this last century, including 2 this century, CAROL MOSELEY-BRAUN, the only African-American woman to ever serve in the Senate.

This occasion to debate a respectful and reciprocal trade relation with Africa is a test of fate for the 60 million Africans taken from their native shores and forced to make the transatlantic voyage. It is because of that history that we are compelled to strenuously critique and analyze this bill. So I am periodically, Mr. Speaker, going to raise questions of some of my colleagues on the other side and this side that I hope will be taken in the spirit within which we have engaged in this discourse.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

The SPEAKER pro tempore (Mr. BEREUTER) assumed the chair.

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 SPEAKER pro tempore. The Committee will resume its sitting.

AFRICAN GROWTH AND OPPORTUNITY ACT

The Committee resumed its sitting.

Mr. ROYCE. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Chairman, Africa is a continent on the move and it is time we recognized that fact. We have neglected the people of Africa and ceded many export opportunities to their former European colonial powers.

This legislation will for the first time focus the attention of the U.S. Government on a comprehensive trade strategy towards Africa. This legislation reinforces the positive developments taking place in that continent. Since 1990, more than 25 African countries have held democratic elections and more than 30 countries have embarked on free-market economic reforms.

Let me give my colleagues a taste of what can happen. Last year I held a hearing before the Subcommittee on Small Business Exports, which I chair, on the subject of the Overseas Private Investment Corporation, OPIC. A wonderful lady born in Africa and now residing in Massachusetts, Monique Maddy, testified how her small telecommunications firm was able to contribute both to economic development in Africa and increased U.S. exports to Africa.

She won a deal, thanks to a political risk insurance package from OPIC, to build wireless public telephones which operate on debit cards instead of coins for Tanzania. This contract resulted in the export of $4.5 million worth of goods and services from 8 supplier companies in 7 States: Texas, New Jersey, Washington, Georgia, Missouri, and North Carolina. In addition, 60 jobs were created in Tanzania.

Because the Africa Communications Group did so well with the Tanzania sale, Ms. Maddy subsequently won a larger sale to Ghana with OPIC's help. This will result in the export of approximately $65 million worth of goods and services from the United States and create 500 jobs in Ghana. Without OPIC, most likely these deals would have gone to our European competitors.

My home State of Illinois is another example of the phenomenal growth of exports to Africa. South Africa alone is Illinois's 20th largest export destination, totaling $389 million for 1996. The leading exports to South Africa are industries where Illinois excells: chemical, earth-moving equipment, agricultural machinery, and aviation parts.

From the Chicago-land area, exports to South Africa grew 148 percent between 1993 and 1996, starting at $74 million and increasing to $184 million. In Rockford, Illinois, exports to South Africa grew 29 percent, jumping from $2 million in 1994 to $2.6 million in 1995, the latest date for which we have export statistics.

South Africa is the locomotive that drives much of Sub-Saharan Africa, and it is critically important we help this big emerging market on the path of democratic and free-market reform.

Mr. MENENDEZ. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. BERMAN).

(Mr. BERMAN asked and was given permission to revise and extend his remarks.)

□ 1245

Mr. BERMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I join the gentleman in support of H.R. 1432, the African Growth and Opportunity Act. This bill will help sub-Saharan countries build economic self-sufficiency and reduce their isolation in an increasingly interdependent world. The bill supports U.S. aid programs that are vital in the near term, but focus on sustainable development as the only way to substantially boost living standards in some of the world's poorest countries. It promotes trade, foreign investment, debt relief, and private enterprise, including businesses run by women.

At the same time, the bill requires that beneficiary countries have or must be moving towards market-based economies. It requires they be committed to accountable government, the eradication of poverty, observance of human rights: these criteria offer the best chance for prosperity and stability in the region.

The debate today will go into great details on many of the provisions. There will be some amendments which make the bill even better, and others which will be designed to fundamentally gut the key provisions of this bill, but I urge support for the bill and opposition to those amendments, in the context of trying to help H.R. 1432.

Mr. Chairman, opponents of H.R. 1432 say that the United States should not help Sub-Saharan Africa by dropping quotas and tariffs on textiles and apparel, even though these are the goods countries in the region can most readily produce. Opponents argue that reducing trade barriers will make U.S. imports of such goods soar, threatening U.S. textile and apparel manufacturers and workers. They vastly overstate the case.

To address this concern, the Committee on Ways and Means asked the International Trade Commission to assess potential textile and apparel imports from Sub-Saharan Africa under the terms of the bill. The ITC estimated

that even with duty- and quota-free treatment, textile and apparel imports from the region will not exceed three percent of total U.S. imports of such goods over the next 10 years. Sub-Saharan African imports currently account for less than one percent of total U.S. textile and apparel imports. Such modest growth, while important to Africa, clearly would pose no threat to U.S. manufacturers or workers.

The bill provides for a review of the no-tariff, no-quota policy by requiring the President to report annually to Congress on the growth of textile and apparel imports from Sub-Saharan Africa. Even if imports unexpectedly rise dramatically, we can revise the policy before U.S. textile interests suffer substantial harm.

Opponents also warn that the no-tariff, no-quota policy will spark a massive increase in illegal transshipments of goods from Asia. While illegal transshipment is always a concern, they again overstate the case.

The bill contains strong provisions to prevent illegal transshipment. Sub-Saharan African countries will enjoy duty- and quota-free treatment only after they demonstrate that they have effective visa systems in place to guard against transshipments and counterfeit documents. The bill directs the U.S. Customs Service to monitor and report annually to Congress on the operation of those systems.

It also penalizes those who circumvent the visa systems. Exporters who illegaly transship goods will lose duty-free benefits for two years.

H.R. 1432 is a welcome change in U.S. policy that views Sub-Saharan countries as potential partners and not simply aid recipients. Africa's economic progress ultimately will depend on the policies that states in the region adopt. This bill guides them in the right direction. I strongly support H.R. 1432, and I urge my colleagues to do the same.

Mr. MENENDEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I rise in support of H.R. 1432, the African Growth and Opportunity Act. As our Nation enjoys a booming economy, lower unemployment and lower inflation, many countries in sub-Saharan Africa cannot afford medicine to treat their own children or buy nourishing food to satisfy their hunger.

Today, by voting for this bill, the United States Congress and America will give sub-Sahara Africa a chance to prosper. This bill is not perfect. However, I believe it is a positive start to increasing investment in sub-Sahara Africa.

Mr. Chairman, when I visited the countries of Ghana and Zambia in December, I saw firsthand the existing economic crisis. Infrastructure is extremely limited, health care facilities cannot keep up with the cases of chronic illnesses. In Zambia, we have 3.5 million children with no free public education. In Zambia, nearly 650,000 children are orphaned because their parents have died from AIDS. It is because of increased commerce and economic opportunity that sub-Saharan countries can begin to address these concerns.

In 1996, U.S. imports from the 48 countries in sub-Saharan Africa totaled $15.2 billion. However, U.S. trade with the Nation of Japan alone totaled just above $200 billion. We see the inequity and we see the devastation of the absence of economic opportunity.

Mr. Chairman, I urge every Member of this Congress to support this legislation.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FOX).

Mr. FOX of Pennsylvania. I thank the gentleman for yielding me the time, Mr. Chairman.

Mr. Chairman, I rise in support of the African Growth and Opportunity Act, H.R. 1432. This legislation embodies our philosophy that the United States, as the world's largest and most technologically advanced economy, can and should do more to contribute to Africa's economic development.

This bill could provide a positive framework for the competitive U.S. private sector, in concert with the ingenuity of the sub-Sahara Africa private sector, to help stimulate growth in Africa while increasing economic opportunities and jobs here at home. It encourages closer economic cooperation with the region and supports debt reduction for the poorest countries in Africa. It recognizes that U.S. trade, aid, and investment are all important pillars of the U.S. post-Cold War policy with Africa.

It will enhance market access for African goods and services and promote multilateral debt relief for the poorest African countries. The bill will increase U.S.-Africa economic cooperation, and will help pave the way for the President in his trip to those countries in the latter part of this month. Most importantly, Mr. Chairman, this bill will continue the role of the United States as the catalyst for democracy and the engineer of economic growth around the world.

Mr. MENENDEZ. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New Jersey (Mr. PAYNE), a member of the subcommittee who has traveled quite extensively in Africa, and spent a lot of time and effort in his dedication to the continent and to bringing all of our countries together.

Mr. PAYNE. Mr. Chairman, I rise in support of H.R. 1432, the African Growth and Opportunity Act. I join the rest of my colleagues who are original cosponsors of this bill. We have been talking about this issue for some time now. I am finally pleased that this initiative is happening. The Subcommittee on Africa, of which I am a member, proudly marked up this legislation last year.

I would like to thank the gentleman from Illinois (Mr. CRANE), the gentleman from New York (Mr. RANGEL), the gentleman from Washington (Mr. MCDERMOTT) and the gentleman from Louisiana (Mr. JEFFERSON) of the Committee on Ways and Means, who worked so hard with their vision to bring this particular bill to the floor.

I would also like to commend my chairman of the Subcommittee on Africa, the gentleman from California (Mr. ROYCE), and the ranking member, who we have heard from also, the gentleman from New Jersey (Mr. MENENDEZ) for the time, effort, and energy they have spent in trying to perfect this bill. It is still not a perfect bill, but it would not be in the shape that it is in now had it not been for the work of the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. MENENDEZ) and the other Members that I mentioned.

This is a historic and exciting occasion. Today I stand before you to say that the Africa trade bill will improve the lives of many African-Americans on the continent. Imagine, as we approach the new millennium, a new partnership has been forged, a partnership that is not based on dependency on aid. People want to earn their way. They want to earn their keep.

This is an opportunity for people to show that it is trade, not aid. If we give a person a fish, they eat for a day. If we teach a person to fish, they eat for a lifetime. This bill will finally bring Africa into the new millennium.

I must also applaud the Africa diplomatic corps for their constant and unwavering faith that they would one day be active participants in the global economy. They are very supportive of this bill.

What would this bill do? It would enhance market access for African goods and services; it would promote multilateral debt relief for the poorest of the poor; it would open free markets which otherwise would be closed to Africa. It directs OPEC to create a $150 million equity fund and a $500 million infrastructure fund to begin this year. It will increase authority and flexibility to provide assistance under the Development Fund for Africa.

This bill will also establish a U.S. economic forum to facilitate annual high-level discussions of bilateral and multilateral trade and investment. Also, for the first time in over 20 years, a U.S. President will travel to Africa, and President Clinton will be armed with this legislation to talk about his partnership for growth and opportunity in Africa. I commend the President for his trip, going to Africa.

Let me just say that I become disturbed when people say there is no national interest in Africa. We had an interest during the Cold War where we propped up illegal governments, like the Mobutu regime and some of the activities in Angola and other places, Mozambique and around the continent.

Finally, we are able to say, let us forget the Cold War. That time has past. Let us look to the sub-Sahara African countries, and let us have a bill that recognizes that U.S. trade, aid, and investment are all important policy goals.

Mr. Chairman, a foreign trade policy that ignores some 32 Sub-Saharan African nations is a distorted policy. This bill recognizes that

U.S. trade, aid and investment are all important foreign policy goals. 32 countries have joined the new World Trade Organization, and we are helping them to share its benefits and to meet its requirements.

In conclusion, liberalization will not be beneficial without a transformation in the thoughts and attitudes toward Africa. It must no longer be thought of as a region devoid of hope, but a region which the hope of civil society, popular struggle can be fostered to bring Africa to the "center."

I support this bill and urge my colleagues on both sides of the aisle to do the same.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. PAYNE. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman for yielding.

I would ask the gentleman, is he aware in the bill of any African countries losing foreign aid they are now receiving unless they adopt the economic reforms dictated in this bill?

Mr. PAYNE. Mr. Chairman, I am glad the gentleman brought that question up. This bill is separate from aid. The Development Fund for Africa was an earmarked area that this year is funded for about $700 billion, and $30 million has been allocated or recommended by the administration to go into the aid. Therefore, the answer is, no. This is a separate entity, and it will not take aid from any country that does not conform to the bill.

Secondly, I might say that a country that does not comply with governance and human rights, with transparency and basic human rights, will not be invited to be in the rounds, just as NATO expansion has been done.

Mr. JACKSON of Illinois. Mr. Chairman, if the gentleman will continue to yield, is the gentleman aware of any African countries being forced to cut corporate taxes, privatize, and shrink their government services, or grant expanded rights to foreign investors under the bill?

Mr. PAYNE. To my knowledge, I know of none. If the gentleman knows of any information that I am not privy to, I would certainly appreciate it, but to my knowledge it does not negatively impact on what is going on in those countries. There will be IMF requirements which already are in in many countries. What we are talking about is a new trade and investment opportunity for the various countries.

Mr. JACKSON of Illinois. I thank the gentleman.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Ohio (Mr. CHABOT), on the Subcommittee on Africa.

Mr. CHABOT. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in strong support of H.R. 1342, the African Growth and Opportunity Act. As the gentleman from New York (Chairman GILMAN) and the gentleman from California (Chairman ROYCE) have pointed out, this legislation creates a transition path from developmental assistance to economic self-reliance for those countries in sub-Saharan Africa committed to economic and political reform, market incentives, and private sector growth.

Mr. Chairman, while we have seen much turmoil and tragedy in Africa in recent years, we have also witnessed a number of positive developments on the continent. Since 1990, for example, more than 25 African countries have held democratic elections. More than 30 nations have taken steps to institute market-oriented economic reforms. Many of us who have worked regularly on African issues are hopeful and confident that those numbers will continue to increase.

I have talked with a number of African leaders, having had the opportunity to travel to Africa recently on a CODEL headed by the distinguished gentleman from Arizona (Mr. KOLBE), and many of the leaders who would greatly like to move away from dependency on foreign assistance and move towards economic self-reliance. The adoption of the African Growth and Opportunity Act will help to move that process forward.

On an editorial which appeared this morning in the Washington Times, after being generally supportive, they stated, ''The problems faced by Africa are not going to be solved by a single piece of U.S. legislation. But too often, our Africa policy has been an ad hoc response to crises. If Congress passes this bill, there is a chance to get the policy on a firm footing at last.'' I agree with the Washington Times editorial this morning.

I want to thank particularly the gentleman from California (Mr. ROYCE), the distinguished chairman of the Subcommittee on Africa, and also the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations itself, for crafting this legislation and bringing this bill forward. It is a balanced bill and it makes a lot of sense. I strongly encourage my colleagues to support this bill.

Mr. MENENDEZ. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. RANGEL), the ranking Democrat on the committee and a strong proponent of the bill.

Mr. RANGEL. Mr. Chairman, I have never felt more proud as an American, but more so in being a Member of this Congress during this historic time, where we have dealt with the problems in Europe, we have dealt with the problems of Asia and Central and South America, and now this beautiful, rich continent that tries so desperately hard to struggle out of poverty has now started moving towards a fair market economy, democracy, and all of the things that we said were necessary in order to be trading partners with the United States.

Now that she has done those things, and we see the progress that has been made in the sub-Saharan countries, I think that we are just about to give her a chance to prove that she can compete with the best of the countries, given the opportunity.

For those who fear transshipment, there have been laws put right into the bill to increase the penalty for those who are guilty, but the people who do not want transshipment are the African people, because they want their people to work and improve the quality of life.

But look at it as Americans. Once we develop this market, once we give disposable income for people in Africa, and once they start rebuilding their economies and the infrastructure, who will be providing the technology, the services, and the jobs? With our help, we will be able to beat out the colonial powers and America, once again, will be first, and our friends will be our friends in Africa.

□ 1300

I hope that Members are able to support the bill, because I think, throughout the world, we will be able to see that we were not there as fast as we should have been in apartheid; but once we got there, America has demonstrated to the world, including our friends in Africa, that we will be fair, we will be equitable, and we will make certain that they will be able to play in this market as a free economy.

Mr. MENENDEZ. Mr. Chairman, I yield 6 minutes and 30 seconds to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE), whom I traveled with to Africa.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from New Jersey for yielding me this time.

I thank the gentleman from Illinois (Mr. CRANE) and the gentleman from New York (Mr. RANGEL). And the gentleman from California (Mr. ROYCE), we have spent some time together in Africa. I thank him for his leadership.

This past Sunday, a group of us, Members of the United States Congress, traveled to Selma, Alabama, to reenact the march in 1965 of those brave souls who walked across the Edmond Pettus Bridge in Selma, Alabama.

There was a great deal of trepidation and wonderment as to whether or not this approach was right. The reason they were doing it was because there were people in the United States who were disenfranchised from their rights under the Constitution of the United States of America.

The gentleman from Georgia (Mr. LEWIS), my colleague, was in the forefront. And as they proceeded over the bridge, they saw danger ahead. But rather than retreat, they went forward in order to create more opportunity for African Americans, people of color, women in the United States political process. They literally unshackled the very destructive laws by being the true result, or the true basis upon which the Voting Rights Act of 1965 was passed.

Albeit some may argue and say we are not on the precipice of a Civil Rights Act today, I still take the words of Dr. Martin Luther King and say, If not now, then when; for, for the first time in the history of this Nation, I do believe we have elevated the discussion of the continent of Africa, sub-Saharan Africa, 48 countries, to a level of equality and equal partnership in business.

So I would simply like to say that we are on a journey. Danger is ahead. There are many concerns that my good friends have. I am concerned about work safety conditions, the environment. I have, particularly in the last mission that I was honored to be on, the presidential mission headed by the gentleman from New York (Mr. RANGEL), particularly focused and asked to lead out on the question of HIV infection in sub-Saharan Africa. I take that as a special commitment, the ravaging of HIV and AIDs. This bill does not necessarily address it, but it opens the doors of opportunity so that the pharmaceutical industry in this country can itself be involved in trade to provide the much-needed medicine for that devastating disease. That is important to me.

My support of this bill does not in any way cause me to stand aside from my longstanding commitment to safety in the workplace, working conditions respective or responsive to the workers who will work there. Likewise, this bill emphasizes something very near and dear to me, and that is that the continent and sub-Saharan Africa must accord the human rights and dignity that is befitting of an international arena and trade.

I am sorry to say that we have not done that for China in our most-favored-nation debate we debate constantly. But here in this legislation there is a direct provision for making sure that the African countries who will participate adhere to the dignity and the responsibility of human rights. This is key.

In addition, this bill has a provision for my friends from the agricultural belt. In the agricultural belt, $15 million is remaining that allows our agricultural expertise to interact with Africa to develop products and expertise and to open up that market of 800 million citizens who want to be included.

Lastly, let me say that this question of dumping is extremely important. It bothers me, coming through Africa and relabeling it. Diplomats and presidents alike, when spoken to directly, have said, we will enforce our customs laws. We will be the kind of watchdog that refuses to allow Africa and this trade bill to be abused. Can we not give them respect as heads of state? Would we not ask this of China when we vote year after year for most favored nation? Why should not the continent have the same dignity and respect?

We did not enslave Africans, those colonies, colonization; European colonizers did. Why can we not have the same opportunity now to come back and say, we do not have the baggage of Europe. We are ready to do trade and to develop economic opportunities. Do we not realize how important it is to make this continent, this relationship, to put ourselves in front of the colonizers of Europe?

Lastly, let me say for inner-city America, for African Americans, for those who think their jobs will be taken, quite the contrary. Many of those in my district, the 18th congressional district, have said, I can work with this bill, small- and medium-size businesses, which are the backbone of America, creating jobs for people in the inner city because the trade barriers and tariffs are down for the little person to be able to be up.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Speaker, two questions for the gentlewoman.

I am wondering, does the bill require American businesses to invest in the education and training of Africans and to hire and value African employees? And what knowledge, if any, does the gentlewoman have about multinational corporations here in America who stand to benefit from the bill, as to whether or not they have been supportive of affirmative action at home, so that African Americans can also be the beneficiaries of such a trade policy?

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me say, two very good questions. This bill gives us the opportunity with that kind of leverage and, yes, this bill opens the doors for small and minority businesses to be engaged. In fact, as we went through Africa with the African presidents, they pointedly said, we want a joint venture, and there is $150 million in this bill just for joint ventures.

And as well on the multinationals, what kind of leverage will we have on the multinationals with 800 million black people in Africa saying, you will not do business with us if you do not support affirmative action. What kind of business will they get? None.

Support this bill.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding. I want to congratulate the gentleman from California (Mr. ROYCE) and thank him for the leadership he has given the body, bringing to our attention the issues surrounding Africa, and for making it a high-profile issue for all of us.

Mr. Chairman, I rise in strong support of this bipartisan legislation. It is heartening for me to see many of my colleagues who oppose granting fast track negotiating authority to the President stand here today and declare their support for expanding trade with sub-Saharan Africa.

As my friend, the gentleman from Ohio (Mr. CHABOT) said, last August I had an opportunity to lead an eight-member bipartisan delegation to Africa to view firsthand many of the issues that surround our relations with this important region. During my short time there, I was very impressed with the spirit, the ingenuity and the initiative of the African people. My visit left me with little doubt that the Africa we see today is vastly different than the Africa of yesterday. It is truly remarkable that a continent once racked by the insidious evils of apartheid, civil strife, dependence and economic stagnation is today in the dawn of a new renaissance. The engineers of this renaissance are not the Americans, nor the Europeans, who colonized the continent, nor the Japanese or the Chinese or the Asians who followed them. The engineers of this renaissance are the Africans themselves.

Today there is a new generation of leadership in sub-Saharan Africa, leadership dedicated not to the failed status development models of the past, but to market-based reforms and private sector growth.

This new generation does not ask America for help, but for hope. They do not ask America for food, but for the tools to make their own crops grow. They do not ask America for schools or hospitals or dams, but for capital incentives to build their own. That is precisely what this bill would do.

H.R. 1432 extends and expands the generalized system of preferences program for sub-Saharan Africa. It provides duty-free access to U.S. markets for eligible items, thereby creating incentives for private capital investment. The bill establishes for the first time a U.S.-Africa Trade and Economic Cooperation Forum to facilitate annual high-level meetings to discuss trade and economic issues.

Mr. Chairman, through their actions, the African people have asked us to hear their call for hope, opportunity and self-sufficiency and sustainable economic growth. We should give them that. We should support H.R. 1432.

Mr. MENENDEZ. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Chairman, this debate is in serious need of a historical perspective. The earliest trade policy of the United States, even before the Declaration of Independence, in 1619, involved African kings and potentates selling other common Africans to shipping companies owned by whites to be sold as exploited slaves and slave masters in the new territory.

I have been to West Africa. I have seen the infrastructure of West African participation in the transatlantic slave trade. I have been to Jamestown and Charleston and seen the historic sites of events which precipitated the Civil War, the bloodiest war in American history. The agricultural, shipping and plantation companies and communities served primarily as the infrastructure for American complicity in this trade policy.

The question before this Congress today of who benefited then and who

benefits now is really the gravamen of this debate. As we seek to establish a new trading paradigm between African nations and America, it is critically important that the new trading arrangement create a mutually beneficial partnership between black people in Africa and African Americans in the United States, which I believe will benefit all Americans.

It is the only way that historical boats stuck at the bottom will become participants in a new trading relationship.

Mr. MENENDEZ. Mr. Chairman, could the Chair advise what time remains on both sides?

The CHAIRMAN. The gentleman from New Jersey (Mr. MENENDEZ) has 5 minutes remaining, and the gentleman from California (Mr. ROYCE) has 6½ minutes remaining.

Mr. ROYCE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CAMPBELL), who also serves on the Subcommittee on Africa.

Mr. CAMPBELL. Mr. Chairman, I thank the gentleman for his leadership in bringing this bill to the floor. I am strongly in favor of this resolution. I emphasize the importance of allowing free market economics to provide the means of economic development and freedom for the people of Africa.

One of the most striking things that I have studied over the last couple of years (and I want to particularly single out the good friendship and support of my colleague, the gentleman from New Jersey (Mr. PAYNE), who sits across from me today in doing so) is that the horrors that have occasionally surfaced, such as in Rwanda, such as in Burundi, are in countries that are internally focused, that do not have large links of trade with the world, that are not largely export-oriented, that are at best self-sufficient in a good year. The key to diminishing the likelihood of such occurrences is to give Africa the opportunity to be looking to the world, and not just internally where the strife has arisen.

I wish to emphasize a second point also—that those of our colleagues who mistrust American aid to African governments sometimes are right, and sometimes they are wrong, but they ought to be supportive of this bill in that it does not give money to a government. It rather empowers the individual to build his or her own economic future.

Mr. Chairman, I strongly support this bill and urge all of my colleagues to do so.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding me the time.

I am in favor of free trade around the world and free trade with Africa, I think, is extremely important. But there are provisions in this law that really concern me. For instance, only 35 percent of the product that is produced has to be completed or made in Africa. That means 65 percent of it can be transshipped from another country.

Right now, Communist China, one of the worst violators of human rights in the world, is violating people's human rights with impunity. We have not done anything in this body, and many of our friends, other countries around the world, have done virtually nothing to put pressure on the Chinese Government to bring about changes in their human rights activities.

□ 1315

Just last week two people were arrested in New York from China who were selling body parts, if my colleagues can believe that. They sell retinas for $5,000 a pair; they will sell a kidney for $10,000 or $20,000. What they do is go to these concentration camps, these gulags, and they shoot these people and then take orders for their livers or kidneys and hearts and sell them in the United States and around the world.

This country, China, is going to transship through Africa billions of dollars of products because of the provision in this law that allows 65 percent of the product to be manufactured outside of Africa and then the remaining 35 percent can be completed in Africa and then sold to the United States or wherever. We are already buying billions of dollars in products from China today.

I can remember when Wal-Mart said only buy American. They had ''Buy America'' advertisements all over the place. If we go into Wal-Mart today, probably 75 percent of the products we see are made in China by slave labor, by women and children, people whose human rights are being violated. And now we are going to expand their ability to garner a large part of the world market by saying that two-thirds of the product that is made in Africa can be made in China and transshipped through Africa to the United States and elsewhere.

We need to be concerned about human rights throughout the world, and that provision in this law does concern me. We should have a different percentage in the bill.

Mr. MENENDEZ. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Chairman, I thank the gentleman for yielding me this time.

For many years we have tried to dictate policies for other countries and tell them what they ought to do. We have had a year-long meeting with the African diplomatic corps, and many of them are offended by the statements that we hear that we are going to transship through them. They say they have been dealing with other countries before.

There is the ECOWAS community of 16 West African countries; we have SADC, made up of the 12 southern; we have the east and southern countries. And the African diplomatic corps indicate that they want this bill to come through. They think it is best for them.

It is racism when we try to apply our views on other people, whether they are countries in Africa or whether they are minorities in this country. And if African diplomats and African presidents feel that this bill is at least a step up in the right direction, then who are we to tell them that it is wrong for them?

Mr. MENENDEZ. Mr. Chairman, I yield myself the balance of my time, and would like to say to the gentleman from California, the chairman, that I have enjoyed very much working with him as the ranking Democrat on the subcommittee and thank him for all his courtesies during the process of this markup.

Mr. Chairman, a stronger, stable, prosperous Africa will be a better partner for security and peace in the fight against drug trafficking, international crime, terrorism, the spread of disease and environmental degradation.

The philosophy of this bill is simple: America stands ready to help those African countries that help themselves. The bill gives greater trade benefits to those countries that undertake sustained reform. Those efforts should include, for example, eliminating trade barriers, improving fiscal policies, promoting private sector development, fostering good governance, fighting corruption, and investment and social development. And countries engaging in gross violations of human rights would not be eligible.

Increased trade and investment would be good for Africa and good for American workers. Africa constitutes a market of over 660 million people, potentially one of the largest markets in the world. More people than Japan and all of the Asian nations combined. If reform spurs growth, it will create new and bigger markets for U.S. exports.

Our exports to Africa already are intensive in high-wage industries such as machinery, transportation equipment, electronics and services. Exports to Africa are already much greater, 27 percent greater than our exports to all the former Soviet Union combined.

Mr. Chairman, this bill can also bolster nascent African democracies, which can decrease the need for U.S. military, humanitarian and disaster relief. Let us consider the example of Mozambique.

After 16 years of civil war, democratic elections were held in Mozambique in 1994 and economic stability has been restored. Inflation has been reduced from a high of 70 percent to approximately 5 percent in just 3 years. Over 780 State-owned industries have been privatized, some purchased by U.S. companies. The economic recovery has helped provide jobs for demobilized fighters and made it possible for the government to boost investment in education and health, the building blocks for the future of that nation.

Mozambique's dramatic turnaround underscores what investment and trade can do, how they can help economies, governments and people recover from the trauma of war and build successful, stable, democratic societies. Increased trade and investment complements continuing assistance, and we cannot afford to let Africa fail. We must seize upon the opportunity to help Africa help itself.

We have policy interests that are clear and compelling. Let us not lose, let us not lose this historic opportunity to make a difference in the annals of history. Let us not lose this opportunity now at the turn of the century. It is time for a new paradigm as it relates to Africa, and we should be taking advantage of that opportunity by the adoption of this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. ROYCE. Mr. Chairman, I yield myself the balance of my time, and I want to commend the gentleman from New Jersey (Mr. MENENDEZ), who I have enjoyed working with on shaping this bill and on other legislation that has come before our committee.

Let me respond quickly to some of the discussions on the criteria in the bill. The criteria call for such participation requirements as protection of property rights, reduction of high import taxes, elimination of corruption, observance of the rule of law. These and other criteria are minimal reasonable standards for nations doing business with one another.

The criteria in this bill represent international standards. They are not U.S.-imposed standards that are unworkable in the African context. Ugandan Ambassador Edith Ssempala has said they are necessary to encourage African nations to address issues they might choose to ignore otherwise.

Human rights, the importation, the development of a court system, the rule of law, these are important policies. And, frankly, these are policies, these are criteria that have brought economic progress worldwide, and they are supported by the African ambassadors. They have embraced this bill.

As chairman of the Africa subcommittee, I have had the chance to speak with many Africans, both at home and in their own countries, about this bill. I will be traveling with President Clinton and a few of my House colleagues in 2 weeks. For my colleagues, I cannot overestimate this bill's importance to Africa. It is so well received because Africans desperately want to be part of the world economy and they realize that a special economic relationship with the United States, not a perpetual aid relationship, is a big step in that direction.

Now, this body should not pass this bill because of that alone. It should pass this bill because it helps Americans. We have heard of the growing American business interests in Africa, brought about by the reforms this bill encourages. We have heard about why a prosperous Africa matters to the United States.

Africans can reach their limitless potential, or Africa's many social and environmental problems, problems that increasingly impact Americans, can overwhelm the continent. So the stakes are high, but I believe the future of many African countries is bright. This bill will help make it brighter, and I urge my colleagues to support this landmark piece of legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. CRANE. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of H.R. 1432, the African Growth and Opportunity Act, which represents the culmination of 3 years of bipartisan work to develop a trade and investment policy toward the 48 countries in sub-Saharan Africa. I am pleased that the bill will take this important step forward today.

I believe that this legislation comes at a time of great hope and opportunity for sub-Saharan Africa. In recent years the region has undergone a quiet but persistent evolution toward democratic transformation as well as free market reforms. Indeed, 25 of the 48 countries in sub-Saharan Africa have held democratic elections and 30 have embarked on significant economic reforms, including tightening their fiscal discipline, the privatization of state enterprises, and the liberalization of trade and investment regimes.

Due in no small part to these reform efforts, African economic growth is picking up, and U.S.-Africa trade has grown at nearly 20 percent a year for the past 2 years. Perhaps nothing describes the changes underway better than an African diplomat's statement at the Committee on Ways and Means markup of this bill that ''Africa is open for business.''

In recognition of the progress sub-Saharan Africa has made, H.R. 1432 moves our African policy away from its historical focus on aid towards a focus on trade. In particular, the bill promotes mutually beneficial trade relationships and partnerships with those countries in the region committed to economic and political reform.

First, to facilitate trade and investment policy discussions, the bill creates a U.S.-Africa Trade and Economic Cooperation Forum similar to the successful APEC model in the Asia-Pacific region.

Second, to provide enhanced export opportunities for nonimport-sensitive products from Africa, the bill provides a 10-year extension of the Generalized System of Preferences program for sub-Saharan African countries committed to economic and political reform.

Third, to promote trade liberalization in the region, the bill requires the President to formulate a plan to enter into free trade agreements with countries meeting the bill's economic criteria.

And just as a side comment, I would like to reassure colleagues present, because this issue has arisen already, that the bill in no way, in no way cuts back or eliminates the aid programs that are currently in place.

While this legislation offers many important benefits for sub-Saharan Africa, the bill also furthers important policy goals of the United States. Clearly, it is in our interest to support the democratic and free market trends in Africa, because a stronger, more stable and prosperous Africa will be a greater and better partner for security and peace in the region and a better ally in our mutual fight against narcotics trafficking, international crime, terrorism, the spread of disease and environmental degradation.

At the same time, a strong and stable sub-Saharan Africa constitutes a combined market of nearly 700 million people, more than Japan and all of the ASEAN nations combined. Already U.S. exports to sub-Saharan Africa are 27 percent greater than our exports to all of the former Soviet Union, and yet our exports, which were valued at $6.2 billion in 1997, have just begun to tap into the rapidly growing markets in the region. At present, our exports are intensive in high-wage industries, such as machinery, transportation equipment, electronics and services.

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As sub-Saharan Africa benefits from its own decision to embrace free market principles, U.S. firms and workers will benefit in terms of higher levels of U.S. exports. I also believe that it is important that we hear the voices of Africans themselves in our debate today about what they believe H.R. 1432 means to their future.

As the sponsor of this legislation, I believe that it will establish sub-Saharan Africa as a priority in U.S. trade policy and will encourage countries in the region to continue and perhaps redouble their economic and political reform efforts.

In addition, H.R. 1432 is important to the advancement of the wide range of U.S. policy and security interests in the region and to codify many significant initiatives already underway by this administration. I urge its favorable consideration by the House today.

Mr. Chairman, I include for the RECORD the following:

EMBASSY OF THE REPUBLIC OF DJIBOUTI,
Washington, DC, July 8, 1997.

Re passage of the African Growth and Opportunity Act.

Hon. PHILLIP CRANE,
Member of Congress, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN CRANE: As outlined in our statement sent to you on May 15, 1997, we would like to express our strong support for the passage of H.R. 1432, African Growth and Opportunity Act, this year. We urge Congress to pass this legislation based on its merits.

This legislation presents a unique opportunity to build a new relationship between the United States and Africa. It also serves to reinforce the very positive changes that are taking place throughout the continent of Africa.

Please accept the assurances of our highest consideration.

Sincerely,

H.E. Amos Bernard M. Midzi, Ambassador, Zimbabwe; H.E. Gaetan R. Ouedraogo, Ambassador, Burkina Faso; H.E. Willie Chokani, Ambassador, Malawi; H.E. Chitmansing Jesseramsing, Ambassador, Mauritius; H.E. Azouz Ennifar, Ambassador, Tunisia; H.E. Mary M. Kanya, Ambassador, Swaziland; H.E. Archibald M. Mogwe, Ambassador, Botswana; H.E. Paul Boundoukou-Latha, Ambassador, Gabon; Mr. Nana Effah-Apenteng, Charge D'Affaires, Ghana; Mr. John Mathew Mwendwa, Charge D'Affaires, Tanzania; H.E. Berhane Gebre-Christos, Ambassador, Ethiopia; H.E. Dieudonne Antoine Ganga, Ambassador, Congo; Mr. Malamin K. Juwara, Charge D'Affaires, Gambia; H.E. Eunice M. Bulane, Ambassador, Lesotho; H.E. Ahmat Mahamat Saleh, Ambassador, Chad; H.E. Benjamin Edgar Kipkorir, Ambassador, Kenya; H.E. Edith Grace Ssempala, Ambassador, Uganda; H.E. Ramtane Lamamra, Ambassador, Algeria.

H.E. Mamadou Mansour Seck, Ambassador, Senegal; H.E. Ahmed Ould Sid Ahmed, Ambassador, Mauritania; H.E. Jerome Mendouga, Ambassador, Cameroon; Mr. Biclair Andrianantoandro, Charge D'Affaires, Madagascar; Mr. Mustapha Cherkaoui, Charge D'Affaires, Morocco; Rufino Jose Mendes, Ambassador, Guinea Bissau; Mirghani Mohamed Salih, Charge D'Affaires, Sudan; H.E. Kofi Moise Koumoue, Ambassador, Cote D'Ivoire; H.E. Lucien Tonoukouin, Ambassador, Benin; Mr. Manuel De Matos, Charge D'Affaires, Cape Verde; H.E. Joseph Diatta, Ambassador, Niger; H.E. Pastor M.O. Bile, Ambassador, Equitorial Guinea; Mr. Fungbe Ralf Aderele, Minister, Nigeria; H.E. Marcos G. Namashulua, Ambassador, Mozambique; H.E. Veiccoh K. Nghiwete, Ambassador, Namibia; Mr. George Rowe Nzala, Charge D'Affaires, Zambia; H.E. Roble Olhaye, Ambassador, Djibouti.

EMBASSY OF THE REPUBLIC OF ZIMBABWE,
Washington, DC, 15 May 1997.

Re: statement by African Ambassadors to the United States on the US economic agenda toward Africa

Congressman PHILLIP CRANE,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN CRANE: In my capacity as Chairman of the Economic Committee of the African Ambassadors Group, I have the pleasure to forward for your attention, a statement from the African Ambassadors in response to the Partnership for Economic Growth and Opportunity in Africa document and the Bill H.R. 1432. Africa Growth and Opportunity Act.

Please accept the assurances of my highest consideration.

AMOS B.M. MIDZI,
Ambassador.

STATEMENT BY AFRICAN AMBASSADORS TO THE UNITED STATES ON THE US ECONOMIC AGENDA TOWARD AFRICA

We, the African Ambassadors to the United States of America, appreciate the continued efforts by the United States Congress to promote trade and investment ties with Africa, in the spirit of interdependence, as detailed in the Bill H.R. 1432 ''African Growth and Opportunity Act'' (Hereinafter called the Bill).

We further appreciate the United States Administration's continuing efforts and initiatives in this area as espoused in the ''Partnership for Economic Growth and Opportunity in Africa'' document (Hereinafter called the initiative) and the President's second report to Congress entitled ''A Comprehensive Trade and Development Policy For the Countries of Africa.''

As regards the need for eligibility requirements, we trust that there will be bilateral consultations with all countries concerned in order to achieve transparency.

We are pleased to note that the Bill/Initiative emphasize(s) the need to strengthen the various US agencies which facilitate foreign investment enabling them to respond more effectively to the investment needs of Sub-Saharan African countries. We urge the United States to continue to support bilateral and multilateral programs that enhance capacity building, technical assistance and transfer of technology to Africa.

We welcome the recognition of the importance and crucial role the US companies that are already doing business in Sub-Saharan Africa should play in the Inter-agency Credit Risk Assessment System (ICRAS) to render the process of assessment more transparent and objective.

We equally welcome the intention of the Bill/Initiative to support the development and growth of the private sector in particular the Small and Medium scale Enterprises (SMEs), especially women-owned businesses in Africa as a way of achieving self-reliance. In this regard, we hope the Equity Fund that is being proposed will be used for investment in enterprises which add value to our raw materials.

We welcome the proposal in the Bill/Initiative to establish an annual United States-Sub-Saharan Africa Trade and Economic Forum which will facilitate discussions, at Cabinet/Ministerial level, of economic issues.

The proposal for summit meetings between the President of the United States and African Heads of State and Government, at least once every two years is commendable.

The establishment of a Free Trade Area between the United States and Sub-Saharan Africa, is a good long term objective taking into account the differences in the levels of economic development between the United States and Sub-Saharan Africa.

We particularly welcome the provision in the Bill/Initiative to admit Sub-Saharan Africa's textiles and apparel into the United States free of quotas and urge that duty free access be incorporated in the new Bill. We also urge that this provision be extended to other manufactured products. That measure would have a significant and immediate positive impact on the economies of Sub-Saharan African countries.

The expansion and revamping of the GSP program is a welcome development as are the proposed rules of origin. We however urge that since GSP for Sub-Saharan Africa represents only 3.4 percent of total U.S. imports under the GSP program, it be re-authorized for a ten year period to facilitate planning by both importers and exporters.

The indebtedness of African countries is a major obstacle to their economic development. The leadership of the United States in debt reduction with respect to both bilateral and multilateral debt is therefore required, particularly in the G–7 forum.

As a complement to our national efforts, we welcome the initiative that recognizes that education, health, the eradication of poverty and the enhancement of human life are necessary for sustainable economic development. We support the United States initiatives to financially strengthen the agencies dealing with these matters.

As is well known, good infrastructure is a prerequisite for investment and economic development. We therefore appreciate the efforts being made to stimulate infrastructure development in Sub-Saharan Africa by creating an Infrastructure Fund.

We welcome the proposal to establish a position of Assistant United States Trade Representative to deal exclusively with issues relating to Africa. We hope this initiative will be replicated in all the agencies of the Administration.

We express our appreciation to the people, the Administration and the Congress of the United States for their long-standing economic and financial assistance to our continent. We reiterate that economic assistance remains an indispensable and crucial complement to the development efforts of African countries to enable them to become more viable economic partners.

As always, we express our readiness to work with Congress, the Administration and other interested parties to enhance the position of Sub-Saharan Africa as a meaningful player in the international marketplace in view of the globalization of the world economy.

Mr. Chairman, I reserve the balance of my time.

Mr. RANGEL. Mr. Chairman, I yield myself such time as I may consume.

I rise with great pride in support of this legislation. How many bills can come before this House supported by the President of the United States, the Speaker of the House, the minority leader of the House, and the support of the leadership in the Senate? It has been long overdue that we recognize the potential in trading with Africa.

And it is not just helping a people that have been excised from economic development because of colonialism, but it is certainly in our best interest to develop those markets and to be able to see, as countries rebuild themselves, that these European countries not having the priority, but the friendship would be with those that were there when they needed them. That is why it amazes me how some of the so-called friends of Africa have now found out what they think is best for Africans, when we have been working with their leadership here.

African economists, African leaders have come and they have said that they want to be able to work in that same atmosphere as other countries in terms of encouraging investment and allowing the free marketplace to work for them, to support their ever-growing democracies. And yet, we have people that say, oh, no, that is not good enough for Africa.

I do not know where they were with the Europeans, where they were with Asia, where they were in South America. But Africa does not need those kinds of friends now. What they need are people to support the beginning. And that is all this is, the beginning.

There are no provisions in this bill that mandates that any African nation succumbs to it. They decide, based on the rules, whether they want to participate. All of the suggestions that are in the bill, the President of the United States does not have to have all of those requirements. This weak continent, and certainly the few countries that are the beneficiary, now has become a threat to the powerful industrial United States of America.

We are now importing 1 percent, the International Trade Commission said that it could be 2 percent, of textiles. And now the industry is shaking at its foundation, and we are going to lose African-American jobs. Well, I represent the Harlem community, which is the African-American capital of the world, and if we lose one job as a result of some African working in the sub-Saharan, I would like to see it. It just does not make any sense at all to believe that with these low-skilled jobs, anyone in this continent, much less in this country, would be adversely affected.

But the arrogance of saying that we want to trade with Africa, knowing that the low-skilled jobs are in textiles, and what would we say to them; we will trade with you if you only use American fabrics. That is to say that, we will manufacture the fabrics, we will send it to you, you can put a couple of stitchings on the label on it, and send it back to us.

When the Africans say it does not make sense, when we supporters say it does not make sense, they say, well, we do it for Mexico. I would suggest to those people taking that position that in terms of transportation costs, it is a heck of a lot different bringing goods from Mexico to Texas than it is to take it from New York to Africa.

In any event, we do have an opportunity for an historic vote here. I want to thank the gentleman from Illinois (Mr. CRANE), because without his help, the input of the gentleman from Washington (Mr. MCDERMOTT), the gentleman from Louisiana (Mr. JEFFERSON), and the gentleman from New Jersey (Mr. PAYNE), and so many others on the Committee on Ways and Means, the leadership of both sides of the House. And we should not go to bed when this becomes law thinking that we have done it all, because it has been too long that Africa has been shut out from international trade. But one thing that we will know is that we were a part of the beginning.

And just as many of my colleagues remember the conditions that existed in Korea 10 years ago, for those who would be around to be able to hopefully see an Africa that is thriving in economy, thriving in democracy, and competing with the best of the world, that is what makes us feel so good to be a part of the Congress and to be able to say we made a difference.

Mr. Chairman, I reserve the balance of my time.

Mr. CRANE. Mr. Chairman, I yield 2½ minutes to our distinguished colleague, the gentleman from Pennsylvania (Mr. ENGLISH), who has been conscientious and worked strenuously on behalf of the advancement of this bill.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I thank the gentleman for that acknowledgment.

I would like to associate myself with the gentleman from New York, as a friend of Africa, who supports this legislation that establishes a transitional path from development assistance to economic reliance for sub-Saharan African countries committed to economic and political reform.

Sadly, the story of sub-Sahara Africa in the past few decades has too often been one of economic decline and stagnation, fostered by statist economic policies too often imbedded by the perverse design of well-intentioned international aid programs.

In recent years, this grim vista has given way to mild regional economic growth. This legislation would promote further growth by creating new incentives for economic reform and by bolstering free economies and free institutions.

H.R. 1432 develops a partnership between the competitive U.S. private sector and the creative sub-Saharan African private sector to help stimulate growth in Africa, while increasing economic opportunities and jobs back home. This legislation establishes a cooperative forum between our countries to facilitate high-level discussions of bilateral and multilateral trade and investment policy initiatives.

The bill extends GSP benefits to those countries eligible to participate in the bill for the next 10 years. On top of that, quotas on textile and apparel projects from Kenya and Mauritius are eliminated after these countries adopt a visa system to guard against transshipment.

There is very strong language in this bill to protect the American economy against transshipment. These provisions will not, as has been argued on the floor of this House, lead to a surge of apparel and textile imports into the U.S. that damages American workers.

In fact, given that these imports account for less than 1 percent of total imports of such goods, removing the tariffs and quotas would only increase these imports by less than another 1 percent. The import-sensitive products, as determined by the ITC, would be excluded from duty-free treatment altogether.

This legislation would create 200,000 new jobs in Africa, without significant job loss to the U.S. economy. It would reduce the dependence of this poverty-wracked region on direct U.S. financial assistance.

I urge its passage.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MATSUI).

Mr. MATSUI. Mr. Chairman, I would like to thank the gentleman from New York (Mr. RANGEL), obviously the gentleman from Illinois (Mr. CRANE), the gentleman from Washington (Mr. MCDERMOTT), the gentleman from Louisiana (Mr. JEFFERSON), and many others who have been really pushing this very historic piece of legislation.

I really urge strong support of this African trade act. It will go a long ways in showing our relationship and our involvement with the African nations. What we really have here are 48 nations in the lower sub-Saharan area, 680 million people. The average per capita income of all the 48 nations is $500 per individual.

Anybody in this country who thinks that we cannot compete with these 48 nations who think that, with their $500 per capita income, with our education levels, with our universities, with our research and development, with our infrastructure, I just cannot believe that anyone would think that those 48 nations are a threat to us. They are not a threat to us in textiles. They are not a threat to us in any way.

What we would be doing with these nations, by joining them in an African trade agreement, is to bring these 48 nations into the cooperative trading worlds of the nations that we have with us.

Essentially, what we are talking about is providing a democratic foundation for these countries. Right now, of the 48, 30 of them are democracies. In addition, as you know, another 30 or so are market-oriented countries.

What we want to do is establish a relationship that will go well into the 21st Century, because this continent, this region will be one of the great regions over the next 20, 30, and 50 years.

That is why this legislation, it is a small start, but it is so very important in terms of the free world and in terms of working together in a cooperative fashion.

Mr. CRANE. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentleman from North Carolina (Mr. COBLE), who unfortunately is on the wrong side of this issue, to represent his point of view.

(Mr. COBLE asked and was given permission to revise and extend his remarks.)

Mr. COBLE. Mr. Chairman, I thank the gentleman from Illinois for yielding me this time.

Mr. Chairman, I do not come to the floor wrapped in the cloak of protectionism today. Many people vote on trade issues very rigidly and very inflexibly. I try to examine each trade issue separately as to how it affects our country.

For example, if the gentleman from Illinois will remember, I voted for MFN for China, thanks in no small part for his having twisted my arm; and, finally, he did convert me on that. I voted for NAFTA. But this is a matter, Mr. Chairman, that I cannot support.

This House just rejected fast track several weeks ago. As I interpret this bill before us, it would allow the President to negotiate a free trade agreement with Africa. What is this, fast track light? I think we are going down the wrong road.

While attempting to help the people of sub-Saharan Africa, the proposal would do so at a cost of numerous jobs in the U.S. fiber, textile and, apparel industries, rich in my district, by the way, very prominent. Thirty-five thousand textile workers probably live in my district. Nearly 2 million Americans are employed by this industry.

Approximately one-quarter of those are African-Americans.

In reality, this legislation before us, it seems to me, would not help the people of sub-Saharan Africa; rather, the bill would benefit the countries of the Far East and the Indian subcontinent, nations that already have viable textile industries and stand ready to exploit the opportunities presented by this proposal.

I believe we can do better. I urge my colleagues to vote against this bill.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT), the person that initiated the concept of working with the gentleman from Illinois (Mr. CRANE).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Chairman, we are seeing today the end of a process that began 4 years ago. When I came to the Congress, I had just been working for the State Department and traveled all over Africa. I had been in 21 of the countries of Africa. I knew what the conditions were there.

When I saw the GATT legislation, I asked my staff, what does this do for Africa? They said nothing. We have no policy toward Africa. So we put an amendment in the GATT legislation in 1994 saying that the United States should have a policy toward Africa.

That is really where this started. It would not have happened just with me. Without the gentleman from Illinois (Mr. CRANE), who took the idea and embellished it, and the gentleman from New York (Mr. RANGEL), and the gentleman from Louisiana (Mr. JEFFERSON), and the gentleman from New York (Mr. HOUGHTON), and the gentleman from California (Mr. ROYCE), a whole group of people, including the Speaker, have played an important role in putting this policy together.

I saw Africa in 1961 for the first time when everybody was excited about how it was going to go. Africa, Ghana where I was, and Korea were exactly in the same place. Thirty years later, the 11th largest economy in the world is Korea, and Ghana is right where it was then. That, to me, said it was American policy about what we were going to do for Asia that we could do for Africa. That is really what this bill does.

Everyone says there is a free trade agreement in this. There is no free trade agreement. There is no free trade with Asia. We have no free trade agreement negotiated with Asia. We are working toward that. This bill sets us on a transitional path to work toward that with Africa. But it is not something that is going to happen within 1 year.

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There are other things in this bill that people do not talk about. The United States Government, when they put their stamp of approval on something, all kinds of good things start to happen.

For instance, we have the Eximbank. The Eximbank loans 99.8 percent of its money somewhere else in the world, two-tenths percent for Africa. This bill changes things like that. It changes our government toward Africa and says we want to be trading partners with you. It is a good bill.

Mr. CRANE. Mr. Chairman, I yield 3 minutes to the distinguished the gentleman from Florida (Mr. SHAW), a member of the committee.

Mr. SHAW. I thank the gentleman for yielding me this time.

Mr. Chairman, I want to speak just briefly about what is happening in Africa. We have heard other speakers talk about the emerging democracies and free market systems that are coming around, but I think also it is important to realize that the colonial powers, the old colonial powers still exist. Even though it is not by law, it is custom on the continent of Africa.

There are a lot of things going on in Africa that really demand an American presence. The natural resources are really unsurpassed in the world as the potential for oil and other minerals.

Also, of course, the environment of Africa is something we have to be very concerned about. The clear-cutting that is going on in those forests is something that should concern us here in the United States not only because of the preservation of the environment in Africa, but the effect that that has upon our own environment. The hurricanes are formed just off the coast of Africa that affect the East Coast of the United States. If the clear-cutting of the forests is to continue, this is going to have a drastic effect on weather here in the United States.

I saw firsthand in the Republic of the Congo some of the problems that they are having with the clear-cutting in that area and the use of the animals as camp meat, everything from the gorillas to the other types of animals that exist in that part of the world. Also, that the Asians are moving into the Africa, and they are doing the clear-cutting; just as happened in Indonesia, it is now continuing on the continent of Africa.

I think it is time for us to have the responsible presence of the United States and the United States businesspeople, who have the highest standards of any in the world, to have a continuing presence or a growing presence in Africa. Of course, we know from experience that, and the prior speaker spoke of this, all of the aid that we have thrown into that continent really has not done that much; but I think trade certainly will. We have seen this in other parts of the world. If we adopt a policy of trade, not aid, I think that we are going to see a lot of wonderful things happen on that continent.

The future of the world is going to be shared very greatly by the continent of Africa, and I think it is extremely important that we have a United States presence on that continent.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. I would like to ask the gentleman a question, and I hope he can give me an answer to it.

The current language of H.R. 1432 suggests absolutely no relationship between the development of businesses in Africa and the participation of African-American entrepreneurs, negotiators, lawyers, accountants, brokers to facilitate that business.

I am interested, on either side, of those who are proponents of the bill whether or not they can name just a company, one African-American shipping company that will be the beneficiary under this bill.

The CHAIRMAN. The time of the gentleman from Florida (Mr. SHAW) has expired.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. JEFFERSON), a long-time friend of Africa, one of the greatest supporters of the bill.

Mr. JEFFERSON. I thank the gentleman for yielding the time to me.

Mr. Chairman, I want to tell Members about an exciting mission that we took to Africa on behalf of the President of the United States, a mission that was led by the gentleman from New York (Mr. RANGEL) that involved some 42 individuals, some six or so Congresspeople, people who represented the business sector and others who represented the administration.

What we found was an Africa that it was ready to deal with trading and investing with the United States in a true partnership, an Africa that had felt neglected over the years, that was cheered on by the policy we were discussing, that had had a great hand in redacting the policy.

This is not a bill that has come out of nowhere. It has been 2½ years in the making, ever since we were dealing with GATT and found out, to our surprise and to the surprise of many on our committee, that we addressed every continent in the world with respect to our trading and investing relationship, but we did not address Africa.

We thought it was important to turn the attention of the administration toward that. We got African nations involved in it. We are now seeing the benefit of their input into this bill. They are hugely behind it; they are ready to work with us, and Africa is ready.

This is not an Africa that it was 15 years ago. This is an Africa under great new leadership that has turned toward market-oriented economies, that is trying very hard to budget its affairs appropriately, and that is ready to do business with the United States. It would be to our detriment if we do not take advantage of it now.

This bill is not perfect, as no bill is perfect, but it does take a huge step in the right direction of putting us on the map of dealing with a continent that

has been neglected as a true and important trade and investment destination. It also does some important things here that will help the African nations manage their own investments in education and health much better than they have invested and managed them now.

About a quarter of the African nations' budgets are taken up by debt. This bill purports to take care of debt relief.

Another good part of the bill deals with an issue that the gentleman from Illinois (Mr. JACKSON) raised a minute ago, that deals with equity investing in small business opportunities there that helps to put together chances for people to gain wealth in Africa. And also microenterprises. It addresses the issue of poor women in Africa, the most repressed population in the world.

This is a great bill, it is mutually beneficial to our country and to Africa, and I hope this Congress will pass it.

Mr. CRANE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. Mr. Chairman, I do not have any great words of wisdom on this that have not already been expressed. I just can talk from my own experience.

On the negative side, there is always the worry that this will put some of our textile people out of business. There is always the worry of transshipment. There is always the worry that people who already have been hit very hard and have a minority of the share of our business in this country are going to be further hurt; and they can say, If you do this to textiles, why do you not do it to the plastics industry? Why do you not do it to some other industry? I understand that.

But it just seems to me in terms of the magnitude of the economic impact and also the fact that, in effect, this will be so dispersed that there will not be this transshipment issue to quite the degree that people think. So that is a negative side, but I think there is an answer such as I have just tried to explain.

The other side, which I think is even more important, is this: Many times Africans, ambassadors, delegations from countries, come into our offices and say, please invest in our country. What they are really doing is thinking of foreign aid, and we do not have very much foreign aid. I have been around for a long time. It has slowly decreased bit by bit by bit. But even if it were at the old-time levels, it would not do what those nations need to have done in order to jump-start their economies. This does a very, very important, subtle thing. What it does is, it creates the atmosphere for individual and private investment. That is a multiplication investment which really is going to have the most impact on those countries.

Therefore, recognizing the potential issue on the other side, but being offset by other considerations, I am strongly in favor of this bill.

Mr. RANGEL. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. HEFNER).

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Chairman, I rise in opposition to the bill. I think it is unfortunate that we were not able to offer an amendment that would have corrected this bill. I rise in opposition to the bill and urge my colleagues to vote against it.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Mr. Chairman, I thank the gentleman from New York (Mr. RANGEL) for his leadership and for this opportunity to speak. I think today is a great day for our country as well as for the hundreds of millions of people who live on the continent of Africa, the largest continent in the world; the richest continent in the world, with its minerals, its gold, its silver, its ivory.

I think this is a good opportunity, and I commend the Committee on Ways and Means and all those who have worked on this bill over these years to begin the partnerships that Africa wants, that our country needs, to stimulate both growth and development here in this country and on the continent of Africa.

Is it a perfect bill? No, it is not. But as we worked through the process, it is very much a beginning, a beginning where our American businesses can partner with African businesses to employ hundreds of thousands of people, to increase tax revenues on this side of the Atlantic, as well as improve our schools and offer more revenues for our national treasury.

I participated in the most recent presidential mission to Africa last December. It was a fine mission. We visited six different African countries. It was my fifth visit to Africa. All six of those prime ministers, heads of state that we met with want this bill. All of the ambassador corps who work with us in Washington want this bill.

They know it is not perfect. But what it will do is begin to allow American businesses and African countries to partner in such a way that we stimulate employment on the continent and revenue-generating, enterprising government, American businesses growth on this side of the Atlantic.

I commend the Committee on Ways and Means, the gentleman from Washington (Mr. MCDERMOTT), the gentleman from Illinois (Mr. CRANE) and the gentleman from New York (Mr. RANGEL) for their leadership. We have a long way to go. This is a first step to that.

I believe that as we move to the 21st century, the wellness of Africa and the wellness of America are inextricably tied together. This legislation begins to operate what I see and what I view as a real win for both countries.

Mr. CRANE. Mr. Chairman, I yield myself such time as I may consume.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CRANE. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, I am very concerned about majority participation, i.e. African Americans, in the African trade bill. If the gentleman would indicate any provision of the bill for the general audience about how African-American shipping companies and businesses are participants in this bill, I would be grateful for an answer.

I thank the gentleman for yielding.

Mr. CRANE. All I can say is any American business can be a participant in the bill. They are all welcomed. We do not discriminate. We are not really concerned about whether they are white, whether they are black, whether they are Hispanic, whether they are Asian.

We want to encourage business across the board, one and all. That specific kind of provision is not incorporated in the language of the bill.

Mr. JACKSON of Illinois. If those businesses are found to be discriminatory at home, not hiring African Americans, then it is problematic for the bill; is it not?

Mr. CRANE. I do not know of any business that is guilty of that and that would violate our guidelines, anyway.

Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN), our distinguished colleague on the Committee on Ways and Means.

Mr. PORTMAN. Mr. Chairman, I will not take 2 minutes, but I do want to stand here to support the legislation and what the gentleman from Illinois (Mr. CRANE), the gentleman from New York (Mr. RANGEL) and others have put together.

It is a good bill. It is exactly the right approach to take in terms of trade because it is going to benefit the United States and sub-Saharan Africa.

Many nations in sub-Saharan Africa are beginning to implement democratic reforms, Mr. Chairman, expand economic growth in ways that they can to try to bring greater prosperity and stabilize the region. For too long, in my view, we have relied simply on foreign assistance, and frankly, that is drying up as well, to help facilitate these changes. This is a much better approach.

Through this legislation today we have got an opportunity to assist this changing region in a much better way, and that is through commerce. The legislation allows the U.S. to take a very positive role in encouraging an economic and political renaissance really throughout sub-Saharan Africa, it establishes a free trade area to serve as a catalyst for increasing trade and for increasing private-sector development in the region. It also helps the U.S. facilitate these market-led economic reforms in 48 countries in this region.

The bottom line for me, really the big picture here, is that the United States, by passing this legislation, is supporting economic self-reliance for sub-Saharan African countries, particularly those who are committed to the kind of economic and political reform that many countries in the region are going toward anyway, and market incentives, private-sector growth, eradication of poverty. I urge my colleagues to support it as an important trade initiative, but also something that is good for the United States and good for the African continent as a whole.

□ 1400

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Chairman, I thank my colleague from New York for yielding me this time.

Let me make two points. First of all, I am a strong supporter of African development. Second of all, I have the greatest respect for the sponsors of this bill, as well as people who are opposed to the bill. Having said that, I want to rise in opposition to this bill.

When I was growing up, there was a saying that if it looks like a duck and quacks like a duck, it probably is a duck. But every once in a while, what looks like a duck and quacks like a duck is a decoy, and this bill, it seems to me, is a decoy at this point. It falls short of being a true development bill for Africa in several respects.

There were opportunities to improve this bill and actually make it a duck if the Committee on Rules had allowed amendments to be offered on the floor of the House. They would have addressed worker rights and human rights. They would have addressed the control of the African countries over development. They would have addressed the textile and apparel concerns of people in this country.

Unfortunately, the Committee on Rules saw fit not to make those proposed amendments in order on this bill. Therefore, the bill must be considered as it is currently written. Right now, the bill falls short of being a bill that I believe merits support, and I encourage my colleagues to vote against the bill.

Mr. CRANE. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. BALLENGER), our distinguished colleague.

Mr. BALLENGER. Mr. Chairman, I rise today in opposition to H.R. 1432. How can we call this bill the African Growth and Opportunity Act when there is a question about growth and opportunity for anyone in this bill, except for Asians. Only 35 percent of a product must be produced in Africa, and the rest can be produced in China or Bangladesh.

In its current form, H.R. 1432 poses a serious risk to our domestic textile industry and its employees. Thousands of American workers and many in my district could be without jobs because this bill does not stop the illegal transshipment of apparel from other countries, particularly China.

We need to add safeguard provisions that would ensure that U.S. textile workers, not Asian textile workers, manufacturers, get to produce the fabric that the African workers turn into clothes. This would not only help American workers but would provide more jobs to Africans. Without these provisions, we are looking at a lose/lose scenario for Africans and American workers.

Unfortunately, the Committee on Rules denied the opportunity to vote on an amendment to require that the apparel receiving duty-free and quota-free treatment be constructed of U.S.-manufactured yarn and fabric, so I ask for a vote against the bill.

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I am strongly in favor of this bill. It is about time we had a bill that actually respected the people of Africa, that was not based upon colluding with their corrupt leaders or exploiting them but finally treats the people of Africa with respect. It will empower the laborers of Africa, particularly the women, to get microenterprise loans, and to have a competitive market in this country to sell their handmade apparel and other handicraft products.

This is the least we can do. There is not another continent in the world that this country has exploited more than Africa. The African people were the underpinnings of our slave agricultural economy for our first two centuries of growth. It is about time we turned American policy toward Africa around and showed some recognition of the inherent value of the people of Africa.

Africa is the only continent in the world whose poverty is expected to increase over the next decade. Given our history of exploitation and enslavement of African men and women is it not now at least partly our responsibility to turn that around, to see to it that they progress with the rest of the world into the 21st century and enjoy some respect and dignity. We should all be voting ''aye'' on this bill.

Mr. CRANE. Mr. Chairman, I reserve the balance of my time.

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN).

Ms. CHRISTIAN-GREEN. Mr. Chairman, I thank my colleague for yielding me this time.

The time has come for our Nation to give the continent of Africa the same opportunities for economic growth that we have given to virtually every other region of the world. When all is said and done, my colleagues, that is what H.R. 1432 is all about and seeks to do.

Many of the 48 countries that make up Sub-Saharan Africa have undergone remarkable changes in recent years. More than 30 of them have begun programs to replace outdated and corrupt centralized economies with freer markets. If we pass this bill we will be saying to those countries that we support their efforts and want to join them in going even further.

This is an historic moment, Mr. Chairman. It is an opportunity to give Sub-Saharan Africa the same incentives to address their problems of chronic poverty, poor infrastructure and limited economic opportunity that we have given to other nations.

The concerns of some of our colleagues can be addressed, so let us not derail this opportunity which will be beneficial to both us and Africa. It is not a perfect bill, but it is a good beginning.

My colleagues, the continent of Africa deserves our support. We should give it to her. Pass H.R. 1432.

Mr. RANGEL. Mr. Chairman, I yield myself such time as I may consume to take the opportunity to speak to some of the concerns that some of my colleagues have had as relates to transshipment, which is always an issue when we are dealing with any type of a trade bill. Because of this concern, the Committee on Ways and Means had put in specific language to increase the penalties for any country that is found guilty of transshipment. But the interesting thing is that these African countries, more than any other countries that we are dealing with in trade, are so sorely in need of jobs that they would be the ones that are looking forward to getting assistance and having their people trained and having the ability to participate in international trade.

The World Trade Organization has rules against violations of transshipment, and certainly we will have the resources as well as the customs agencies to see what is coming into the United States. We certainly can determine whether it came from the continent of Africa, and since they only penetrate our market 1 percent, and it is believed that they do not have the ability or the capability to penetrate it more than 2 percent, if there was a question of transshipment, it should be something that would be easily found.

I also would like to deal with the question of human rights and the question of workers' rights. As most people know, these are included in the GSP, and the President of the United States has responsibility before he signs off on any agreement to make certain that that agreement is in the international interests as well as the interests of the people of the United States of America.

So whether we are talking about environment or human rights or workers' rights incorporated in the concept, the language in the bill would certainly take care of that.

I am particularly concerned that the people in these developing African countries have not only looked forward to the United States executive branch for leadership, but have worked very

closely with the members of the committee and their staff to make certain that the relationship was one of mutual respect. I think those are the magic words when we are dealing with any country: mutual respect. Whatever guidelines and conditions are necessary in order to give assurances to investors, it is not the United States who sets the guidelines, it is the international community that does that.

So the bill was drafted not only with the concerns of the Africans, but something that could get the support of liberals and conservatives, Republicans and Democrats, because even though some people may think this is a decoy and not a duck, the President of the United States believes it is a trade bill, the Secretary of State believes it is a trade bill, the members of the committee believe it is a trade bill, but most importantly, our African friends who are dependent on this, who are looking forward to this and having hope for the future, believe it gives them an opportunity as a trade bill.

So I do hope that those that have reservations would understand that this is far from a perfect document. How could it be, with so many people coming from so many directions? And the fact that these are countries in Africa does not mean that they do not have differences among themselves in terms of what should be in the bill.

Mr. Chairman, this is something to work toward. This is something to give opportunities to people in the United States to look forward to having a better working relationship with our friends in Africa, but just as important, to develop markets in Africa.

So it is hoped, as when we went and traveled throughout the Sub-Sahara, that African Americans with talent, many of whom were on the trip with us, would get the opportunity to show to our African brothers and sisters what we will be able to contribute, not mandate relationships but to contribute through joint ventures in working with them. Indeed, on the trip some of these concepts became deals, and we were able to work out arrangements, working with the Department of Commerce, working with the Eximbank, working with OPIC.

All of this is a part of it, and of course this is not a substitute for assistance in terms of education and health and economic development, but it is also an opportunity for us to continue to give assistance and at the same time be able to make certain that one day this type of assistance would not be necessary.

So I think that all of us who would want to be able to say that we played some very small part in bringing the countries of Africa into international trade will be proud of the opportunities that have been given to us, and we look forward to this bill not only becoming law, but when our President of the United States visits Africa, he will be armed with a document of friendship, a document, a working document that can improve the quality of life not only for the Africans, but to give opportunity to those people in these great United States.

Mr. Chairman, I reserve the balance of my time.

Mr. CRANE. Mr. Chairman, I yield myself such time as I may consume to commend our distinguished ranking minority member for his comments, his insights and his explanation as to why this legislation is in the mutual interests of the countries affected in Sub-Saharan Africa, as well as in our own national interests. I think that is why it has attracted the kind of bipartisan support that we have enjoyed.

I want to pay tribute to the gentleman from Washington, (Mr. MCDERMOTT), the gentleman from New York (Mr. RANGEL), the gentleman from Louisiana (Mr. JEFFERSON), the gentleman from California (Mr. MATSUI) over there, all the people that were there from the beginning and fighting the good fight.

Mr. Chairman, on this question of transshipment, because it has come up and it does excite a degree of paranoia, and I think a legitimate paranoia on the part of those who could be adversely affected, I think that in this legislation we have gone further than any legislation heretofore in trying to cope with the situation. To that end, our bill directs the President to require the exporting countries in Africa to adopt effective visa systems to guard against transshipments and the use of counterfeit documents. In order to receive benefits under the bill, African countries are required to cooperate fully with customs in combating transshipments. This means enforcement of domestic laws and procedures, and assisting customs in efforts to verify manufacturing operations through visits of so-called jump teams and other measures.

Finally, H.R. 1432 provides that exporters who engage in illegal transshipments and their successors would lose trade benefits under the bill for two years. With no market for their product, this sanction will have the effect of putting the bad actors out of business.

We have in this bill, Mr. Chairman, the strongest language dealing with transshipment that we have ever legislated.

□ 1415

That is not to say that crime still cannot exist, but what I am saying is that we have gone further than we have ever gone before. I think we have a stronger position on this legislation than anything heretofore, and I think it will address the problem more effectively than it has ever been addressed before.

Let me make one other observation, too. We have the understandable concern of our textile and apparel manufacturers in this country, and one of our colleagues today showed me an article of a plant in his district that is closing. I think it employed like 350 people. That is sad. That has been going on for some time.

But his plant in his district is not closing because of our bill that is under consideration on the floor today. His plant is closing because of inefficiencies, and the inability of most of our production here in the United States to keep pace with competition. It is not competition coming from Africa.

Our textile and apparel imports in the year 1996 totaled $46 billion, billion. Of that $46 billion, the portion that came from sub-Saharan Africa totaled roughly $380 million, out of $46 billion. The ITC, International Trade Commission, has estimated that with the passage of this bill, our imports from sub-Saharan Africa will increase from $100 to $170 million. It will be less than 2 percent of our total imports, out of that $46 to $50 billion in imports from around the world.

In addition to that, ITC has projected out that at the end of 10 years, it will be 3 percent of our imports. So when we read these articles about plant closings, do not point the accusing finger at sub-Saharan Africa. That is not what is causing the problem. It is a worldwide development, and it is one that has adversely impacted us, to be sure, because we do have more efficient competition to face worldwide. But do not make it look like that is coming from sub-Saharan Africa, and do not make it look like the passage of 1432 is going to have any significant impact on it.

I urge all of our colleagues to wholeheartedly support this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. RANGEL. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Mrs. MEEK), who recently returned from Africa to Florida.

Mrs. MEEK of Florida. Mr. Chairman, I am pleased and privileged to stand on the floor and support H.R. 1432, the African Growth and Opportunity Act. If we all understand what this act is supposed to do, it is supposed to provide opportunity for trade with sub-Saharan Africa. It is supposed to bring growth as to the African countries.

Two things that are outstanding to me in this bill are political growth and certainly economic growth. That is a two-way street. It is political growth for us in the United States, it is political growth for sub-Saharan Africa, and it is also economic growth for both of us.

I do not think that the Africans, as I talked to them, as we visited these African countries, they are not looking for a handout from the United States. They are very proud people. They have a history that goes all the way back to the Tigris and Euphrates Rivers. They understand what makes political and educational and economic reform. They are very, very pleased with this bill.

I traveled with the gentleman from New York (Mr. RANGEL) to Africa, and day-to-day and word-for-word, the African leaders want this bill. I do not think this bill is going to threaten in any way what we are already doing with Africa and with other countries. This is the beginning of a very, very good start to develop trade with Africa, and bring the respect and some of the economies of our economy to sub-Saharan Africa.

I beg my colleagues to vote, yes, on the African Growth and Opportunity Act, because it will help the world understand that we want to develop trade with this country. They strongly deserve the same opportunities that we are giving other countries, and now it is our time to step up to the plate and say, yes. Let us vote yes on 1432, and give growth and give opportunity, both economic and political, to sub-Saharan African countries.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding time to me, and I thank he and the gentleman from Illinois (Mr. CRANE) for the bill.

Mr. Chairman, I want to emphasize the good news of this legislation, for as the legislation was initially offered, there were op eds popping up around the country saying, ''Trade, Not Aid.'' For those of us who understand the vast needs of the continent, and particularly sub-Saharan Africa, our ears perked and our hearts hurt, because we recognized that the two are not mutually exclusive.

We have now come full circle to have a bill that really confronts the hard core issues of the continent, particularly the fact of giving them dignity and respect on the equal playing field of trade throughout the world, but as well, emphasizing that there is a value to the humanitarian aid that this country provides. And in fact, it is not enough. So this bill is not trade and not aid, it is trade and aid.

Specifically, in the bill we have $150 million for joint venturing and $500 million for infrastructure. I agree with my colleague, the gentlewoman from Florida (Mrs. MEEK), that two for one, the Heads of State said, we are ready, and we will not engage in abuse, and we are likewise sensitive to the issue of human rights.

I hope nothing we do today diminishes section 4(a), that has to do with the responsibility of our African countries to maintain the human rights of its citizens. I cannot talk about the Most Favored Nation status. I do not like it continuously going back and forth again, with China's human rights abuses growing and growing and growing. We should contend with that. But I do think the Heads of State in Africa are concerned enough that they want to work on the question of human rights and the responsibility to all of their citizens.

Lastly, let me say, Mr. Chairman, this is an ideal opportunity for a continent which saw so many of its own shipped as slaves to this continent, a devastating time in our history, a tragic time. Here we now have an opportunity to change those chains of slavery into the uplifting of all of the boats of economic opportunity, providing 800 million Africans, with African Americans and others in this country, and challenging our multinational companies once and for all to open the doors of opportunity.

I ask my colleagues to vote for the bill and lift all the boats at sea at this time.

Mr. CRANE. Mr. Chairman, I yield 3 minutes to our distinguished colleague, the gentleman from Minnesota (Mr. RAMSTAD).

Mr. RAMSTAD. Mr. Chairman, I thank the distinguished gentleman for yielding time to me.

Mr. Chairman, I rise today in support of the African Growth and Opportunity Act, and in strong support of this legislation. As I said during our Subcommittee on Trade hearing on this bill, Mr. Chairman, it sets up a win-win situation for both the United States and countries in sub-Saharan Africa. This bill will mean a tax cut for consumers here at home, who depend on reasonably priced clothing, and it will promote continued political and market liberalization in sub-Saharan Africa.

As a strong supporter generally of free trade and liberalization, I know the trade elements of this bill are extremely important. Inexpensive imports are good for consumers here in America, and increased exports are good for U.S. workers and employers.

I want to focus on the significant goals of this legislation, because this legislation before us today, Mr. Chairman, sends a strong signal of encouragement to the peoples of the sub-Saharan nations.

Just since 1990, more than 25 African nations have held democratic elections. Over 30, 30 of these nations have instituted programs to replace their centralized economies with free markets, a very, very significant fact. We all know stronger economies contribute to social and political stability, and we must, we must, Mr. Chairman, take steps to help secure that stability.

Increased investment and trade activity with the United States will help improve the economic conditions of all the sub-Saharan nations, and as our Committee on Ways and Means has heard from many African officials, they want the opportunity to industrialize their economies and to facilitate technology transfers. They support the bill's efforts to encourage foreign investment and direct private sector involvement in further economic development in the region.

The Ambassador of Tanzania, Mr. Chairman, has made one simple yet a very crucial request of us. He said at the hearing, and I am quoting now, ''Please, please give Africa a chance to prove that she can become a valuable and viable trading partner with the United States.''

Mr. Ambassador, we want to give you that chance. We have the opportunity to give you that chance today by passing this legislation, and I urge all Members to vote for H.R. 1432 and give Africa this chance.

Mr. RANGEL. Mr. Chairman, I yield myself such time as I may consume.

As we close this debate, Mr. Chairman, I would like to submit for the RECORD letters that have been sent to me by the President and the Secretary of State, and with the consent of this body, just to read the last paragraph of each.

From Madeleine Albright, our Secretary of State, she says, ''This critical legislation will advance one of our most important foreign policy goals in Africa: Integration of African countries into the global economy. The approximately 600 million consumers in Africa deserve a better future. The African Growth and Opportunity Act is an important first step in that direction, and I strongly urge you to support it.''

Mr. Chairman, I include this letter for the RECORD.

The letter referred to is as follows:

THE SECRETARY OF STATE,
Washington.

Hon. CHARLES RANGEL,
Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. RANGEL: The African Growth and Opportunity Act, H.R. 1432, is scheduled for a floor vote today. Passage of this landmark legislation is one of our highest legislative priorities. As you know, President Clinton made a strong statement in support of the bill during the State of the Union speech.

Passage of the African Growth and Opportunity Act will send an important signal to Africa that we will help those countries which help themselves by pursuing sound economic and political reform policies. The Act will provide substantial trade and debt relief benefits to those African countries which are undertaking significant economic reforms. The African Growth and Opportunity Act will help African countries improve their own business climates so that U.S. companies can better compete in the important emerging markets of Africa.

We believe the legislation contains adequate provisions to prevent injury to U.S. industries and jobs. The impact on U.S. consumers, workers and industries must be assessed by the International Trade Commission (ITC) before the President is authorized to grant the additional duty-free preferential market access provided by the Bill. A recent ITC study of the textile provisions in the Act concluded that duty-free, quota-free entry of textile and apparel products from Africa would have a negligible impact on U.S. industries and workers.

This critical legislation will advance one of our most important foreign policy goals in Africa—integration of African countries into the global economy. The approximately 600 million consumers in Africa deserve a better future. The African Growth and Opportunity Act is an important first step in that direction, and I strongly urge you to support it.

Sincerely,

MADELEINE K. ALBRIGHT.

Mr. Chairman, I also would like to read from a letter from the President, who says, ''We face a historic opportunity to assist the renaissance in Africa. Congress has the chance to help this transformation by enacting the African Growth and Opportunity Act. When it comes time to cast your vote, I urge you to support this legislation.''

Mr. Chairman, I include for the RECORD the entire letter from the President.

The letter referred to is as follows:

THE WHITE HOUSE,
Washington, DC, March 11, 1998.

Hon. CHARLES B. RANGEL,
House of Representatives,
Washington, DC.

DEAR CHARLIE: I strongly support passage of H.R. 1432, the African Growth and Opportunity Act, which would provide enhanced trade benefits for sub-Saharan countries engaged in meaningful reform efforts.

The United States strongly supports a stable, prosperous Africa. Africa is a continent on the doorstep of a new era of democracy and prosperity, and many countries have adopted market-oriented economic and political reforms in the past seven years. A stronger, stable, prosperous Africa will be a better economic partner, a better partner for security and peace, and a better partner in the fight against drug trafficking, international crime, terrorism, and the spread of disease and environmental degradation. Africa is already an important trading partner for the United States. Our exports to Africa are over $6 billion annually.

In addition, America has its own special reasons to contribute to Africa's economic development. Over thirty million Americans have ancestral origins in Africa. We should work to help African nations achieve greater prosperity and stronger democracies, which will improve the lives of the African people. The bill helps us do that.

This bill is supported by a bipartisan and diverse cross-section of Americans and concerned groups—including Jack Kemp, David Dinkins, Andrew Young, the United States Conference of Mayors and the National Urban League. They know this bill is good for both Africa and America.

We face a historic opportunity to assist the renaissance in Africa. Congress has the chance to help this transformation by enacting the African Growth and Opportunity Act. When it comes time to cast your vote, I urge you to support this legislation.

Sincerely,

BILL.

Mr. CRANE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from New York for his remarks.

Mr. Chairman, I would like to conclude with a letter that was sent to all of our colleagues by a former colleague, Jack Kemp.

He wrote,

I am writing to ask you to support important legislation that is expected to come to the House floor for a vote on the African Growth and Opportunity Act. Much of Africa is growing dynamically. Political and market liberalization are revitalizing and energizing the continent.

There is a new generation of leaders implementing democratic reforms, expanding economic growth, and unleashing the human spirit that will help bring greater stability, prosperity and democracy to African nations.

African leaders would like some help building this hopeful start on a full-scale boom, yet they aren't for the most part asking for more development assistance. They would like expanded trade, not aid. They would like an opportunity for their people to become self-reliant.

To that end, the African Growth and Opportunity Act would create a trade component of U.S. policy towards sub-Saharan Africa. In particular, it would establish a goal of achieving a free trade area with countries that meet the economic criteria of the bill.

In addition, H.R. 1432 calls for a trade and economic cooperation forum between the United States and economic reformers in sub-Saharan Africa to facilitate discussion on the elimination of trade and investment barriers.

In the near term, the bill offers countries in the region enhanced opportunities for duty-free trade with the U.S. under the Generalized System of Preferences program. I firmly believe that we have an historic opportunity to open a new era in our relations with this region. This bill will foster a brighter future for sub-Saharan Africa based on free market reforms, expanded economic activity, and enhanced self-reliance. I urge you to vote yes on H.R. 1432.

Sincerely,

JACK KEMP.

Mr. HASTINGS of Florida. Mr. Chairman, I would like to express my strong support for H.R. 1432, ''the African Growth and Opportunity Act,'' a primary tool for expanding trade and investment with Africa.

Mr. Speaker, I believe that this bill is a major milestone in U.S.-Africa relations as it brings focus on Africa in a positive manner. This bipartisan legislation will not only provide new jobs for African workers, and greater opportunities for the American business community to invest in Africa, it will contribute to peace, stability and democracy throughout that continent.

For the past several years the United States has always traded with Asia and Europe. Today, the wind of change is finally blowing in Africa which will create U.S. investment and forums for African and American businessmen to cooperate.

Africa remains a vital place with abundant natural resources. As the world's largest and most technologically advanced economy, the U.S. can and must continue to do more to contribute to Africa's economic development, if not for any other reason than the mere fact that if we don't help them someone else will.

I am excited about the prospect for this legislation and the enormous benefits it will bring to both the United States and the countries of sub-Saharan Africa.

However, there are some legislators who oppose the bill. Some would have us believe that the bill would lead to a surge of apparel and textile imports into the U.S. and damage U.S. workers. This is a myth! U.S. imports of textiles and apparel from sub-Saharan Africa account for less than 1 percent of total U.S. imports of such goods. Others will have us further believe that the bill will encourage illegal transshipments from other countries under quota. That, too, is a myth. There are current U.S. customs laws to prevent transshipments and would apply. Moreover, the bill requires exporting countries in sub-Saharan Africa to adopt a visa system to guard against transshipments, and to cooperate fully with the United States in preventing transshipments as required by the WTO.

Among other provisions in the bill are the equity and infrastructure funds to be supported by the Overseas Private Investment Corporation (OPIC). OPIC would establish a $150 million equity fund and a $500 million infrastructure fund to support African entrepreneurs in developing private sector enterprises. This will create new jobs for Africans and new export opportunities for U.S. companies and American workers.

Finally, Mr. Speaker, this bill enables the U.S. to play a positive role in Africa's future. We have now entered into a ''new and promising phase'' in Africa, and while I applaud the previous efforts of the administration and the United Nations, as well as other organizations, I believe that we must now step up our efforts and rise to this occasion.

Mr. FAZIO of California. Mr. Chairman, I rise in support of the African Growth and Opportunity Act. This legislation promises to diverge from the United States historical role of provider to Africa and establish instead a bilateral agreement for trade. Trade promises growth in our country's economy and in the nations of Sub-Sahara Africa. However, I would also like to take opportunity to raise concerns that industries in my district have voiced. The African Growth and Opportunity Act provides opportunity for free trade but doesn't protect some of our product-sensitive industries quite enough.

The Generalized System of Preferences (GSP) and free trade area preference provisions of the Sub-Sahara African trade bill pose special concerns for the California cling peach industry because of the possibility that under those provisions, duty-free access might be extended to South Africa and other competitive African producers of cling peach products.

Even with existing U.S. tariff rates, South Africa is already a low-cost, choice quality supplier of canned peaches, fruit mixtures and other cling peach products to U.S. markets. We must ensure that South Africa will not sell their products at a significantly lower price than U.S. products at the expense of our farmers and processors.

The California cling peach industry's product sensitivity is undisputed. The industry has long suffered the adverse effects of canned fruit subsidies provided by the European Union. Our government has recognized the unfairness of these EU practices and has sought to correct that unfairness through GATT dispute settlement, a bilateral agreement, numerous consultations, and most recently multilateral pressure through the WTO Committee on Agriculture.

I urge our government to take all necessary steps to preserve the current U.S. tariffs on canned peaches, canned fruit mixtures, and other cling peach products. This valuable sector of U.S. agriculture, which for too long has been denied relief from EU subsidies, deserves no less than this from the U.S. government.

Ms. KILPATRICK. Mr. Chairman, if you support self sufficiency for Africa, you must support the African Growth and Opportunity Act. Once you separate fact from fiction, the African Growth and Opportunity Act deserves your support by removing many of the hurdles impeding free-market reform.

Myth: The African Growth and Opportunity Act Does Not Have Labor Protections

Fact: The bill requires the President, as a condition for eligibility for benefits, to determine that African countries do not engage in gross violations of internationally-recognized

human right, including core labor standards. Also, African nations must observe existing statutory criteria on internationally-recognized worker rights as a condition for duty-free benefits under the Generalized System of Preferences (GSP).

Myth: The African Growth and Opportunity Act Does Not Help African Self-Sufficiency

Fact: The bill was developed with the full input of African governments and represents a shift from dependence on foreign assistance to a private sector, market oriented incentive approach.

Myth: The African Growth and Opportunity Act Hurts U.S. Textile Imports

Fact: U.S. imports of textiles and apparel from Africa accounts for less than one percent of total U.S. imports of textiles and apparel. The impact on the U.S. textile industry would be negligible.

We have a unique opportunity, and a window of opportunity, for self-determination—kujichagulia—for the countries of sub-saharan Africa. According to the Congressional Research Service:

Most of U.S. trade with sub-Saharan Africa is with only a few countries. In 1997, three-quarters of U.S. exports to the region went to five countries: South Africa (49% of U.S. exports to the region), Nigeria (13%), Ghana (5%), Angola (5%), and Kenya (4%). The other 43 countries accounted for the remaining one-quarter of U.S. exports to the region. In 1997, 84% of U.S. imports from the region came from four countries: Nigeria (37% of U.S. imports from the region), Angola (17%), South Africa(15%) and Gabon (13%). The other 44 countries accounted for only 16% of U.S. imports from the region. (CRS Issue Brief for Congress, Number 98015, March 5, 1998, page 3.)

We need to expand trade and development with the continent that is the cradle of civilization—Africa. In combination with continued effective aid, this bill will expand trade beyond these four nations. This legislation is but a start in the right direction toward encouraging private investment and development in sub-saharan Africa. I have attached an editorial article in the Washington Post in support of this bill on final passage, and encourage the support of all of my colleagues on this great opportunity and fantastic initiative toward empowerment for Africa. I thank the Speaker and my colleagues for this time.

[From the Washington Post, Mar. 7, 1998]

HOW TO HELP AFRICA

The House is scheduled to vote next week on an African trade bill. In the past, that would have been an oxymoron. The United States traded with Asia and Europe but sent aid to sub-Saharan Africa. This new approach, which treats African nations more as partners than as charities, is welcome—though not sufficient.

Many of the world's poorest people inhabit Africa, their economies in danger of being left behind altogether as trade and investment unite the rest of the world. But in recent years, the true picture has not been quite as gloomy as news reports on civil wars and coups d'etat might suggest. Many African countries have moved toward democracy and free-market reforms. Many are trying to spend more on basic health and primary education. Many want to help themselves and not depend forever on foreign aid.

This bill is aimed at those nations. It was put together by Republican Rep. Philip Crane and Democrats Charles Rangel, Jim McDermott and William Jefferson, and embraced by the Clinton administration. It would seek to encourage trade between Africa and the United States by removing quotas and many tariffs from the kinds of products these poor nations could most plausibly export: textiles, clothing, footwear. It would stimulate and insure private U.S. investment in Africa, and create forums for African and American businessmen to cooperate.

The legislation carries a tiny price tag, but some in the House and Senate oppose it for protectionist reasons. Yet African textiles now account for only two-thirds of one percent of total U.S. textile imports and are unlikely to rise above 2 percent even in the most optimistic (by African lights) scenarios. Africa's industry is not a threat to the U.S. economy.

A more serious objection—though not a disqualifying one—is that this bill will accomplish less than some rhetoric suggests. For countries as poor as those in sub-Saharan Africa, where average annual per capita income hovers below $500, trade and investment alone can't do the job. Aid remains essential, as the bill's authors acknowledge, and yet U.S. assistance to Africa declined by 25 percent during the past two years. This trade bill can help, but only in combination with effective aid and substantial debt relief.

Mr. WOLF. Mr. Chairman, I rise in strong support of the amendment offered by Representative LINDA SMITH to the Africa Growth and Opportunity Act (H.R. 1432). The amendment would require the President to consider, when deciding whether a country is eligible to participate in the trade benefits provided in the bill, whether that country is cooperating with the United States to eliminate slavery in Africa.

Real life chattel slavery is not a thing of the past, Mr. Chairman. It exists today in the Sudan—a country I have visited three times. Today, any member here could board a plane, fly to Kenya and get on a transport plane in Lokichokio air base in Northern Kenya. Several hours later, you would land at a remote air strip in Southern Sudan. You would walk several hours through tough, dry and desolate terrain, where you could then visit a slave market where women and children are sold for money. Some for as little as $15 a piece.

Slavery in Sudan has been well documented. The State Department has known about it since 1993. I submit for the record a State Department cable which I had declassified in 1993, which states ''credible sources say Government of Sudan forces, especially in the PDF [People's Defense Forces], routinely steal women and children in the Bahr El Ghazal. Some women and girls are kept as wives; the others are shipped north where they perform labor on Kordofan farms or are exported, notably to Libya. Many Dinka are reported to be performing forced labor in the areas of Meiram and Abyei.''

In 1996, two Baltimore Sun reporters visited Sudan, bought back children who had been enslaved and returned them to their families. They interviewed former slaves and published a provocative series of articles about their experience.

There is no doubt. Slavery is taking place in the Sudan. We must encourage governments to end it.

The amendment offered by Representative SMITH sends an important message. No trade benefits with the United States until you eliminate this brutal human rights abuse. I urge my colleagues to support it.

U.S. DEPARTMENT OF STATE,
Washington, DC.

Hon. FRANK R. WOLF,
House of Representatives.

DEAR MR. WOLF: Thank you for your letter of May 5, regarding human rights abuses in Sudan. The Embassy in Khartoum provided the information you requested, which is enclosed. Assistant Secretary Moose provided much of this information in his testimony on May 4 to the Senate Foreign Relations Subcommittee on Africa.

Sincerely,

ROBERT A. BRADTKE,
Acting Assistant Secretary for Legislative Affairs.

Sudanese Government personnel appear to be perpetrating widespread human rights abuses in parts of the Bahr El Ghazal and the Nuba Mountains. There are recent, credible reports of massacres, kidnapping and forced labor, conscription of children, forced displacement and Arabization, and other abuses in these regions. There is evidence that some abuses, notably kidnapping, may be carried out by poorly-controlled militias without the approval and perhaps against the wishes of the authorities. Other abuses, however, are occurring with a frequency and on a scale that make it difficult to think that they are happening without the knowledge of the authorities.

Reliable information on the western ''transition zone''—south Kordofan, including the Nuba Mountains, and Bahr El Ghazal—is hard to obtain. Access to the area is restricted. Recently, however, there has been evidence from credible, well-informed sources of widespread GOS abuses in this zone.

According to several sources, forces of the Government of Sudan regard the entire Bahr El Ghazal south of Babanusa, outside of government-held towns, as an ''operational area.'' Anyone found there is considered a SPLA member or supporter and killed or captured. For example:

In late 1992 and in February–March 1993 two military trains, each with about 3,000 troops aboard, proceeded from Babanusa to Wau. Some of the troops were from the army, but most were members of former Arab tribal militias, which the Government of Sudan/National Islamic Front (GOS/NIF) has incorporated into the Popular Defense Forces (PDF).

The first train advanced preceded by foot soldiers who killed or captured the civilians on their path. They burned houses, fields, and granaries, and stole thousands of cattle. Hundreds are estimated to have died.

The March 1993 train carried horses that extended the soldiers' range. In five days, they reportedly killed almost a thousand persons between Manwal Station and Aweil and captured 300 women and children. The burning of granaries and fields and theft of cattle caused many who escaped the troops to die later of starvation.

The sources state that when military convoys moving in the Bahr El Ghazal lose vehicles to SPLA mines, the troops typically burn the first village they find and kill its inhabitants.

Credible sources report heavy fighting from December 1992 to March 1993 in the Nuba Mountains, particularly in the Tulisci Range. Fleeing Nubans speak of widespread destruction of villages and killings near Dilling and Kadugli—including a massacre at Belenya, which reportedly was razed.

Credible sources say GOS forces, especially the PDF, routinely steal women and children in the Bahr El Ghazal. Some women and girls are kept as wives; the others are shipped north where they perform forced labor on Kordofan farms or are exported, notably to Libya. Many Dinka are reported to

be performing forced labor in the areas of Meiram and Abyei. Others are said to be on farms throughout Kordofan.

There are also credible reports of kidnappings in Kordofan. In March 1993 hundreds of Nuer displaced reached northern Kordofan, saying that Arab militias between Abyei and Muglad had taken children by force, killing the adults who resisted. The town of Hamarat el Sheikh, northwest of Sodiri in north Kordofan, is reported to be a transit point for Dinka and Nuba children who are then trucked to Libya.

While PDF kidnapping of women and children seems recurrent, it is not, however, condoned by all GOS authorities. When the March train from Babanusa arrived in Wau, authorities forced the PDF to release the 300 women and children they had captured. Later that month, army forces at Aweil searched a train of PDF returning from Wau. They found and freed women and children who were being held in boxcars. In early 1993 the PDF captured near Meiram five children between 7 and 12. When a relative learned of their whereabouts and contacted the police, the children were released.

Credible sources say that when the March military train to Wau reached Meiram, soldiers raped scores of displaced women. Thousands of displaced are currently reaching northern Kordofan from Bentiu and the Nuba Mountains. Medical workers note an unusually high rate of pregnancies among the women, who say the PDF raped them.

There are credible reports of widespread conscription into government militias of children 10 or 11 and above from ''peace camps'' (resettlement camps) in the Nuba Mountains. In late January, 1993, soldiers in El Obeid impressed into the PDF scores of boys 13 and above. (The families, however, later secured the release of the children who could prove they were enrolled in school.)

Credible sources state that since November 1992, thousands of displaced Nubans, particularly from the Tulisci, Habila, Koalib, Mendi, Tima, Lagawa, Sellara, Dilling, Kadugli, and Miri areas have been passing through El Obeid. Some are fleeing on their own, but others are being moved by the authorities. The governor of Kordofan has publicly said that the Government has moved many civilians from ''unsafe to secure areas.'' Some 2000 Nubans from En Nahud were left in rags last November outside El Obeid, without money, food, or shelter.

Credible sources describe different forms of forced Arabization. Under a policy sometimes known as ''the marriage of fifty,'' Arab soldiers are encouraged to wed southern women they capture. Soldiers who have children from these marriages get special premiums. In displaced camps in Meiram and Abyei, some Islamic charities reportedly offer to feed, clothe, and educate destitute Dinka children—but in return, parents may not have contact with their offspring. Some areas are closed to Christian charities, even indigenous ones, while Muslim charities operate freely.

There are reports that thousands died of starvation in Meiram displaced camp last year, while local authorities would not release donated relief food stored in Babanusa. There are consistent, credible reports that the PDF routinely steals large amounts of relief food donated for the displaced. Credible sources state that if the populations in the displaced camps at Meiram, Abyei, and Daeim do not receive food urgently, thousands more will die this year.

Some casualty figures and other details may have been exaggerated by frightened and shocked witnesses, but the general tenor of the above reports appears credible. It tracks with fragmentary reports of abuses in the Nuba Mountains and Bahr El Ghazal that have become available from other sources over a period of months.

To be fair, it must be said that many of these abuses, including the massacres, kidnapping and forced Arabization, have occurred time and again in these areas for years. Moreover, the reaction of the authorities in specific cases of kidnapping and enslavement suggest that the latter may be the fact of poorly-controlled militias acting without official approval—although, if this is the case, the authorities are derelict for not energetically curbing PDF excess. Other abuses, however, are occurring with a frequency, and, in the case of the massacres in particular, on a scale that make it difficult to think that they are happening without the knowledge of the Government of Sudan.

Mr. KLINK. Mr. Chairman, I am opposed to this legislation for both process and policy reasons.

On process, the rule for this bill has shut out those who will be most affected by the bill: those Members who represent American textile workers.

We have denied the textile caucus the ability and the opportunity to fix this bill and protect those jobs, and for that reason alone, we should oppose this bill.

However, my opposition to this legislation goes beyond process. This bill will create a ''free trade'' area in Africa.

Mr. Speaker, I don't care if it is Africa or Pluto, we don't need any more ''free trade'' areas like those created by NAFTA because NAFTA is a job losing failure.

In 1993, before NAFTA, the U.S. ran a trade surplus with Mexico of $1.7 billion. In 1996, the U.S. trade deficit with Mexico was more than $16 billion.

By my calculations, we are already running a trade deficit of $9 billion with sub-Saharan Africa. This legislation will only make that worse.

Officially, Pennsylvania has lost more than 13,000 jobs because of NAFTA, and those are Labor Department NAFTA-TAA numbers. Actual losses are probably higher, and the economic policy institute estimates that Pennsylvania has lost almost 20,000 jobs due to increased trade deficits with NAFTA countries.

Nationwide, the official NAFTA-TAA job losses are almost 141,000. Other estimates are much higher than that: some say 625,000.

Another ''free trade'' area, in Africa or anywhere else, will only mean most lost jobs, and this particular ''free trade'' bill will mean lost jobs for textile workers.

Another ''free trade'' area will only give big multinational corporations another platform from which to use lower cost labor, weaker environmental regulations and minimal protections for worker or human rights, to ship cheaper goods to the United States, just like they are using Mexico as a platform. That will only mean more jobs lost.

Mr. Speaker, we have tried the ''free trade'' model and it has failed. We need to look for a new trade model that recognizes human rights, democracy, worker safety and health. That trade model would benefit all the people of the world, Americans, Mexicans, and Africans, not just big corporations.

I urge my colleagues to oppose this job loss legislation.

Mr. HAMILTON. Mr. Chairman, I rise in support of H.R. 1432.

This bill is an innovative measure that holds considerable promise for Africa and for U.S. relations with African nations.

Several of our colleagues deserve credit for bringing this important measure before us today. I would like to commend the principal authors of this bill—Congressmen CRANE, MCDERMOTT, and RANGEL. Other members of the African Trade and Investment Caucus and of the Ways and Means Committee also made important contributions to this bill. I would also like to commend several members of the International Relations Committee—Congressmen ROYCE and MENENDEZ, and our Chairman, Mr. GILMAN—for starting this bill on its way last June.

WHAT THE BILL DOES

H.R. 1432 will alter the U.S. economic relationship with Africa.

To African countries that are prepared for it, the bill offers a new economic compact: In exchange for economic reforms necessary to benefit from expanded commercial ties, H.R. 1432 would offer increased U.S. trade and investment.

This compact will not only reward reforms that have already been implemented: It will serve as an incentive for reforms elsewhere. And by strengthening commercial ties between the United States and Africa, this bill will not only benefit Africans: It will also help build new U.S. export markets, boosting our own economy.

The bill has several key components:

First, the bill restricts eligibility to African countries that are not committing human rights abuses and are progressing toward market-based economies.

Second, eligible countries would be invited to participate in a U.S.-sponsored annual meeting aimed at promoting trade and investment. The United States would be represented at these meetings by the Secretaries of Commerce and Treasury and by the U.S. Trade Representative. The President would also be required to convene a summit meeting of African heads of state every two years.

Third, the bill would require the President to develop a strategy for negotiating free trade agreements between the United States and African countries.

Fourth, the bill will eliminate U.S. quotas on imports of textiles—an important industry in the developing world—from each African country that the President determines has in place an effective system for preventing the violation of U.S. import laws.

Fifth, the bill gives the President authority to extend tariff-free treatment under the Generalized System of Preferences program to additional imports from Africa, as long as those imports pose no threat to domestic industries.

Sixth, the bill directs the U.S. Oversees Private Investment Corporation to establish two new investment-promotion funds for Africa, and to expand its regular programs in Africa. The bill also directs the Export-Import Bank to expand its export-promotion programs in Africa, and it requires both OPIC and the Eximbank to establish new advisory committees on Africa.

Finally, the bill creates a new Assistant U.S. Trade Representative for Africa, and it urges an increase in the number of U.S. Commercial officers stationed there.

Taken together, these measures will create a more intensive and mutually beneficial economic relationship between the United States and Africa.

A stronger economic relationship will serve other U.S. interests in Africa.

By helping move African nations and the United States away from donor-recipient relationships, and toward economic partnership, the bill will strengthen bilateral political ties.

By promoting growth, the bill will bolster political stability and give African nations the wherewithal to address environmental crime, health, and other problems of mutual concern.

AID VS. TRADE

Mr. Chairman, the premise of this bill—which I support—is that increased trade and investment can promote economic growth in Africa in ways that aid alone cannot.

We need to do more to promote trade and investment in Africa because foreign assistance budgets are declining worldwide, and because a number of African countries have taken the tough steps necessary to benefit from expanding commercial ties.

But many other African countries are not yet ready to graduate from aid recipient to trading partner. The poorest countries in Africa still need substantial foreign assistance and debt relief to accomplish things that increased trade and investment will not address: Relieving hunger and satisfying other basic needs; developing the human and physical capital necessary for an industrial economy; building democratic political institutions; and strengthening indigenous conflict-resolution capabilities.

H.R. 1432 does not diminish U.S. foreign assistance programs. In fact, two of the bill's provisions strengthen our programs:

Our provision gives the President additional flexibility to shift funds among different African aid priorities.

Another provision urges the President to push for ''deep debt reduction'' for the poorest countries.

But, regrettably, Congress has already diminished the effectiveness of our foreign assistance program in Africa by cutting spending too far. Appropriations for the Development Fund for Africa were cut from $802 million in fiscal year 1995 to roughly $665 million in fiscal year 1996. The 1998 figure is $700 million, still $100 million below where we were in 1995.

As we begin with H.R. 1432 to build new commercial relationships with African countries, I hope we will not lose sight of the continuing, critical importance of aid in Africa. As we seek to expand trade and investment with some African nations, we should rededicate ourselves to strengthening aid programs that can help all Africans participate more fully in the world economy.

Mr. HALL of Ohio. Mr. Chairman, I am proud to be an original co-sponsor of this bill, and I want to extend a hearty congratulations to my colleagues Mr. CRANE, Mr. RANGEL, and Mr. MCDERMOTT in particular for their tremendous achievement in bringing this landmark piece of legislation to fruition. It could not have happened without their vision and tireless leadership in championing a new era in U.S.-Africa relations.

The bill establishes a new U.S. trade and investment policy toward Africa. While I am a strong believer in the potential benefits of free trade and open markets, I was initially skeptical that this bill sought to prematurely substitute such reforms for direct human and social development and poverty alleviation goals on the continent.

The fact is, Africa sorely needs both. Increased trade and investment are critically important to the successful integration of African countries into the global economy, and this bill takes us in the right direction in that regard. If carefully implemented, it may help reduce poverty in Africa in the long run. But it is not an overnight fix for Africa's formidable human development challenges and pressing humanitarian needs.

That reality is recognized in the bill's policy language recognizing the vital supporting role of sustainable development, grassroots initiatives, conflict resolution, and debt relief in helping trade an investment initiatives to succeed. We ignore Africa's massive food security concerns, in particular, at our own peril; trade and investment cannot thrive in a region where USDA predicts that left unaddressed, two-thirds of Africa's people will be malnourished by the year 2010. In that light, I would have liked to see the bill call for an increased investment of foreign assistance funds in such programs, to reverse steep cuts of recent years.

As it is, I am pleased that my proposed language is retained in the bill, which protects and exempts essential humanitarian and development programs from being shifted to other purposes. I supported the bill on the condition that child survival activities, immunization programs, health and nutrition programs, HIV/AIDS funding, basic education, and support for UNICEF would be expressly protected from the bill's waiver authority. Those programs that are directly saving and improving lives every day should not be sacrificed to other goals, however important, in fact such funding should be increased.

This bill, and the policy direction it sets, would be strongly enhanced and complemented by a future Africa assistance package that more directly targets African farmers and struggling rural communities, and provides more adequate levels of support for investments in basic health, nutrition, and education programs. Those investments will vastly increase this bill's prospects for making a real dent in poverty and hunger in Africa. I urge my colleagues to support the bill, and to lend similar support in the future to enhanced development and humanitarian assistance funding for Africa when this year's foreign aid bill is formulated.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill, modified by the amendments printed in Part I of House Report 105–431, is considered as an original bill for the purpose of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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, providing basic health and education for poor citizens, 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.

(6) 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)''.

(d) WAIVER AUTHORITY.—Section 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2293) is amended by adding at the end the following:

''(p) WAIVER AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the President may waive any provision of law that earmarks, for a specified country, organization, or purpose, funds made available to carry out this chapter if the President determines, subject to the notification procedures under section 634A, that the waiver of such provision of law would provide improved conditions for the people of Africa. The President shall notify the appropriate congressional committees, in accordance with the procedures applicable to reprogramming notifications under section 634A of this Act, at least 15 days before any determination under this paragraph takes effect.

''(2) EXCEPTIONS.—

''(A) CHILD SURVIVAL ACTIVITIES.—The authority contained in paragraph (1) may not be used to waive a provision of law that earmarks funds made available to carry out this chapter for the following purposes:

''(i) Immunization programs.

''(ii) Oral rehydration programs.

''(iii) Health and nutrition programs, and related education programs, which address the needs of mothers and children.

''(iv) Water and sanitation programs.

''(v) Assistance for displaced and orphaned children.

''(vi) Programs for the prevention, treatment, and control of, and research on, tuberculosis, HIV/AIDS, polio, malaria, and other diseases.

''(vii) Basic education programs for children.

''(viii) Contribution on a grant basis to the United Nations Children's Fund (UNICEF) pursuant to section 301 of this Act.

''(B) REQUIREMENT TO SUPERSEDE WAIVER AUTHORITY.—The provisions of this subsection shall not be superseded except by a provision of law enacted after the date of the enactment of the African Growth and Opportunity Act which specifically repeals, modifies, or supersedes such provisions.''.

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.

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 a cost-effective and efficient visa system to guard against unlawful transshipment of textile and apparel goods; and

(B) from Mauritius within 30 days after that country adopts such a visa system.

The Customs Service shall provide the necessary assistance to Kenya and Mauritius in the development and implementation of those visa systems. 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 those visa systems during the preceding calendar year.

(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. The President should ensure that any country in sub-Saharan Africa that intends to export substantial textile and apparel goods to the United States has in place a functioning and efficient visa system to guard against unlawful transshipment of textile and apparel goods.

(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. 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)) 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 May 31, 2007, 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 May 31, 1997, 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' means a country or countries that the President has determined to be eligible under section 4 of the African Growth and Opportunity Act.''.

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 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. 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 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 (8) the following:

''(9)(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)(9)(B) of the Export-Import Bank Act of 1945 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 paragraph (1) has adequate funding and staff to carry out the duties described in paragraph (1) 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 Tomé and Principe (Sao Tomé 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 Côte d'Ivoire (Côte 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)

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 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.

(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 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 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. 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).

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 Tomé and Principe (Sao Tomé 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 Côte d'Ivoire (Côte 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.

The CHAIRMAN. No amendment to the committee amendment in the nature of a substitute will be in order except those printed in Part II of House Report 105–431. 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, 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 postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

□ 1430

It is now in order to consider amendment No. 1 printed in Part II of House Report 105–431.

AMENDMENT NO. 1 OFFERED BY MRS. LINDA SMITH OF WASHINGTON

Mrs. LINDA SMITH of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mrs. LINDA SMITH of Washington:

In subsection (b) of section 4 (Eligibility Requirements), redesignate paragraph (6) as paragraph (7) and insert after paragraph (5) the following:

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

The CHAIRMAN. Pursuant to House Resolution 383, the gentlewoman from Washington (Mrs. LINDA SMITH) and a Member opposed, each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington (Mrs. LINDA SMITH).

Mrs. LINDA SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

I would first like to thank the gentleman from Illinois (Mr. CRANE) for his consideration of this amendment which is also cosponsored by the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Virginia (Mr. WOLF).

The Africa Growth and Opportunity Act already has in place specific eligibility requirements, and I am encouraged that certain protections for human rights are involved and in place in the bill. However, one condition is missing: ensuring the freedom of African people who are daily threatened by slavery.

Today is March 11, 1998. Today, in America, we breathe freedom, but today, right now today in Africa, innocent men, women and children are violently pulled from their families by Arab slave raiders. One Sudanese woman witnessed all five of her children, late last year, tied to horses and screaming as they were taken away.

Today, this amendment sends a strong message from this Congress that we will not turn a blind eye to this grieving mother or to these people. The value and dignity of all people in all nations will be honored and protected.

Trade recognizes the value and worth of another nation's economy, an economy built and sustained by the sweat and toil of its citizens. To advance trade without advancing the rights of a nation's citizens rejects the principles of liberty and justice.

Let us resolve today, by passing this amendment, that human rights and trade are bound together and can advance the global cause of freedom. We must not veil freedom's light with the shadow of slavery.

Mr. Chairman, I reserve the balance of my time.

Mr. ROYCE. Mr. Chairman, I am not opposed to the amendment, and I do not see any Member seeking to oppose the amendment. I ask unanimous consent to control the time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. ROYCE) is recognized for 5 minutes.

Mr. ROYCE. Mr. Chairman, I support this amendment, and I yield to the gentlewoman from Washington (Mrs. LINDA SMITH).

Mrs. LINDA SMITH of Washington. Mr. Chairman, there seems to be no problem with this amendment. Our State Department has said that there is a problem with slavery, and they have also stated we cannot allow countries to continue this practice.

I would also like to submit for the RECORD an article from the Chicago Tribune which illustrates how important this amendment is.

[From the Chicago Tribune, Feb. 22, 1998]

TRAFFICKING IN HUMANS; FED BY A 14-YEAR-OLD CIVIL WAR, SLAVE TRADE THRIVES IN SUDAN

(By Karin Davies)

MADHOL, SUDAN.—Stacks of money pass from the Christian foreigner to the Muslim trader, an exchange anxiously watched by a 13-year-old girl with diamonds of sweat on her brow.

The Sudanese trader, his lap buried by currency worth $13,200, waves carelessly to free his merchandise—132 slaves.

Akuac Malong, the young Dinka girl, is among them. She has spent seven years—more than half her life—enslaved by an Arab in northern Sudan.

Her brilliant smile belies the beatings, near-starvation, mutilation and attempted brainwashing she endured. ''I thought it would be better to die than to reman a slave,'' Akuac says.

Trafficking in humans has resurged with civil war in Africa's largest and poorest country, said John Eibner of Christian Solidarity International, a humanitarian group that brought Akuac's freedom.

For all but a decade since Sudan's independence in 1956, southern rebels, mainly black Christians and followers of tribal religions, have fought for autonomy from the national government in Khartoum, which is dominated by northern Arabs. The southerners believe the north is trying to impose Islam and the Arabic language and to monopolize Sudan's wealth.

Since the rebellion resumed 14 years ago, fighting, famine and disease have killed an estimated 1.5 million Sudanese—more than died in the genocides and civil wars in Rwanda or Bosnia. More than 3 million people have fled or been forced from their homes.

Much of the fighting on the government side is done by local militias. Unpaid, their bounty is as old as war itself—slaves. Sudan's radical Islamic leaders encourage soldiers to take slaves as their compensation, according United Nations investigators and the U.S. State Department.

Young women and children are the most valuable war booty. Eibner said old people are beaten and robbed while young men are killed because they cannot be trained into useful, harmless slaves.

''According to the Khartoum's regime ideology of jihad, members of this resistant black African community—be they men, women or children—are infidels, and may be arbitrarily killed, enslaved, looted or otherwise abused,'' Eibner said.

The Sudanese government denies condoning slavery, insisting the practice persists because holding prisoners for ransom is a tradition rooted in tribal disputes.

No side has a claim on morality in this war. The rebel Sudan People's Liberation Army has been accused of forcibly inducting teenage boys into its ragtag army. But the southern blacks do not take Arab prisoners for slaves.

Paul Malong Awan, a regional rebel commander, said enslavement is a government tactic to weaken the morale and military might of the south.

Many of the blacks taken away are Dinkas, a million-member tribe that is the biggest ethnic group in southern Sudan. Dinkas are vulnerable because they predominate in northern Bahr el Ghazal, a region that is close to the front between north and south.

Christian Solidarity International estimates tens of thousands of black slaves are owned by Arabs in northern Sudan. The Swiss-based charity has made more than a dozen risky, clandestine bush flights to southern Sudan to redeem 800 slaves since 1995, most recently in Madhol, 720 miles southwest of Khartoum.

Some criticize its work.

Alex de Waal, of the London-based group African Rights, said that by paying large sums to free slaves, the Swiss charity undercuts Dinkas living in the north who do the same secretive work for a fraction of the cost.

Eibner countered: ''There is no evidence to suggest that our work has undermined efforts to redeem abducted women and children. In fact, Dinka elders encourage us to press ahead with our activities.''

Gaspar Biro, a researcher for the UN Commission on Human Rights for Sudan, has cited ''an alarming increase'' in ''cases of slavery, servitude, slave trade and forced labor'' since February 1994.

''The total passivity of the government can only be regarded as tacit political approval

and support of the institution of slavery,'' he said.

A U.S. State Department report said accounts it received on the taking of slaves in the south ''indicates the direct and general involvement'' of Sudan's army and militias ''backed by the government.''

The centuries-old tensions between Arabs and blacks in Sudan are linked to slaving expeditions by Arabs to the upper Nile, a trade that the 19th Century explorer David Livingstone called ''an open sore on the world.''

Akuac's mother, Abuong Malong, sobs when she sees her daughter for the first time in seven years. ''It's like she's been born again.''

She recognizes her only from her straight, square teeth. ''She was very small when she was taken, her features have changed, but she came back with the same spirit.''

Recalling that traumatic day, Abuong Malong says they were fetching water when Arab militiamen on camels and horses thundered into their village, Rumalong. The raiders began shooting at the clusters of mud and wattle huts and rounding up cows and goats.

''I was running with Akuac for the trees when a horseman grabbed her,'' Abuong Malong says. ''I was afraid that if I chased the horseman, he would kill me.''

Akuac and her older brother were tied to horsebacks and taken north with more than a dozen others from their village, a short walk southeast of Madhol. The women and older children had to carry the booty of their captors.

In Kordofan, Akuac was sold to an Arab who made her wash clothes, haul water, gather firewood and help with cooking.

She survived on table scraps, and slept in the kitchen.

''I was badly treated,'' Akuac says.

Her master also tried to make her a Muslim—taking her to mosque and giving her the Arabic name of Fatima.

But Akuac says she maintained her Christian faith, praying and singing hymns in secret and never forgetting her true name. ''My name is my name and nobody can change that.''

She does bear scars—in the local Muslim tradition, she was forcibly circumcised with her master's daughters when she was 11.

''It was very brutal. It is strange to our culture,'' Akuac says. ''The master told me, 'If I don't circumcise you, I will have to kill you because you will still hold the ideas of your people, and you will try to escape.'''

Her heart is scarred, too. Her older brother, Makol, was killed two years ago at age 13 while trying to escape.

Another returnee, Akec Kwol Kiir, who is in her 40s, says she was repeatedly raped by four soldiers who took her north. She ended up in a camp where slaves were bought and sold. ''They treated us like cattle,'' she says.

Her Arab master insisted that she, too, be circumcised. She refused, and was brutally slashed. Her ear is notched and her chin and neck scarred.

Kwol finally submitted. ''Otherwise, they would have killed me. Because I was a slave, they had the right to do whatever they wanted to me,'' she says.

Akuac and Kwol have been brought back to Madhol along with 130 other former slaves by a trader who calls himself Ahmed el-Noor Bashir.

Slipping into a cowhide-strung chair beneath a shade tree, the 27-year-old dressed in a fine white cotton robe and a close-fitting embroidered cap denies he rescues slaves for the money.

''To others it may seem 6.6 million Sudanese pounds ($13,200) is a lot of money. But how can you put a price on human life? I do it for humanitarian reasons, not for the money,'' he says.

''My father is Arab but my mother is Dinka. When I see my mother's people are suffering, I must do something.''

But many families among the Dinka, particularly those who also lose cattle and crops to raiders, cannot afford Bashir's price—five cows or the equivalent of $100 in cash for each slave returned.

He says he rescues slaves by buying some from owners, takes others from wives jealous of their husbands' concubines, and protects escapees who seek him out.

Though Bashir insists he loses money, he flaunts the Sudanese signs of wealth—on his feet are tasseled, leather loafers, on his wrist a Casio watch, in his hand a shortwave radio.

Eibner says he doesn't begrudge the trader his money. ''If this man is caught, he's a dead man.''

For that reason, the slave caravan traveled only by the light of a melon slice of moon to reach Madhol.

The three-night walk wearied the 132 freed women and children. Infants of Arab fathers were carried on their raped mother's backs.

Years of abuse are written in bruises and scars on their long, dust-caked limbs. Some wear tattered rags; others are naked.

Yet Akuac's joy at freedom beams from her animated face and chocolately eyes. She sings a song of praise for the Sudan People's Liberation Army and dances with family and friends to the twangs of a homemade, stringed rababa.

The first Sunday after her release. Akuac worships beneath a tree with a crucifix nailed to the trunk. Roman Catholic hymns are sung to the beat of drums and the mewling of infants.

On Monday, she goes to school—but is clearly bewildered as other children practice writing letters in the dirt with sticks and add up four-digit figures.

''I'll have to catch up,'' she says.

Mr. ROYCE. Mr. Chairman, I yield back the balance of my time.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Washington (Mrs. LINDA SMITH).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in part II of House Report 105–431.

AMENDMENT NO. 2 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered 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.

The CHAIRMAN. Pursuant to House Resolution 383, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

I rise today to present several amendments. This is one of three amendments. I rise today to present these amendments in an attempt to answer some of the concerns that have been raised about this bill.

I take this opportunity to say that I am deeply respectful of all who have spoken on the bill. I am deeply respectful of the proponents and the opponents of the Africa Growth and Opportunity Act. It is incumbent upon those of us who have identified concerns with this bill to not only try to make it a better bill, but to acknowledge that none of us are right on this bill.

Some of us have advanced this bill as the best thing that could ever happen for Africa. While I wish that was true, it is not necessarily true. And for others, who have condemned this as the worst thing that could have ever happened, that is not true either.

What we have, I think, is an attempt by those of us who care about Africa to try to advance something that will lead us to a trade agreement.

I think all of the Members of this House who are involved in this legislation would like to get to the point where we can do a good trade bill. We differ on what the guiding policy should be to get to that point. Some Members think that everything in this bill is good and should be embraced. I am one who believes that there are some things in the bill that are unnecessary, that may be harmful and need to be dealt with. I take this opportunity to try to deal with some of this in amendments.

My first amendment is a very simple amendment that says, no country would be forced to have to comply with all of the requirements of this bill. This underscores the flexibility of the President to take a look at countries and make some determination about whether or not they are in compliance with some things, whether or not they are working toward compliance, whether or not they are making progress, whether or not they are, in fact, acting in good faith despite the fact they do not meet all of the strict requirements. When I talked with the proponents of this bill, they said to me, that was the intent of the bill. I said to them, that was not clear. As I looked at the laundry list, I became concerned. I pointed out some of my concerns.

For example, if we take a look at page 40 of the legislation, line 20, item 5, it says, 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.

I would have struck that from the bill if I had had my way. I attempted to do that. That amendment was not accepted. However, this amendment would at least give the President the opportunity to evaluate whether or not a country is moving in that direction, whether or not they should move in that direction in a strict way or whether or not there is some flexibility, as

we look as things such as controlling government consumption.

What does that mean? For some Members, they would spend less money on education and health. For some Members, that would mean we would spend less money on the infrastructure. For some Members, that would mean something quite different than what I would be concerned about.

I think that we need some flexibility to review these kinds of things, and for the President, who will be making some determination about these things, to determine exactly what is meant in this policy direction and to have the ability not to force anyone to have to be in strict compliance with every aspect of this bill as it tries to give us some direction for public policy.

I do not think there should be any opposition to that. That, I am told, is the intent anyway. I said to those who told me that that was the intent that then they should have no problems with me just restating it in ways that are understood.

I have talked with many of those who represent nongovernment organizations. I have talked with some of the proponents of the bill. I have talked with Members on the opposite side of the aisle; to date and since this amendment was placed in order in the Committee on Rules, I have not heard any objections. Certainly, I would ask that my colleagues would support me, given this kind of flexibility and documenting it as it was intended when the bill was constructed.

Again, let me bring to the attention of the Members that this is not a bill that is perfect. As a matter of fact, there are many things that I would strike in the bill if I had an opportunity to. I think that if we have enough flexibility to at least act in good faith by supporting this kind of amendment, it may go a long way to getting Members who have some trouble with the bill to support this legislation.

In the final analysis, I think what we all want is, we want to develop guiding policies. We want to give the direction. We want to make the flame work by which to have a treaty, by which to have an agreement, by which to work out with Africa ways by which we can do trade that respects Africa and respects the guiding principles of this country.

Mr. Chairman, I reserve the balance of my time.

Mr. ROYCE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California (Mr. ROYCE) is recognized for 10 minutes.

Mr. ROYCE. Mr. Chairman, before I speak in opposition to the amendment, I yield 3 minutes to the gentleman from New Jersey (Mr. PAYNE), my colleague on the Subcommittee on Africa, who wished to speak on the last amendment.

Mr. PAYNE. Mr. Chairman, let me thank the chairman of our subcommittee for yielding me this time.

I arrived on the floor just as the vote was called, but as the Members know, the Smith-Payne amendment is the amendment that said that we cannot condone slavery and that anywhere this is practiced should certainly not be considered for this bill. I thank the House for the endorsement of our amendment.

I have personally continued to address the issue of slavery throughout the world. I have introduced H. Con. Res. 234 which calls on both Sudan and Mauritania to stop all overt and covert practices of chattel slavery and all other forms of booty. While acknowledging the prolonged campaign of human rights abuses and discrimination, especially on women and children, the bill commends the Clinton administration for sanctioning Sudan and monitoring acts of Mauritania.

Similar proof of the existence of slavery in Mauritania has been provided by a variety of sources, yet at our hearing in March of last year, Assistant Secretary Shattuck reported in the Country Report on Human Rights that no vestiges of slavery existed in Mauritania, even though 3 years prior to the report it stated that 90,000 slaves were repressed at the hands of the government. I just wonder how such a transformation could have taken place without significant reporting and international coverage.

I contend that the successful abolition of slavery has not taken place in Mauritania and additional steps must be taken to completely eradicate the practice from the country. I am pleased, though, that this year Ambassador Shattuck testified that in its latest annual human rights report a system of officially sanctioned slavery in which government and society join to force individuals to serve masters is not the case; however, slavery in the form of unofficial voluntary or forced and involuntary servitude persists.

Let me just move quickly to the Sudan. Sudan has been a problem for a long time, and I want to submit for the record these three copies of the Baltimore Sun report where two reporters went to Sudan and purchased two slaves several years ago.

The Sudanese Government Popular Defense Force enslaved 18 women and children during the slave raid on four villages.

□ 1445

There is continued support from the NIF as they continue to get predominantly Christians and animists who live in the south and in the Nuba Mountains.

I say that the fact that slavery is still existing in these countries is an abomination today. The ongoing abduction in northern Uganda, where young people are taken into armies to fight for the Liberation Army in the north of Uganda, the LRA, should end. And so I am glad that this issue has been raised in this very important bill.

I think as this bill moves forward, as we say it, it is not a perfect instrument, but it is certainly giving us an opportunity to highlight some of the problems that occur there on the continent, and gives us an opportunity to work towards the elimination of some of the atrocities that still exist. I know this bill will go a long way into making the continent move, and I certainly wholeheartedly support the bill.

Ms. WATERS. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from California (Ms. WATERS).

Historically, small businesses, especially those owned by people of color and women, have not fully enjoyed the benefits of uniform trade agreements negotiated by the United States. I believe that the Waters amendment will allow small businesses, especially those found within inner-city communities, to gain access to the opportunities of uniform trade agreements.

Mr. Chairman, I support the gentlewoman's second amendment, which ensures that the Development Fund of Africa will not be reduced below $700 million.

Finally, I support the gentlewoman's third amendment, which will limit the mandate for each participating country to comply with all stated requirements of section 4(a).

Ms. WATERS. Mr. Chairman, may I inquire how much time is remaining on this amendment?

The CHAIRMAN. The gentlewoman from California (Ms. WATERS) has 2 minutes remaining, and the gentleman from California (Mr. ROYCE) has 7 minutes remaining.

Ms. WATERS. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I thank her for her leadership.

This is an excellent amendment. I think that this helps to make this bill realistic in that it allows the 12 items that are being required to have some flexibility, while still leaving intact the very important requirement of human rights. This is absolutely making this bill work. Without it, this would be an onerous piece of legislation that might make it very difficult for the countries to even participate.

Let me also add my support for her amendment dealing with the African Development Fund, certainly creating greater opportunities for small and medium-sized businesses to be engaged in this trade bill, making it work for inner-city America and for minority businesses throughout this Nation.

Ms. WATERS. Mr. Chairman, I yield myself the balance of my time.

I believe all that has been said is all that can be said. This is not a complicated amendment. What we do is simply codify the intent of the bill to allow for flexibility; to say that no country would have to be in absolute

strict compliance with every item that is required in the bill; that there could be some recognition of countries that are making every effort, of countries that are working in ways that are acceptable in forging a trade agreement with that country.

So I would ask that my colleagues support the idea that this bill that we have before us today is the framework, it is the guidepost, it is the direction leading toward an agreement with Africa on trade. We want to be as fair as we can possibly be. We do not want to be overly harsh. We do not want to be overly punitive. We do not want to do anything that will interfere with their ability to really get involved with trade in ways that will benefit them and their people.

I think that we do not know everything and we are not always as wise as we would like to be. We come up with the best ideas that we can when we try and forge these agreements. And recognizing that, let us allow for this flexibility so we do not make the kinds of mistakes that are not easily corrected.

Mr. ROYCE. Mr. Chairman, I yield myself such time as I may consume.

We have put a lot of time in in crafting this bill, and I understand what the gentlewoman is trying to accomplish here, but I want to make a couple of points.

The bill does not now require compliance with each criteria, which represent at any rate general guidelines and are not specific in the sense of quantifiable percentages or levels of compliance. The criteria call for countries to make, as we say, and let me quote, ''continual progress toward establishing a market-based economy'' relative to the 12 items listed in the bill.

The application of the criteria have been left somewhat vague, even though the parameters are specific. The intention is to reward nations that are making progress without requiring they meet a specific target. However, it is expected that nations will make a good-faith effort to address all the concerns expressed as participation criteria.

To delete the need to address them all says that they can do well in some areas and absolutely ignore others. This would be our concern. Would we be satisfied in seeing nations participate in this process if they made reforms in governance but failed to reform human rights? Would we find it acceptable to accept a nation that made changes in tax laws but refused to honor the rule of law?

So let me explain our concerns, and that is, by waiving the need to deal with all the criteria, we would encourage African nations to pick and choose what reforms they will address, which could result in their failing to take advantage of potentially valuable opportunity. That is why I speak in opposition, Mr. Chairman.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. ROYCE. I yield to the gentlewoman from California.

Ms. WATERS. One of the criticisms of the NGOs about this bill is precisely what we are trying to cure. This amendment in no way allows anybody to pick and choose anything. As a matter of fact, the flexibility that is codified in this kind of amendment speaks to the responsibility of the President in negotiating the agreement, not to countries to pick and choose. And this bill in no way allows that to happen.

The intent that the gentleman described is the intent that I have captured in language to satisfy the criticisms and the objections of some who do not wish to vote for this bill because they do not understand that implicit in the bill is that kind of flexibility.

I would suggest to the gentleman that we are basically saying the same thing, and that if we are interested in not only helping to communicate this to those who have some concerns but ensuring that we do not have the kind of legislation that would be misread or be misimplemented in ways that will take all of the requirements and strictly review them and strictly hold them to a certain kind of standard, then I think there is no need to oppose this simple amendment.

As a matter of fact, I really do believe that the gentleman would gain friends and votes by simply codifying the intent that the gentleman described.

Mr. ROYCE. Mr. Chairman, reclaiming my time, I will close and respond by saying that I guess partly it is a question of perspective. From the perspective that many of us who have worked on the bill have, the bill itself gives that flexibility. The bill itself says, as I said, ''continual progress towards establishing a market-based economy'' relative to 12 different items.

So in our view it is general guidelines that are in the bill itself at this time. We have a difference of perspective, but let me just close at this time and thank the gentlewoman from California for bringing her concerns to us.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 383, further proceedings on the amendment offered by the gentlewoman from California (Ms. WATERS) will be postponed.

It is now in order to consider amendment No. 3 printed in part II of House Report 105–431.

AMENDMENT NO. 3 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. WATERS:

In section 5 (Additional Authorities and Increased Flexibility to Provide Assistance under the Development Fund For Africa), add the following at the end:

(e) FUNDING LEVELS.—Section 497 of the Foreign Assistance Act of 1961 (22 U.S.C. 2294) is amended by adding at the end the following: ''Amounts to carry this chapter for each of fiscal years 1999 through 2007 shall be made available at not less than the amount made available for such purpose for fiscal year 1998.''.

The CHAIRMAN. Pursuant to House Resolution 383, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment achieves an important goal of supporters of development assistance for Africa. This amendment sets a floor for appropriations of not less than the funding year levels for the crucial monies that have historically made up the Development Fund for Africa. The amount appropriated for these purposes for funding year 1998 is $700 million.

This amendment achieves this goal by amending section 497 of the Foreign Assistance Act to specify that the amounts to carry this chapter for each fiscal year from 1999 to 2007 shall be at least the amount funded for fiscal year 1998.

As I attempted to describe in the last amendment, we have criticisms that have come from many nongovernmental organizations who have spent years working on the question of Africa. I recognize that some of the work that is being done today by opponents and proponents of this bill is work that is new to them, and that they do not bring with them the same kind of historical background and perspective on Africa as some of the nongovernmental organizations who have spent years working on these kinds of questions.

And so when I advance this amendment, I advance it because of concerns about what are we doing. Are we simply trying to undermine the support that we give to Africa with trade that will take some time to realize? Are we committed to the proposition that they deserve to have assistance and that that assistance should not in any way be eliminated or diminished or reduced; that we should be going forward, not only from the base that was established last year, but we should increase it? As a matter of fact, the President has an increase in his budget for it.

Mr. Chairman, I would ask my colleagues for an ''aye'' vote.

Mr. Chairman, I reserve the balance of my time.

Mr. ROYCE. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to this amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Washington State (Mr. MCDERMOTT).

Mr. McDERMOTT. Mr. Chairman, I must say that I rise with mixed feelings about this, because when I started in this process some years ago, it was with a concern for the fact that many people were talking about we had to end aid toward Africa, and I strongly oppose ending aid for Africa. There are many countries for whom it is an integral part of their ability to respond and grow and become democracies and participate in the other provisions of this bill. So in no way do I want aid to Africa to be cut at this point.

It was really with that in mind I started to talking to the gentleman from Illinois (Mr. CRANE). This amendment does something I think which is, while laudable in intent, I think not good public policy, and that is it sets in law an entitlement for Africa which I do not think makes good sense.

□ 1500

We meet here every 2 years. We vote on budgets. We go over these issues. And the appropriation or the authorization committee, which is the Committee on International Relations, sets a level for foreign aid and then the Committee on Appropriations considers that authorization and decides what is an appropriate amount. I think that that is the appropriate way that we ought to do that.

I think that to say to put a number amount in here and say that that is how much ought to go to Africa, putting it out for 9 years into the future, is a little bit more crystal-balling than I think makes sense. I really think that the gentleman from California (Mr. ROYCE) has been a very good supporter of this bill and of this whole process of aid for Africa. And I do not think there is any reason to put this kind of thing in this bill.

I think, if anything, it makes people unwilling to vote for it. I do not want to lose the support of many who are supporting aid and trade. I do not want to split them off and say they just want to go for trade, and they want to get rid of aid. I want to keep them in the tent. And I think that the important thing, then, is not to take this particular issue, and put it in this bill at this time. For that reason, I would have to oppose this amendment.

Ms. WATERS. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Chairman, I rise in strong support of the amendment and in support of passage of this bill. This Africa Growth and Opportunity Act is not a fast track trade bill. It does not hand out great advantages to competing economies. It does not hand out advantages to nations that prosper by ruthlessly exploiting their own people. This is a slow track bill that is long overdue. This is a bill which places Africa on the playing field of world trade.

Africa has not only been left behind, Africa has been left out. This is a comprehensive bill with many positive components, and this amendment suggests one of those positive components. It is not perfect and there are pitfalls. We must not fall into the trap of throwing away programs that work as we move to initiate new components. The development needs our continued support. Instead of allowing any decrease in our commitment, we should work towards expansions and increases.

I cannot emphasize too much the fact that Africa has not only been left behind by the U.S. trade and assistance programs, it has been left out of any significant involvement. Africa has not enjoyed the kind of general recognition that we have shown to Mexico or China or Indonesia. No country in Africa has its hands out for a 40 to $50 billion bailout from the United States and International Monetary Fund. Do not cut off one hand to Africa while we offer it another hand.

Levels of this kind as proposed by this amendment are often set in legislation without being accused of seeking entitlement status. We should understand the difference between principles and dogma. There are certain kinds of principles we want to continue to support. I certainly wholeheartedly support the principles established by the informal caucus against the fast track caucus last November. But the principles there need to be looked at as principle and not as dogma. Let us not get into the ceremony of opposing all trade bills just because they are trade bills.

Africa needs to have a chance; it needs to be put on the playing field. If we look at the statistics, we will find that Africa, as opposed to China or Mexico or South Korea or Hong Kong, in a very sensitive area like textiles, it is way, way behind.

Less than .6 percent allowed textiles came from Africa last year, while China is way up there with Mexico and they have all the advantages. China, which, of course, has no organized labor laws, and China is quite ruthless in the way they handle their trade. They have 8.6 percent of our textile imports. Mexico has 11.5 percent. Mexico is right across the border. How can we compare competition between Mexico and the textile industries in this country versus Africa, which has whole oceans between us and the continents.

Let me just point out that in sub-Saharan Africa, all the countries of sub-Sahara Africa and together, as I said before, have less than .6 percent of our textile trade. The per capita income of these countries is way down, around $400 a year, $400 a year; while per capita income of Taiwan, which has 8.6 percent of the trade, is way up at $12,000 a year.

If there are going to be any offsets, if Africa is going to take away any of the textile business from anybody, it is going to be in these countries that are already outside the United States and already have taken jobs from our textile workers. They are going to underbid these countries because their labor costs will be lower. They are lower than anybody else, and they will be competing with these countries that have taken trade away already.

If we are not going to try to balance out things and take some trade back from Mexico and China, then at least let Africa into the game. And right across the board, we have a great deal to gain because Africa is one of the last great markets in the world. We have a billion dollars in exports to Africa right now. We can greatly increase that. Let us not be dogmatic. Let us vote for a bill which opens up the playing field for Africa.

Mr. Chairman, I rise in strong support of H.R. 1432, the ''Africa Growth and Opportunity Act.'' H.R. 1432 would authorize a new trade and investment policy toward the countries of sub-Saharan Africa. It is not a perfect bill; however, it represents a positive, historic, comprehensive effort to reach out to the continent of Africa and enhance and share in its vast economic possibilities. Africa, the mother of civilization, the victim of imperialism, and the beholder of natural riches, is the last region virtually ignored by U.S. trade policy. Its acceptance into the world trade arena, spearheaded by the United States, is long overdue. The arguments against opening up U.S. trade policy to Africa pale in comparison to the economic, social, moral and historic reasons for supporting the bill. Unequivocally, we must admit Africa to the world trade playing field.

Contrary to the argument made by opponents of the bill, H.R. 1432 will not harm the domestic textile industry. Research has shown that workers in the U.S. textile industry will not be displaced by workers in the African textile industry. In fact, should there be any loss of jobs, it will occur in those countries that have already suffered a loss of jobs because of an expansion of trade opportunities to those areas. The countries most likely to be hurt by Africa's imminent trading status with the U.S. are those which already export the largest percentage of textiles to the U.S.: Mexico, China, Taiwan, and Hong Kong. In 1996, Mexican textile imports represented 11.57% of total textile imports. In addition, textile imports from China represented 8.63% of total imports. Moreover, imports from Taiwan represented 6.31% of total U.S. textile imports. On the other hand, imports from sub-Saharan Africa represent a paltry 0.67%. The point is clear: The fear that the African textile industry will benefit economically at the expense of the U.S. textile industry is unfounded. Mexico is more to blame for a loss of U.S. jobs in the textile industry. And no matter how sweet the trade deal with Africa is, the continent will not be able to compete fairly with our bordering neighbor, Mexico.

Again, it must be reiterated that Sub-Saharan Africa does not have the capacity to compete with any industries in the U.S. No American workers will lose jobs as a result of this bill. In the area of textiles, Africa's lower wages may take business away from China or Mexico or Hong Kong, but not from the United States.

H.R. 1432 deserves the support of all members and components of the Caring Majority. The labor community should lend their support to this unique piece of legislation. Expanding trade in any area, including Africa, has been opposed by this community because of a fear

that countries with weaker labor and environmental laws than the U.S. will undermine the availability of jobs here in the America. I want to make a special appeal to those who stood in solidarity with me against the ''fast track'' trade legislative process last fall: Africa must be given a chance to demonstrate its commitments to fair labor laws and to the development of internationally accepted environmental standards. China has no organized labor laws, and it is quite ruthless in its treatment of Chinese citizens. Yet, it is the country that is able to secure regularly Most-Favored-Nation trading status.

The principles we all enunciated against ''fast track'' trade legislation remain sound and necessary; however, we must not allow our principles to degenerate into the dogma of a religion. We must not begin to oppose all trade opportunities blindly and ceremoniously. This is true especially of those trade bills applied to desperately poor countries in Africa and the Caribbean. Our goal is justice and a decent standard of living for workers and common people all over the world. At the hands of European and American powers, Africa has been made to suffer for centuries. It is important now to support opportunity in Africa.

H.R. 1432 helps correct a situation where trade and assistance to Africa has been MIA—missing in action. I cannot emphasize too much the fact that Africa has not only been left behind by the U.S. trade and assistance programs, it has been left out of any significant involvement. Africa has not enjoyed the generosity we have shown to Mexico, China and Indonesia. No country in Africa has its hands out for a $40 to $50 billion bailout from the U.S. and the International Monetary Fund.

It is high time for alarmists to put H.R. 1432 in its proper perspective. It is not a fast track trade bill which hands out great advantages to competing economies or to nations that prosper by ruthlessly exploiting their own people. It is not the billion dollar budget buster or bailout swindle for Africa. It is not a fat check from the U.S. Treasury to underwrite Africa's economic policies that will injure working people in America. Those benefits have already accrued to other countries. H.R. 1432 is a slow track bill that deserves our enthusiastic support. I urge my colleagues to say ''YES'' to ''growth'' and ''opportunity'' for Africa.

Mr. ROYCE. Mr. Chairman, I yield 4 minutes to the gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

(Mr. CALLAHAN asked and was given permission to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise in opposition to the amendment of the gentlelady from California (Ms. WATERS), and rise in support of the statement made by the gentleman from Washington. Never, to my recollection, can I ever find that this Congress or any other Congress in the history of this country has ever mandated with a floor of foreign appropriations to a foreign country. I think this is a very dangerous precedence to begin to obligate future Congresses. I think possibly it might not even pass the constitutional test.

But regardless of that, we are facing this issue here today; and for the first time in history, what we are saying is that we are going to give one country, one area of the world, a floor as to the amount of money any Congress in the future can appropriate. And that, my colleagues, is absolutely wrong and certainly a precedent we do not want to set.

At the request of the gentlewoman from California, among others, last year, they came to me, as did the President, and said, we would like to have $700 million for sub-Saharan Africa. We did that. We complied with your request then. But to obligate me or this Congress for 9 years into the future is something that is very, very rare and unique and unprecedented, as I have said.

Let me give an example. Latin America, which is our closest neighbor and our greatest trade potential and ally, only gets $293 million; and there are efforts being made to even reduce that. So what we are saying, if we impose this $700 million floor on the amount of money we can give to any country or any nation, regardless of what activities are taking place at that time in the future, we are going to have to take money away from Latin America to do it.

All countries of the world recognize that we have limited resources for foreign policy. Even the State of Israel has come to us and said, we recognize your problems; we recognize your limitation, and they have made a bold initiative to come to us and tell us they recognize our plight and that they are requesting that we begin to downsize our economic support for them.

So in the middle of our session here, second session of this Congress, we are going to say to the next Congress, you guys have to do this. We do not care what is taking place there now. We do not care what the governments are doing there now. We do not care what insurrection is taking place. No matter what you do, here is a check for $700 million.

Go back to your district, and ask your constituents if they believe we ought to do that. We can go back and we can justify today the $700 million we appropriated this year because progress is being made, and we are assisting that nation.

But to obligate in this forum is not only unconstitutional, as far as I am concerned, it certainly is unprecedented in the history of the country to do such a thing for this period of time, for such an extended period of time.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield briefly to the gentleman from New York.

Mr. OWENS. Mr. Chairman, I would like the gentleman to enlighten me. When he said that if we have a floor like this for one country or one set of countries, we would have to take it from South America or somewhere else, do we have the same situation with respect to the International Monetary Fund. We are about to be asked to vote $18 billion more into the fund. We have a lot of money in there already. There is a limitation on the amount of money we put in this.

Mr. CALLAHAN. Reclaiming my time, this Congress has the ability to make this decision on the International Monetary Fund, but we do not commit to future Congresses. I mean, what if we came to the Congress, we said we need $3 billion for the International Monetary Fund and said, we are going to do it for the next 10 years.

Mr. OWENS. Is there a ceiling on the amount we put into the International Monetary Fund? Do we stop somewhere?

Mr. CALLAHAN. We are talking about floors, an unprecedented amendment being introduced in this House.

I urge my colleagues to vote against it.

Mr. OWENS. I thank the gentleman.

Ms. WATERS. Mr. Chairman, how much time is remaining on both sides?

The CHAIRMAN. The gentlewoman from California (Ms. WATERS) has 4 minutes remaining, and the gentleman from California (Mr. ROYCE) has 3½ minutes remaining.

Ms. WATERS. Mr. Chairman, I yield to myself such time as I may consume.

Mr. Chairman, this is a very important and enlightening debate, and this is precisely what I wanted to happen. I wanted to hear arguments against a kind of real commitment to ongoing funding for Africa and sub-Saharan Africa. Of course, it is easy to talk about other countries who may be indicating that somehow they are sensitive to the problems of our country and they would like to do something to be helpful.

Sub-Saharan Africa has been the stepchild of appropriations from this country in relationship to their needs and their numbers. While I appreciate what the gentleman did last year, and I hope the gentleman will do even better this year. I want this debate to go forward.

I want the debate to go forward because the NGOs who have been pointing to the problems of this bill, pointing to the problems that we have, as we try to be good advocates for Africa, I wanted them to know that there is some of us who are committed to this fight and committed to this struggle, even in light of tough opposition and the kind of arguments that have been raised by the chairman.

I will not yield because this is the only time that I am going to get to tell the Members publicly what I think about the way that Africa has been treated.

Those of us who have spent years, not only trying to dismantle, get rid of apartheid in South Africa, but those of us who have tried to give support to places like Angola, where people on the other side of the aisle were supporting Savimbi, and a country whose resources have been drained because we

were on the wrong side of history, just as we were on the wrong side of history with Mobuto, countries that have been in desperate need of our help, yes, I want to send a signal that we are going to give ongoing support for them.

So, yes, I created this debate about it. I am glad that the chairman rose to the challenge. I am glad that the chairman described it in some of the ways that he did. I think the chairman is interested in giving ongoing support to Africa.

I am going to be asking him again, as many of us will be asking him again, to do even better, to meet the President's mark with an increase for Africa.

Yes, I know this sets out and identifies an amount for a period of time because it puts the light on the need. It sheds the light on a section of this world that we have not really paid attention to.

We can travel on all the CODELs we want to, and we can go over and speak to all the heads of government, and tell them how much we love them. But if you do not bring the resources, and you do not bring the money, and you do not treat them the way you treat other countries, your words are shallow, and they mean nothing.

So, yes, I dare to come to this floor and challenge my colleagues to make a strong commitment to Africa, put it in the legislation, where we dare put do you not have too much government consumption, where you tell them to privatize, where you tell them what they will do with their land reforms.

If you are bold enough to dictate to sub-Saharan Africa, how they should control their country and take away from them the right to guarantee the things that protect and secure their countries by not allowing investment in some sectors, then I have the audacity to tell you to come and put the money in the bill and guarantee it.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The time of the gentlewoman from California (Ms. WATERS) has expired.

Mr. ROYCE. Mr. Chairman, I yield 1½ minutes to the gentleman from Alabama (Mr. CALLAHAN) from the Subcommittee on Foreign Operations, Export Financing, and Related Programs.

Mr. CALLAHAN. Mr. Chairman, I want to say that I have great respect for the gentlewoman of California (Ms. WATERS). But I recall about a year ago next month when I was trying to handle the foreign operations bill giving sub-Saharan Africa $700 million that I mentioned that the limited $293 million we sent in Latin America created a peace; that there was no country in this hemisphere at war.

As I recall, the gentlewoman from California jumped my case and chastised me for not giving that money to Watts and not giving that money to poverty areas who have drug problems.

So I just want to remind the gentlewoman from California that, while we gave the $700 million when we attempted to do something for our neighbors just to the south of us who do have the same similar problems of sub-Saharan Africa, she really jumped my case to the point that I had really no available response to what she said.

□ 1515

She also has some problems in southern California that she ought to be addressing. While she is addressing all of this $700 million for the next 9 years to Africa, why is she not protecting her own district and saying that we are going to have drug programs for the next 9 years? That, Mr. Chairman, is the response to what I have to say about this, to remind the gentlewoman that I cannot do one thing one year and another thing the next year.

I am trying to comply with her wishes, trying to grant her the audience and an appearance before our committee and trying to do everything we can to give assistance to sub-Saharan Africa. At the same time, she must be fair in her debate.

Mr. ROYCE. Mr. Chairman, I yield myself such time as I may consume.

Let me close by noting that by earmarking a set level of spending for Africa aid, we would take away the ability of Congress to discuss and debate for the next decade what the level of aid spending should be. Earmarking a specific level of aid to Africa for 9 years also locks up dollars that requires the administration to go forward with a level of spending on Africa that might be contrary to U.S. policy at some point during the next 9 years.

The administration has consistently opposed setting minimum levels for regional accounts, including Asia, Africa and Latin America.

Mr. Chairman, I will conclude by making a couple of points that I think need to be made. It makes no sense to authorize 9 years down the line.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROYCE. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I appreciate the gentleman's perspective. Let me just add one point as he finishes his remarks.

I think the distinction that we may be trying to make here is the fact that this has been done in a budget year, a balanced budget year, and the $700 million is within a balanced budget, and sub-Saharan Africa has been light-years behind other continents in getting funding for economic development. I thank the gentleman for yielding.

Mr. ROYCE. But let me make the point, since this bill does not require a cutoff of aid to Africa, the aid floor is unnecessary in the bill.

I will close by saying that the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, opposes this amendment to the bill as well. I close, in opposition, with that argument.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was rejected.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in Part II of House Report 105–431.

AMENDMENT NO. 4 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. WATERS:

In subsection (c) of section 6 (United States-Sub-Saharan Africa Trade and Economic Cooperation Forum), insert before the period at the end of paragraph (1) the following: '', including encouraging joint ventures between small and large businesses''.

The CHAIRMAN. Pursuant to House Resolution 383, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume. I continue with discussion on this legislation by way of amendment.

Mr. Chairman, I proudly stand before this House as an advocate for Africa, but I proudly stand before this House as an advocate for my district and for my people. I do not take a back seat to anybody when it comes to taking this floor or taking my place in committee to talk about the needs of people in this country or people in other places in the world.

As a matter of fact, not only do I ask for money for Africa, I ask for money for south central Los Angeles, I ask for money for Harlem, I ask for money for Philadelphia, I ask for money for St. Louis, I ask for money for communities in this Nation and sections of this world where I think resources should be directed. I do it without taking a back seat to anybody.

Do not forget, those of us who do this are oftentimes referred to as those who wish to tax and spend, as we would say. And so anybody who has any mistakes about what my priorities are, let me set them straight right now. I ask for money for Africa and I ask for money for Los Angeles and I ask for money for other communities that I think are in need.

Having said that, let me also talk about what I have gone to the Committee on Appropriations for. There seems to be some belated debate about drugs. In the Congressional Black Caucus agenda that is published, the number one priority is the eradication of drugs in this society. I, as Chair of the Congressional Black Caucus, have gone to every appropriate Appropriations subcommittee to support an increase in the Drug Czar's budget to make sure we have money for prevention and education and outreach and all of those things.

There is this funny little game that is going on now where some of the people on the other side of the aisle would like to pretend that somehow they are

more for the eradication of drugs in our society than people on this side of the aisle, and some attempts to undermine the Drug Czar.

That little game will not work. Everybody knows that those on the other side of the aisle, who have been with the Just Say No policy for years, have done nothing, have accomplished nothing and have done nothing for the children of this society, nor have they been about the business of prevention and education.

Having said that, with this bill and with this amendment, in an effort to try and make it a better bill, given all that I have said and my concerns about the fact that there are requirements in this legislation that you will see in no other trade agreement, and I have looked at them all, including the Caribbean Basin Initiative; and you have gone overboard in trying to dictate what the trade relationship will be with Africa in ways that it has not been done before, but I recognize many of you who have worked on the bill really do believe that you are doing the right thing when you try to dictate land reform policies, and when you try to dictate how much money will be spent by government on its own needs, when you try to dictate that there will be no exclusion of any industries to invest in. I understand that.

But the amendment that I have brought before you today that would allow some flexibility in the review when these countries are being looked at was a simple amendment that simply codified what you said your intent was. This amendment that I have before you at this moment goes beyond simply allowing major corporations to swoop into Africa with all of its money and do the kind of investments that others will not have an opportunity to compete with.

This amendment that I have before you will continue the debate, will force more conversation about what are the best ways by which to have trade agreements. In addition to that, it will encourage cooperation for joint ventures between large businesses and small businesses.

We hear a lot in this Congress all the time about how much we care about small business. You ask any person on the other side of the aisle on any given day of the week, and you will hear them talk about being advocates for small business, we want to reduce the taxes, do not want to support an increase in the minimum wage, would like to do something with one-stop shopping to make it possible for small businesses to get their licenses and other kinds of things without having to go through bureaucracies, want to do more in having subsidies and loans available to small businesses.

Let me tell you how you can help small businesses with this legislation. You can encourage in the conferences that are dictated, the meetings, the advisory boards, all of those things where you identify encouraging in this bill, you can encourage joint ventures between large businesses, corporations, and small businesses. That is essentially what this is all about.

In the final analysis, these amendments are not tough amendments. They are not complicated amendments. They are not amendments that would undo the bill. These amendments for the most part are clarifying amendments. These amendments for the most part are good-faith amendments. These amendments for the most part are amendments that will show that those of you who have little experience in Africa are willing to at least listen to some of the information and advice that is coming from NGOs and those who have worked in Africa for many, many years.

I would commend to you not only this amendment. Even though the other amendment that I advanced was just voted down and one is waiting for a vote when the votes will be taken up, and even if this work does not get done while this bill is going through the House, there will be attempts, if this bill passes, to continue to work to make it a better bill. There will be attempts to continue to work on the Senate side to make this a better bill.

And then there are other opportunities where attempts will be made. Those opportunities lie with trying to influence the President of the United States when these kinds of agreements are forged. I say to you, in ways that you perhaps do not understand when you talk about Africa, Africa is not simply another place in the world for many of us. Whether you know it or not, it is from whence we come. It is the land of my ancestors. It is a place that is as dear to me as Ireland is to the Irish, as Israel is to the Jewish community, as other places in the country are to those whose families, whose histories emanate from those countries.

And so I do not speak about this simply in an intellectual way and not simply in a policy way in the tradition that you understand. Yes, this is an emotional issue with me, and even though we have members of the Congressional Black Caucus who will stand here in the finest tradition and try to promote and be advocates on behalf of Africa in ways that make you all comfortable, I really do not care if you get uncomfortable with my advocacy for Africa. It is a place that I hold dear. It is part of my legislative agenda. It is a place that I care about in ways that perhaps you will never understand.

I do not think that you understand that what I do for Africa, what I advocate for Africa comes from deep within my heart. It is not a political game. It is not about trying to send the message that perhaps ''I'm okay, you're okay.'' This is serious business about saving a continent. This is serious business about being concerned about the resources of Africa and what happens to them.

This is serious business about not having the United States or any other country do what we have done in too many places in Africa. This is about never ever having another Mobuto; this is about never ever having another Savimbi; this is about never ever seeing another catastrophe in Rwanda like we saw.

This is about trying to get ahold of a direction for this country as it relates to Africa. This is about trying to be fair in the dissemination of resources. This is about respect. It is about saying to those heads of Africa, you have a voice, and while we want to help you, we are not going to run roughshod over you.

This is not about trying to open up opportunities to go in and drill oil without compensating. This is not about trying to take out the diamonds and the gold without compensating. This is about creating that debate at this moment, this time in history, that will give a direction to Africa that will never have us go back again, but move forward with good will and with a conscience and get rid of the kind of policies we have had in the past on this continent.

The CHAIRMAN. The time of the gentlewoman from California (Ms. WATERS) has expired.

Does any Member rise in opposition to the amendment?

Mr. ROYCE. Mr. Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have spoken previously about my perception that this bill does allow flexibility. We do have concerns about equal access to U.S. firms. And, yes, there are guidelines in the bill regarding equal access to U.S. firms. But let us go to the subject of this amendment.

□ 1530

I applaud the gentlewoman from California (Ms. WATERS) for this good amendment to the bill.

Many Members have visited Africa and have spoken with African and American businesses, both large and small, on the issue of U.S.-Africa trade. Indeed, the gentlewoman and myself were on a CODEL where we met with business interests across the continent in Africa. It is entirely appropriate that language be included to support joint ventures between large and small businesses. So this is a good amendment and I support this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. HASTINGS) for a statement that he would like to make on the bill at this time.

Mr. HASTINGS of Washington. Mr. Chairman, I thank the gentleman for yielding.

I rise to express my concern over certain provisions in this bill. While we

certainly support all of the efforts to expand trade between our Nation and the rest of the world, we also must take action to ensure that the trade is not a one-way trade.

This bill outlines several criteria that the President must consider before granting preferential trade status to any Sub-Saharan African nation. Specifically, the President must consider a country's progress in reducing tariffs on American products, eliminating other nontariff barriers to American imports, and abiding by internationally accepted trading practices.

Mr. Chairman, this bill is very clear that free and open trade ought to be the goal of the administration in this country. Prohibitive actions against U.S. products run counter to the intent of this bill and, by definition, would preclude those countries from being granted preferential treatment under this bill.

A number of my constituents have already attempted to pry open the doors of African nations. In particular, our domestic apple, pear and peach producers and processors have on a number of occasions attempted to export their products to South Africa. On each occasion they have been rejected. Potential recipients should therefore be put on notice: Any effort to continue to block access to U.S. products violates the provisions of this bill and would preclude receiving the benefits of this proposal.

I and my colleagues from the Northwest will certainly be monitoring the administration's implementation of this bill. We expect the administration to abide by the eligibility factors contained in this bill, and we will continue to work closely with the U.S. Trade Representative to ensure that all trade with Sub-Saharan Africa is both free and fair for U.S. producers, processors and consumers.

Mr. ROYCE. Mr. Chairman, I support this amendment, and I yield back the balance of my time

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in Part II of House Report 105–431.

AMENDMENT NO.5 OFFERED BY MR. DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. DAVIS of Illinois:

At the end add the following:

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 CHAIRMAN. Pursuant to House Resolution 383, the gentleman from Illinois (Mr. DAVIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, the amendment which I offer today does not change the intent of this bill in any way. Rather, it seeks to ensure that as we increase trade with Sub-Saharan African countries, we do so knowing that the infrastructure for air traffic is sound and safe. Therefore, this amendment expresses the sense of Congress that the United States should make every effort to donate surplus traffic control equipment, including related reimbursable technical equipment, to eligible Sub-Saharan countries.

This amendment primarily does three things. First, it reaffirms our commitment as the leader in technology to bridge the gap in technology that currently exists in Sub-Saharan African countries with regard to air traffic control equipment. Secondly, we seek to ensure that our planes and personnel traveling in African airspace will be safe. Essentially, we are investing in the infrastructure of our trading partner. Finally, this amendment increases the communication between our two nations.

Currently, the International Federation of Airline Pilots Association and others have declared that the majority of airspace over Africa is critically deficient in air traffic control. Moreover, pilots have stated that the deficiencies such as lack of radars, no VHF radio coverage, inconsistencies in air traffic control, and sparse meteorological information, have contributed to Africa's poor safety record. In fact, according to recent articles, in much of the uncontrolled airspace pilots generally provide their own form of air traffic control from the cockpit by broadcasting their next position in hopes that crews from other aircraft will be listening.

In 1996, the International Airline Pilots Association reported that there were 77 near-midair collisions in the African airspace. Thirty of the 77 near-midair collisions occurred over the following Sub-Saharan countries: Cameroon, Chad, Congo, Madagascar, Mauritania, Niger and Senegal. Most of the airspace north of Zimbabwe is uncontrolled, with little radar and no VHF radio coverage.

As trade has increased in Africa with the lifting of apartheid sanctions in South Africa, air traffic has increased 120 percent in some parts of Africa. However, during this period of growth the aviation infrastructure has remained the same or deteriorated. This has led to a situation where the safety of aircraft flying in the region may be seriously compromised.

Clearly, the need for better air traffic control equipment and communications systems exists in Africa. We stand in a unique position as a world leader in technology, and I believe that we have an obligation to help bridge the technology gap that exists between our country and Africa.

This amendment would be beneficial to both of our countries, and I, therefore, urge its immediate adoption.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. WICKER). Does any Member rise in opposition to the amendment?

Mr. ROYCE. Mr. Chairman, I ask unanimous consent to claim the time in opposition to speak in favor of the amendment.

The CHAIRMAN pro tempore (Mr. WICKER). Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN pro tempore (Mr. WICKER). The gentleman from California (Mr. ROYCE) is recognized for 10 minutes.

Mr. ROYCE. Mr. Chairman, I yield myself such time as I may consume to make the point, cash-poor African governments must balance many needs for expenditures, and new air traffic control equipment is not at the top of their list. U.S. obsolete equipment is not obsolete for smaller, less busy African airports, and therefore this is a good amendment to the bill. We support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, I want to say that I am a strong supporter of the African Growth and Opportunity Act. For many years we have worked to bring Africa to the world table with trade and economic development, and today will be an historical day for our country. I also want to commend President Clinton for his upcoming trip to Africa, where he will be the first sitting United States President to visit Africa to promote relations and trade.

Many Americans are descendents of slaves brought here from Africa. In fact, it is estimated that 400 million Africans died in the slave trade process. This bill is just a first step in reworking our relationship with Africa. I think it makes an incredible statement to finally establish a positive economic cooperation between this country and Africa, and we must take this opportunity to do it.

Infrastructure is a key component of economic growth and development, and it is the country's vision for economic success. As a member of the Committee on Transportation and Infrastructure, I have seen this in our own country.

I support the Davis amendment because it is critical that these countries have the proper equipment with which to grow. Our excess air traffic control

equipment and technical assistance in this area could be very beneficial to these countries.

This bill and this amendment is the first of what I hope are many steps toward developing economic and political relationships with Africa. It will give these African countries an opportunity to expand their economic and political potential through a strong link with the United States.

Mr. DAVIS. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Chairman, let me commend the gentleman from Illinois (Mr. DAVIS) for his amendment. I have traveled extensively in Africa by land, by rail, by air, and by sea. As we are developing infrastructure in Africa, I think that it is essential and important that as we move towards Africa into the area of trade and development and growth, that we need to take a look at the infrastructure.

In the bill there are dollars that are set aside through OPIC to deal with the infrastructure, to improve the roads and the ports. But I do not think anything could be more important than to shore up the air traffic control.

We have members of our FAA that travel around the world to certify airports. Several airports in Africa are not certified, in particular the airport in Lagos, Nigeria.

We are here saying that there should be standards so that air safety is secure. There should be standards so that air transport can be moved. I have traveled on charter planes and other kinds of aircraft, and I would like to say that the Davis amendment will go far to shore up and improve the air transportation in these countries which is so essential for communications.

So I once again commend the gentleman from Illinois for his amendment and urge support for the Davis amendment.

Mr. DAVIS. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time, and urge adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DAVIS).

The amendment was agreed to.

The CHAIRMAN pro tempore (Mr. WICKER). It is now in order to consider amendment No. 6 printed in Part II of House Report 105–31.

AMENDMENT NO.6 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. WICKER). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. BEREUTER:

Add at the end of section 4 the following:

(e) DESIGNATION OF ADDITIONAL COUNTRIES AND A REGION IN AFRICA.—

(1) AUTHORITY OF THE PRESIDENT.—The President may designate any of the countries or the region listed in paragraph (2) as eligible to participate in programs, projects, or activities, or receive assistance or other benefits under this Act if the President determines that the country or region otherwise meets the requirements of this section and that the designation is in the national interest of the United States. Any country or region so designated 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.

(2) COUNTRIES.—The countries referred to in paragraph (1) and Mauritania, Morocco, Algeria, Egypt, and Tunisia, and the region referred to is the Western Sahara region of northwest Africa.

The CHAIRMAN pro tempore (Mr. WICKER). Pursuant to House Resolution 383, the gentleman from Nebraska (Mr. BEREUTER) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

MODIFICATION TO AMENDMENT OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I have a modification, and I ask unanimous consent that the Clerk be permitted to read the modification to the amendment and that the amendment be so modified.

The CHAIRMAN pro tempore (Mr. WICKER). The Clerk will report the modification to the amendment offered by the gentleman from Nebraska (Mr. BEREUTER).

The Clerk read as follows:

Amendment offered by Mr. Bereuter, as modified:

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.

The CHAIRMAN pro tempore (Mr. WICKER). Is there objection to the modification to the amendment offered by the gentleman from Nebraska (Mr. BEREUTER)?

There was no objection.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, this simply narrows the scope of the original amendment to include Morocco. I would like to take this opportunity to thank the distinguished gentleman from Illinois and all of his leading cosponsors for introducing this important legislation.

There is not a better time than on the eve of the President's visit to Africa to send an important message to many countries of Africa that we want them as trade partners, and that we are going to be assisting them in that respect.

□ 1545

The message this legislation sends to governments of the country of Africa is clear: Undertake sustained economic reform and trade liberalization policies, and we will trade with you, and you will benefit.

In fact, Mr. Chairman, this message is so important I think it should not be lost on the countries of North Africa. That is why this Member, along with the distinguished gentleman from New York (Mr. SOLOMON), have proposed this amendment covering Morocco. It still, of course, would permit the President to make a determination that this is in our national interests, that they meet the criteria, it would still come to Congress for approval. Our amendment simply permits that.

Mr. Chairman, it is clear to this Member that there is really no valid reason to exclude Morocco from the scope of this act. For example, there are many sub-Saharan countries with per capita incomes higher than that of Morocco, which desperately needs the direction provided by this act.

Secondly, since the 1990s, the Moroccan government has pursued economic reform programs supported by the IMF and the World Bank. It has restrained spending, revised the tax system, reformed the banking system, lifted import restrictions and lowered tariffs.

Also, Mr. Chairman, let me say that the Congressional Budget Office has determined that our amendment has no direct effect on revenues because any future eligibility designation would require implementing legislation.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON).

Mr. SOLOMON. Mr. Chairman, I thank the gentleman for yielding to me.

I will not take the committee's time, since we are under time constraints now to get out at a reasonable hour tonight. Let me just concur with the remarks of the gentleman from Nebraska (Mr. BEREUTER). Morocco has been such a strong ally and such a stabilizing force in that part of the world that we wanted to make sure they were included in this legislation.

I commend the gentleman and I thank the very distinguished chairman of the Committee on International Relations for his support, as well as the gentleman from New Jersey.

Mr. BEREUTER. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in strong support of the Bereuter and Solomon amendment to provide for the possibility of including Morocco in the African Growth and Opportunity Act, and I want to commend the distinguished chairman of our Subcommittee on Asia and the Pacific, the gentleman from Nebraska (Mr. BEREUTER), and our distinguished chairman of the Committee on Rules, the gentleman from New York (Mr. SOLOMON), for their work on this measure.

As currently written, the bill includes only sub-Saharan African nations, but there is no reason why Morocco in North Africa should not be part of the legislation. Morocco has been a strong ally to our Nation for many years, and under the leadership of King Hassan, Morocco has played a constructive role in the Arab-Israeli peace process and numerous other foreign policy priorities of our Nation.

In addition, Morocco has taken significant steps towards democracy, toward market economics, and respect for human rights. Indeed, it is a model Nation for the entire African region. Accordingly, I fully support the amendment, and I urge my colleagues to do the same.

Mr. BEREUTER. I thank the distinguished chairman, and I reserve the balance of my time, Mr. Chairman.

The CHAIRMAN pro tempore. Does the gentleman from New Jersey (Mr. PAYNE) claim the time in opposition?

Mr. PAYNE. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from New Jersey (Mr. PAYNE) is recognized for 10 minutes.

Mr. PAYNE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment. I think it is utterly preposterous that we have before us the African Growth and Opportunity Act bill with the specific intent of helping countries in sub-Saharan Africa, and there are certain eligibility requirements that are outlined in the bill, which many of the countries in North Africa do not fit in.

The fact that North Africa was separated from Africa was not done by African-Americans, but it was done by the West. During World War II we talked about North Africa, and post-World War II it was referred to as North Africa. At one time we had Asia Minor. It became the Middle East.

How all of a sudden do we now determine that North Africa should be a part of sub-Saharan Africa, when throughout our modern history North Africa was North Africa; not that they wanted it, but that was what the West said it was, and therefore they accepted it? Now, finally, something to help sub-Saharan Africa, 700 million people, 50 countries. We have always heard sub-Saharan Africa referred to as sub-Saharan Africa.

We know that if you take aid to Africa, if you add the Middle East, then Africa would have the greatest amount of aid, because $3 billion goes to Israel, $2 billion goes to Egypt, and if you add that to the $600 million that sub-Saharan Africa gets, you would have $5.6 billion. But we do not do that. We separate sub-Saharan Africa, where you have $1 a person when you take the 600 or $700 million for the 700 million sub-Saharan Africans, the poorest region in the world.

So all of a sudden along comes something positive, and we are saying that Egypt now, that gets $2 billion, that should be accorded the something, when finally sub-Saharan Africa has a bill that might start to have some trading benefit.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. PAYNE. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding for a clarification.

I wanted the gentleman to know that the modification that I made restricted the amendment to Morocco. It does not include Egypt or other North African countries.

Mr. PAYNE. That certainly eases it a bit. I think also in this bill, we are talking about governance; that the countries, the five or six that will be selected have to go through elections. We are saying that there cannot be human rights abuses. We are saying that there has to be transparency in government. We are saying that there must be elections that are going on in these countries, or they do not fit into the first round.

It is simply like NATO expansion. There are three countries that are going to be selected in NATO expansion. You have the Czech Republic, you have Poland, you have the third country in the NATO expansion, Hungary. It is those countries, because they have proven that they are moving in the right direction.

There are still allegations of people being tortured, and the abuses of detainees, and prison conditions, even in Morocco. The government's use of force to dispel student protesters in Casablanca in January and February resulted in many human rights violations. There have been continued delays in elections, and at the time when the United Nations is finally attempting to broker an agreement between Morocco and western Sahara, the report that came back this week by former Secretary James Baker and Representative Dunbar states that Morocco has stalled the process again just last week. So I say, in conclusion, that we are sending the wrong message if we start to alter sub-Saharan Africa.

If this occurred a decade ago, that would be fine, because then sub-Saharan Africa could have been brought into the benefits that Northern Africa has. But I think it is wrong that we all of a sudden start this. That is simply like calling a new government, Benin, Liberia and Togo, part of the Newly Independent States of central Europe. They are not. They are newly independent States, but they do not qualify for funds of the Newly Independent States in the former Soviet countries.

So I think when we do revisionary government, when we redefine, when we define for the convenience of what we want, I think we move in a wrong direction.

Mr. Chairman, I reserve the balance of my time.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would say to my distinguished colleague with whom I serve with on the Committee on International Relations, he is at a bit of a disadvantage. We had modified this, and he was not aware of it, earlier.

I would also say that we do not want to change the criteria for Morocco. They have to meet the same qualifications. The President must actually make a certification that they meet them, and then it must come to the Congress, unlike all of the other sub-Saharan African countries that are named in the bill. There is another step we have added.

I would also say to the gentleman this: This legislation, which is, I think, the outstanding foreign policy legislation this Congress will see, is not a zero sum game. If, in fact, Morocco is deemed eligible by the President and the Congress then agrees, it is not at the loss of sub-Saharan countries. It should be open to all who meet the qualifications, because we benefit from it, and it is not a zero sum game for African countries.

Beyond that, it is important to consider this. It is a delicate matter, but I think it is important that we not give the impression that race or religion has anything to do with respect to this legislation.

Many of the border nations have people of several races, ethnic groups, and religions, so they are already incorporated. I understand that this legislation was careful and sensitive in that respect. But I did want the gentleman to know that all of these protections are there. In fact, there is an additional set of protections before Morocco could come in, but to close off that part of Africa, I think, is the wrong message.

So I hope the gentleman might reconsider when he understands the additional steps we have taken to make sure it is not overextended or there is no free ride. I thank the gentleman for listening.

Mr. Chairman, I reserve the balance of my time.

Mr. PAYNE. Mr. Chairman, I yield myself such time as I may consume.

Let me just reiterate, Mr. Chairman, I appreciate the clarification, the fact that the $2 billion that Egypt is getting, that it will not be part of this bill.

I still contend that if we are going to deal with sub-Saharan Africa, that has been the forgotten area. The only time we dealt with sub-Saharan Africa was in the Cold War when we dealt with Mobutu, who now has left that country in such bad straits that even a new government, a fledgling government, I question whether the Kabila government will actually make it. And the fact that we have still a Civil War in Angola between Savimbi holding out, and the dos Santos government, we still have remnants of the Cold War, where we used Africa as a vehicle in that war.

I simply say it is time we try to correct those Cold War problems that we

created. I think this is a vehicle that we could do it with. I think it is too little. All of these fears that I hear of organized labor, hundreds of thousands of textile jobs being lost, I just cannot believe that people would believe that this first step would create that. I do not believe it will do that. I think it will really just be a little drop in the bucket and a step in the right direction.

I still say, there are no kings in sub-Saharan Africa. If we are going to have elections, how can, therefore, governance be declared in Morocco when they do not elect their head of State? Right there it would seem to me to eliminate that country from this bill, because how do they have governance at that time?

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. PAYNE. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, in constitutional monarchies the monarchs are never elected, but Morocco has an important, improving elected legislative body. Just last year they added a second Chamber, which is directly elected. So like Britain, like Denmark, like Norway, they are a constitutional monarchy, but of course those bodies and Morocco has an elected legislative body.

Mr. PAYNE. The difference, if I may reclaim my time, Mr. Chairman, the difference is in the countries that the gentleman has explained where the legislature has some authority. They are able, then, to have the will of the people move forward.

In the so-called constitutional monarchies that we find in other areas in the Middle East and in the Far East, we do not find the legislature, as the gentleman mentioned, they are moving into the tier. In Europe they have been into that tier for decades, for centuries.

I have nothing against Morocco, but I simply think there is too little already going into the bill, and I just think to bring in all of North Africa to the bill, when we are talking about three or four initial countries to be included, I think it dilutes the bill.

Mr. BEREUTER. If the gentleman will continue to yield once more, so our colleagues are not confused, this relates to one country only, not all of North Africa. I thank the gentleman for yielding.

Mr. PAYNE. They say, ''Start me with 10 who are stout-hearted men, and I'll soon give you 10,000 more.'' We start one, and then we might find it is good for one and good for another.

I think we should do something in North Africa. I think Tunisia's government is working in the right direction. They are also certainly good. I think this new fledgling western Sahara, once the determination has been made there, should be assisted.

Why not have a North African growth and development bill? That would make a lot of sense. I would just ask the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from New York (Mr. SOLOMON), that might be what they want to introduce, a North African growth and development bill. I would be as supportive of that bill as I know the gentlemen are of this. That might be the solution.

Mr. BEREUTER. Mr. Chairman, if the gentleman will continue to yield, I cannot be any more supportive of this legislation. I am an original cosponsor. I think it is the most important foreign policy initiative the United States has even ever taken in post-colonial days with respect to Africa. It deserves to be broadened. If the gentleman would like to add Tunisia by unanimous consent, I would be happy to receive it.

Mr. PAYNE. If the gentleman is willing to introduce his legislation, I would be more than happy to at that time identify Tunisia as one of those that should have the opportunity.

But once again, I just hope that my statement is clearly understood. It is that it is pro sub-Saharan Africa. There is too little, too late at this point. I just fear a dilution of this first step that we are attempting to move forward.

Mr. Chairman, I yield back the balance of my time.

□ 1600

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume.

Just to reiterate, this legislation is not a zero sum game. Adding Morocco as a country, the President may consider to meet all of the criteria, including human rights and everything else that is in the bill; to make a recommendation that it is in our national interest to ask the Congress to approve it is all this legislation does. It sets in place a requirement that Congress take action.

It should not be closed. We should not send that message to North Africa.

This is an excellent bill. The amendments that have been adopted and this amendment will make it an even better one. I urge my colleagues to support the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. WICKER). The question is on the amendment, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. PAYNE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 383, further proceedings on the amendment, as modified, offered by gentleman from Nebraska (Mr. BEREUTER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 383, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 2 offered by the gentlewoman from California (Ms. WATERS); modified form of amendment No. 6 offered by the gentleman from Nebraska (Mr. BEREUTER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MS. WATERS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to House Resolution 383, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional amendment on which the Chair has postponed further proceedings.

The vote was taken by electronic device, and there were—ayes 81, noes 334, not voting 15, as follows:

[Roll No. 44]

AYES—81

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

NOES—334

Ackerman	Bass	Boswell
Aderholt	Bateman	Boucher
Allen	Becerra	Boyd
Andrews	Bentsen	Brady
Archer	Bereuter	Bryant
Armey	Berry	Bunning
Bachus	Bilbray	Burr
Baesler	Bilirakis	Burton
Baker	Blagojevich	Buyer
Baldacci	Bliley	Callahan
Ballenger	Blumenauer	Calvert
Barcia	Blunt	Camp
Barr	Boehlert	Canady
Barrett (NE)	Boehner	Cannon
Bartlett	Bonilla	Cardin
Barton	Borski	Castle

Chabot
Chambliss
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fawell
Fazio
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (NY)
Manzullo
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Menendez
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Regula
Reyes
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Yates
Young (AK)
Young (FL)

NOT VOTING—15

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

□ 1623

Mr. SAM JOHNSON of Texas and Mr. BILBRAY changed their vote from ''aye'' to ''no.''

Messrs. FARR of California, GEJDENSON, MILLER of California, FRANK of Massachusetts, Ms. DELAURO, Ms. PELOSI, and Messrs. MARKEY, MATSUI and KENNEDY of Massachusetts changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6, AS MODIFIED, OFFERED BY MR. BEREUTER

The CHAIRMAN pro tempore (Mr. WICKER). The pending business is the demand for a recorded vote on the amendment No. 6, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 258, not voting 16, as follows:

[Roll No. 45]

AYES—156

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

NOES—258

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (WI)
Bartlett
Barton
Becerra
Bentsen
Berry
Bishop
Blunt
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Cardin
Carson
Castle
Chambliss
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Combest
Condit
Conyers
Cook
Costello
Coyne
Cramer
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Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
Ensign
Etheridge
Evans
Everett
Farr
Fattah
Fazio
Filner
Ford
Fowler
Frank (MA)
Frost
Gallegly
Ganske
Gephardt
Goode
Goodling
Gordon
Granger
Green
Hall (TX)
Hansen
Hastings (FL)
Hefley
Hefner
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
King (NY)
Kleczka
Klink
Kolbe
Kucinich
Lampson
Lantos
Largent
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHale
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Murtha
Myrick
Nadler
Neal
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Parker
Pascrell
Pastor
Paul
Payne
Pelosi
Pickering
Pombo
Porter
Price (NC)
Rahall
Rangel
Regula
Reyes
Riggs
Riley
Roemer
Rogers
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schumer
Scott
Serrano
Shaw
Sisisky
Skelton
Slaughter
Smith, Adam
Smith, Linda
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Wamp
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller

Weygand	Wolf	Wynn
Wise	Woolsey	Yates

NOT VOTING—16

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

□ 1631

Mr. PASTOR changed his vote from ''aye'' to ''no.''

Messrs. DELAY, BERMAN and COX of California changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to strike the last word to enter in a colloquy with the gentleman from Illinois (Mr. CRANE).

The CHAIRMAN pro tempore (Mr. WICKER). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to thank the gentleman from Illinois (Mr. CRANE), first of all, for his graciousness and the gentleman from New York (Mr. RANGEL), as well. I know we will have to deliberate further on these very important issues and take the time to go through conference and the Senate and have deliberation and further thought on these issues.

Mr. Chairman, I will mention these collectively and acknowledge the need for further thought and deliberation, but these are very important points. One is the devastation of HIV, AIDS, on the continent and the ability of this bill to help with pharmaceuticals getting over to the continent to be able to help with this devastation.

The other issue, of course, is the GSP program, which already helps in workers' safety rights and workers' rights, that certainly under that we would see that applying on the continent or aiding in making sure that we have good conditions for workers.

Lastly, let me say I think it is very important that once this important bill passes, if our colleagues join us in passing it, that it not drop off the deep end and it may be helpful to consider a working committee that in 6 months would look at where we are on the question of how this bill is being implemented.

I would like to bring to both the Chair of the International Relations Committee and the Trade Subcommittee on Ways and Means of my concern of the overwhelming HIV/AIDS epidemic that is currently plaguing Africa and the world. According to the World Health Organization, over 550,000 cases have been reported in Africa alone. The Aids epidemic is affecting the young work force between the ages of 18–55, and if the work force keeps dying, how can they benefit from this bill?

I would like to see, Mr. Chairman, that through this improved trade legislation we can encourage the expeditious exporting of much needed pharmecuticals to the continent in order to combat the AIDS epidemic ravaging Africa. Upon that effort we can build further on solving the AIDS problems in Africa by encouraging more research by various world health agencies on this problem.

I am concerned, Mr. Chairman, that the Africa Growth and Opportunity Act can protect the rights of African workers. I understand and want to make sure that through the GSP (General System of Preferences) program protection for good work place conditions and more importantly worker safety issues will be in place under this legislation. Therefore, I raise with the Chairman of the Trade Subcommittee on Ways and Means the question as to whether this legislation would preclude the putting in place good work place conditions and safe work places in Africa.

I am also concerned that this bill which will allow for increased trade and investment in Africa will ultimately benefit American workers. Africa constitutes a market of 800 million people, potentially one of the largest markets in the world—more people than Japan and all of the Asian nations combined. If this bill works, and I think it will, spur growth and create bigger markets for U.S. exports. Our exports to Africa already are intensive in high-wage industries, such as machinery, transportation equipment, electronics and services.

Exports to Africa are 27% greater than our exports to all of the former Soviet Union combined. By aggressively following the path of reform, African countries can provide prosperity for their people and create robust markets that will help working Americans and small businesses. It is also important that the protection of these workers is inherent in this bill and that this bill will seek to protect the safety of these workers.

As someone who deeply cares about Africa and our American workers, I just want to ensure this bill helps our nation's workers, African workers and creates jobs for us all.

I am concerned, Mr. Chairman, that once the Africa Growth and Opportunity Act passes that its provisions are implemented. I am fully aware that Section 12 of the bill calls for a private advisory committee to assist the Board of Directors of the Overseas Private Investment Corporation in developing policies and programs. I am interested in soliciting the consideration of the Trade Subcommittee Chairman on Ways and Means in including in the report language of this bill a working advisory group established with both Members of the House and Senate, and the administration that would meet within six months of passage to monitor the implementation of the bill.

I thank the Chair of the Trade Subcommittee for his support of the bill language which seeks to bring Members of Congress and the Administration together 6 months after the bill is enacted to monitor the implementation of the bill, see how it can be improved, and to continue to work towards creating more jobs in America and Africa.

Mr. Chairman, I yield to the gentleman from Illinois (Mr. CRANE) to be able to respond to these important points that I think will make this bill better and help the people of Africa.

Mr. CRANE. Mr. Chairman, I think the points that my colleague has just made are valid and will be under consideration.

Under the GSP program and under the bill, the President must consider whether a country is taking steps to afford its workers internationally recognized workers' rights when determining whether to designate a country as eligible for trade benefits.

So I think it addresses the concerns that the gentlewoman raises and raises properly. We appreciate the support that the gentlewoman has given and look forward to working with her in the future, too.

Ms. JACKSON-LEE of Texas. I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the committee amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. EWING) having assumed the chair, Mr. WICKER, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill (H.R. 1432), to authorize a new trade and investment policy for sub-Saharan Africa, pursuant to House Resolution 383, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BISHOP.

Mr. BISHOP. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill.

Mr. BISHOP. Yes. In its current form, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BISHOP moves to recommit the bill H.R. 1432 to the Committee on Ways and Means with instructions to report the same to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

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 COUNTIES 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 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 Tomé and Principe (Sao Tomé 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 Côte d'Ivoire (Côte 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.

Mr. BISHOP (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP. Mr. Speaker, we do have a motion to recommit H.R. 1432. The African Growth and Opportunity Act embodies an important ideal for which I have long been in support; namely, that the countries of sub-Saharan Africa should improve their economic lot through development and trade.

This bill would begin the process, Mr. Speaker, of weaning these countries from our traditional direct aid relationship.

I became an original cosponsor of this bill for several reasons, and I still believe that this ideal can be obtained. However, Mr. Speaker, charity begins at home.

It was brought to my attention soon after the bill's introduction that the bill's textile and apparel provisions could cause harm to these U.S. industries as well as cause harm to the U.S. market for cotton.

Instead of going to the well and removing my name from the bill, I decided that I should work as an agent of change to convince the bill's sponsors to have these troublesome sections modified.

Indeed, the changes that we push for would have resulted in the textile and cotton industries embracing the bill and working for its passage for the betterment of the economies of the United States and sub-Saharan Africa. The changes that we advocated would be of great mutual benefit.

In April of last year, nearly a year ago, I secured assurances from the ranking member of the Committee on Ways and Means that these concerns would be addressed. Not long after this, the ranking member arranged a meeting between our staff, representatives of the textile and cotton industries, and the Committee on Ways and Means' staff.

We also continued to dialogue with the administration officials and had the issue of illegal textile and apparel transshipment put to the U.S. trade representatives in the course of the Subcommittee on Trade hearing on the bill.

It is worth noting, Mr. Speaker, that throughout the process, the administration has agreed that illegal transshipments and protection of domestic industries remains a concern.

While the full committee made a late attempt to address the illegal transshipment concerns in its markup of the bill, the remedies provided are widely believed not to be adequately protective of American jobs, while still benefiting a well-developed Asian textile market.

□ 1645

For instance, the bill as offered today would disallow benefits for 2 years to any importer found to be engaged in illegal transshipment. However, I myself have seen at the border that inadequate Customs resources do not allow tracking of successor companies which can be back in business in a few days nor does it allow monitoring of the rules of origin. Furthermore, once the illegal goods flow into the U.S. stream of commerce, the damage is already done.

To address this reality, we offered a bipartisan substitute before the Committee on Rules. Our substitute would have incorporated substantial penalties on the transshipping companies, allow for seizure and forfeiture of textile and apparel goods and reform U.S. Customs mitigation procedures.

Those procedures allow bad actors to escape meaningful fines and penalties and to avoid punitive sanctions. Our substitute would provide that the special access program established by the President should be modeled on the program already in effect for the countries of the Caribbean. This would include only those articles of textile and apparel which have been assembled from fabric formed from the yarn-stage forward in the U.S. and cut in the U.S. The thread used in sewing also must be spun in the U.S.

What I have described is commonly referred to as an 807A-type program. It is in this program where the win-win for the countries of sub-Saharan Africa and the U.S. textile and cotton industries lies.

In short, Mr. Speaker, I urge that this bill be sent back to committee and that it be perfected so that we can do something for sub-Saharan African countries, as well as the U.S. domestic industries.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Speaker, I thank the gentleman for yielding. He has graciously advised the House on the importance of this committee and the importance of his motion to recommit, which contains substitute language.

Mr. Speaker, on behalf of the textile workers, agriculture workers, their families and the communities which depend on those jobs as their economic base, I rise in support of the motion to recommit with instructions to insert into this bill the same provisions we have in other trade agreements pertaining to textiles, and also language that will address the transshipment problem.

Mr. CRANE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. EWING). The gentleman from Illinois (Mr. CRANE) is recognized for 5 minutes.

Mr. CRANE. Mr. Speaker, I want to say a few words about the proposal to require that any apparel products receiving benefits under this bill be sewn in Africa only from U.S.-formed and -cut component parts. That would add, 17 percent are the estimates, to the cost of the product and negate any possibility of any textile and apparel coming from the sub-Saharan continent.

What we are attempting to do here is to provide an opportunity for a section of the world that numbers almost 700 million in population and which, in terms of a component of our textile and apparel imports, which in 1996 totaled $46 billion, their component was $380 million; and ITC says, ''Wow, that could almost double with this bill,'' add another $100 to $170 million.

Be realistic, folks. We are not looking at the kinds of threats that have been raised by some that have spoken in opposition to the legislation. I understand they have constituencies that have concerns. They have had concerns for years, long before this bill came down the pike, and they will have continued concerns.

Mr. Speaker, when all the fine words about encouraging economic development in Africa are set aside, the trade measures in H.R. 1432 stand out as concrete attempts to offer real opportunities and a solid transition path. We are moving from the old ways of transferring billions of dollars in foreign aid and towards the goal that Africans have for themselves, economic health and self-reliance.

I urge my colleagues to defeat the motion to recommit.

Mr. Speaker, I yield to the gentleman from New York (Mr. RANGEL), the distinguished ranking minority member.

Mr. RANGEL. I thank the distinguished gentleman for yielding. Mr. Speaker, I oppose the motion to recommit, but I would like to tell the gentleman from Georgia (Mr. BISHOP) that there are things in this bill that can be perfected.

The question of transshipment is always a serious problem with any trade bill. We have tried to tighten it up. The bill has not passed the Senate. It will go to conference. We hope to be working with the President, the WTO and Customs to make certain that we do not lose jobs, that we do not adversely affect the industries here. Of course, to say that Africans cannot manufacture any African fabric does not make a heck of a lot of sense, but I am certain,

working together, we can find some compromise to improve the legislation.

Mr. CRANE. Mr. Speaker, I yield to our distinguished Speaker to make concluding remarks.

Mr. GINGRICH. I thank the gentleman for yielding.

Mr. Speaker, let me say first of all that the Africa Growth and Opportunity Act has taken 3 years of dedicated bipartisan work, led by the gentleman from Illinois (Mr. CRANE), by the gentleman from New York (Mr. RANGEL), by the gentleman from Texas (Mr. ARCHER), by the gentleman from Washington (Mr. MCDERMOTT), by the gentleman from New York (Mr. HOUGHTON), by the gentleman from California (Mr. ROYCE), by the gentleman from California (Mr. MATSUI). A lot of people worked on this bill.

Let me say to my friends, this is a very important bill. It is important, first, because it says to the countries of sub-Saharan Africa that if you meet the test of the rule of law, if you meet the test of private property, if you meet the test of moving towards a market economy, the United States wants to be your trading partner. This bill sets the right standard.

In conversations that I have had with the presidents of Uganda and Ghana, with the vice president of South Africa, all of them regard this as a significant step towards moving away from an aid-based system towards a trade-based system and helping develop real jobs in the world market.

Second, this bill is an important bill because it communicates our commitment to being in the world market where we create American jobs competing successfully with everyone. I would say to any of my friends who are worried about protectionism, look at the European experience where they have 12, 13 and 14 percent unemployment. And then look at the American experience where in November and December alone we created more jobs than Western Europe has created in the last decade. The fact is, being in the world market helps us create jobs because it forces us to be competitive.

Finally, I would say to my good friends from Georgia, both the gentlemen from the Republican side and the Democratic side in their bipartisan effort, if they will read pages 62 to 64 of the bill, they will see that transshipments are specifically blocked, that the President, in fact, certifies that countries have met our standards for transshipment, and that any parent company, if an Asian company, for example, were to attempt to ship goods inappropriately through an African country, we could level triple damages against the quota of the Asian country. So there is in fact a strong, legitimate antitransshipment provision.

This is a good bill. It is an important bill for our relationship with Africa. I urge every Member to vote no on the motion to recommit and then to vote yes on final passage.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BISHOP. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 5(b) of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—ayes 193, noes 224, not voting 13, as follows:

[Roll No. 46]

AYES—193

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

NOES—224

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

NOT VOTING—13

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

☐ 1711

Messrs. CUNNINGHAM, KENNEDY of Rhode Island, CALLAHAN, DICKEY and MORAN of Kansas changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. STABENOW. Mr. Speaker, I missed the vote on rollcall no. 46. On the motion to recommit with instructions for H.R. 1432, the African Growth and Opportunity Act; has I been present, I would have voted yes.

(Mr. ARMEY asked and was given permission to speak out of order.)

LEGISLATIVE PROGRAM

Mr. ARMEY. Mr. Speaker, I thank the Members for their attention.

Mr. Speaker, we have been working with the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT) about the Tucker Act, the bill to be taken up tonight, and we reached an arrangement that allows us to inform the Members that we will, on the next vote, have the last vote of the evening. There will be general debate and some work on the Tucker Act, for those who are interested in that, but any votes on the Tucker Act will be postponed until tomorrow.

So following the next vote, the Members will have had their last vote for the evening, and I want to thank the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT) for their cooperation.

□ 1715

The SPEAKER pro tempore (Mr. EWING). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DICKS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 186, not voting 12, as follows:

[Roll No. 47]

AYES—233

Ackerman
Allen
Archer
Armey
Baker
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Bilbray
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Boswell
Brady
Brown (FL)
Calvert
Camp
Campbell
Cannon
Cardin
Castle
Chabot
Christensen
Cook
Cox
Coyne
Crane
Cubin
Cummings
Davis (FL)
Davis (VA)
DeGette
DeLay
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Ewing
Fattah
Fawell
Fazio
Foley
Ford
Fossella
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goss
Granger
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Istook
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kasich
Kelly
Kennedy (MA)
Kennelly
Kilpatrick
Kim
Kind (WI)
King (NY)
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Minge
Moran (VA)
Morella
Neal
Nethercutt
Northup
Nussle
Owens
Oxley
Packard
Parker
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Rangel
Regula
Riggs
Rivers
Roemer
Rogan
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Sabo
Salmon
Sandlin
Sawyer
Scarborough
Scott
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skaggs
Skeen
Smith (MI)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Stabenow
Sununu
Tauscher
Tauzin
Thomas
Thune
Thurman
Tiahrt
Towns
Turner
Upton
Vento
Waters
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weller
Wexler
White
Wise
Wolf
Wynn
Yates
Young (FL)

NOES—186

Abercrombie
Aderholt
Andrews
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barr
Bartlett
Berry
Bilirakis
Bishop
Blunt
Bonilla
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Canady
Carson
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cramer
Crapo
Cunningham
Danner
Davis (IL)
Deal
DeFazio
Delahunt
DeLauro
Diaz-Balart
Dickey
Dingell
Doyle
Duncan
Emerson
Ensign
Etheridge
Evans
Everett
Farr
Filner
Forbes
Fowler
Frank (MA)
Gejdenson
Gibbons
Goode
Goodling
Gordon
Graham
Green
Greenwood
Gutierrez
Hall (TX)
Hefley
Hefner
Hilleary
Holden
Hostettler
Hunter
Inglis
Jackson (IL)
Jenkins
Johnson (WI)
Jones
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kingston
Kleczka
Klink
Kucinich
LaFalce
Lantos
Lewis (KY)
Lipinski
LoBiondo
Lucas
Maloney (CT)
Mascara
McGovern
McHale
McHugh
McIntyre
Metcalf
Mica
Miller (CA)
Mink
Moakley
Mollohan
Moran (KS)
Murtha
Myrick
Nadler
Neumann
Ney
Norwood
Oberstar
Obey
Olver
Ortiz
Pallone
Pappas
Pascrell
Pastor
Paul
Peterson (MN)
Pickering
Pickett
Price (NC)
Quinn
Rahall
Reyes
Riley
Rogers
Rohrabacher
Roybal-Allard
Rush
Sanders
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sherman
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Tierney
Torres
Traficant
Velazquez
Visclosky
Walsh
Wamp
Watt (NC)
Weldon (PA)
Weygand
Whitfield
Wicker
Woolsey
Young (AK)

NOT VOTING—12

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

□ 1721

Mr. MARKEY and Mr. BARRETT of Wisconsin changed their vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the Chamber on Rollcall vote Numbers 44, 45, 46, and 47. Had I been present, I would have voted nay on Rollcall vote 44, nay on Rollcall vote 45, aye on Rollcall vote 46 and aye on Rollcall vote 47.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1432, the African Growth and Opportunity Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2495

Mr. FORD. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 2495.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1670

Mr. FROST. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1670.

The SPEAKER pro tempore (Mr. EWING). Is there objection to the request of the gentleman from Texas?

There was no objection.

PERSONAL EXPLANATION

Mr. LUTHER. Mr. Speaker, during the past few weeks I have missed some votes due to an illness in my family.

On January 28, 1998, House Vote 2, Robert K. Dornan Election Challenge—Motion To

Table, by Mr. SOLOMON, R-N.Y., I would have voted nay.

On February 4, 1998, House Vote 3, H.R. 2625. Ronald Reagan National Airport—Previous Question, by Mr. SOLOMON, R-N.Y., I would have voted nay.

On February 25, 1998 House Vote 19, H.R. 1544. Federal Agency Compliance—Internal Revenue Service, by Mr. NADLER, D-N.Y., amendment, I would have voted nay.

On House Vote 20, H.R. 2181. Witness Protection—Death Penalty, by Mr. CONYERS, D-Mich., amendment, I would have voted aye.

On House Vote 21, H.R. 2181. Witness Protection—Passage, I would have voted aye.

On House Vote 22, H.R. 1544. Federal Agency Compliance—Civil Rights, by Ms. JACKSON-LEE, D-Texas, amendment, I would have voted nay.

On House Vote 23, H.R. 1544. Federal Agency Compliance—Foreign Entities, by Ms. JACKSON-LEE, D-Texas, amendment, I would have voted nay.

On House Vote 24, H.R. 1544. Federal Agency Compliance—Passage, I would have voted aye.

On House Vote 25, H.R. 2460. Wireless Telephone Protection—Passage, I would have voted aye.

On March 3, 1998, House Vote 26, H.R. 217. Homeless Housing Programs Consolidation—Passage, by Mr. LAZIO, R-N.Y., I would have voted aye.

On March 4, 1998, House Vote 27, H.R. 856. Puerto Rico Political Status—Rule, I would have voted aye.

On House Vote 28, H.R. 856. Puerto Rico Political Status—Spanish Language, by Mr. GUTIERREZ, D-Ill., amendment to the Solomon amendment, I would have voted nay.

On House Vote 29, H.R. 856. Puerto Rico Political Status—Languages, by Mr. BURTON, R-Ind., amendment to the Solomon, R-N.Y., amendment, I would have voted aye.

On House Vote 30, H.R. 856. Puerto Rico Political Status—English Language, by Mr. SOLOMON, R-N.Y., amendment, I would have voted aye.

On House Vote 31, Quorum Call. 405 Responded, I would have voted present.

On House Vote 32, H.R. 856. Puerto Rico Political Status—Voter Eligibility, by Mr. SERRANO, D-N.Y., amendment, I would have voted nay.

On House Vote 33, H.R. 856. Puerto Rico Political Status—Second Referendum, by Mr. STEARNS, R-Fla., amendment, I would have voted nay.

On House Vote 34, H.R. 856. Puerto Rico Political Status—Supermajority, by Mr. BARR, R-Ga., amendment, I would have voted nay.

On House Vote 35, H.R. 856. Puerto Rico Political Status—Olympics, by Mr. GUTIERREZ, D-Ill., amendment, I would have voted nay.

On House Vote 36, H.R. 856. Puerto Rico Political Status—Languages, by Mr. SOLOMON, R-N.Y., amendment, I would have voted aye.

On House Vote 37, H.R. 856. Puerto Rico Political Status—Passage, I would have voted aye.

On March 5, 1998, House Vote 38, H.R. 2369 Wireless Privacy Enhancement Act (Tauzin)—Passage, I would have voted aye.

On House Vote 39, H.R. 3130 Child Support Performance and Incentive Act—Passage, I would have voted aye.

On March 10, 1998, House Vote 40, On approving the Journal, I would have voted aye.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3086

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from North Carolina (Mr. BALLENGER) as a cosponsor of H.R. 3086, my bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2883, GOVERNMENT PERFORMANCE AND RESULTS ACT TECHNICAL AMENDMENTS OF 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105–433) on the resolution (H. Res. 384) 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, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1757, FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT OF 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105–434) on 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, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 992, TUCKER ACT SHUFFLE RELIEF ACT OF 1997

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 382 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

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.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 382 is an open rule consideration of H.R. 992, the Tucker Act Shuffle Relief Act. The rule provides 1 hour of general debate, equally divided between the chairman and the ranking minority member of the Committee on the Judiciary.

The rule makes in order as an original bill for the purpose of amendment the Committee on the Judiciary amendment in the nature of a substitute, which shall be considered as read. The rule further provides that Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with the House rules.

The rule also allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce the voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

□ 1730

Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the purpose of H.R. 992 is to end the so-called Tucker Act Shuffle that can bounce private property owners between the U.S. district courts and the court of Federal claims when seeking redress against the government for the taking of their property.

The fifth amendment to the Constitution provides in part, and I quote, ''nor shall private property be taken for public use without just compensation.''

Based on the legal doctrine of sovereign immunity, the Federal Government can only be sued with its consent. In 1887, Congress passed the Tucker Act permitting money claims based on the U.S. Constitution to be brought in the court of claims. However, if a property owner would prefer not to receive compensation for the Federal Government's confiscation of property, but to challenge the government's right to confiscate the property, the owner should go to the U.S. district court.

If a property owner wishes to both challenge the appropriateness of a taking of property and pursue monetary damages arising from the taking, the owner must choose to pursue one claim before the other. Both claims, in other words, may not be pursued at the same time.

To make matters worse, the owner cannot go to the court of Federal claims until a final decision, including appeals, has been reached in the district court.

The court of Federal claims statute of limitations prevents the owner from bringing suit for more than 6 years after a claim first accrues. Thus, incredibly and through no fault of his own, under current law the property owner may be left with no legal remedy.

This problem and property rights in general are of special concern throughout the West, and in central Washington which I represent. Far too often landowners facing the prospect of long and costly litigation against the Federal Government feel they have no choice but to accept a settlement that they believe is unfair. This is wrong and it must stop; that is the goal of H.R. 992.

Mr. Speaker, the Tucker Act Shuffle Relief Act seeks to correct this injustice by granting the U.S. district courts and the court of Federal claims the power to determine all claims arising out of Federal agency actions alleged to constitute takings in violation of the fifth amendment. The property owner then would choose which court would hear his case.

Mr. Speaker, the Committee on Rules has reported an open rule in order to permit Members seeking to amend H.R. 992 the fullest possible opportunity to offer any germane amendment during floor consideration of the bill.

Accordingly, I urge my colleagues to pass not only the rule, but H.R. 992 as well.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 382 is an open rule providing for the consideration of H.R. 992, the Tucker Act Shuffle Relief Act. The rule allows for the consideration of all germane amendments and accords priority recognition to those Members who have preprinted their amendments in the Congressional RECORD.

Mr. Speaker, it is especially important that H.R. 992 be considered under an open rule because it was a matter of some controversy during its consideration in the Committee on the Judiciary. It was reported on a vote of 17 to 13, and eight Democratic members signed dissenting views in the committee report.

H.R. 992 seeks to simplify the resolution of disputes between landowners whose property has been subject to a government taking and the Federal Government by allowing such suits to be heard in either the U.S. district court or the U.S. court of Federal claims.

Under current law, the 1887 Tucker Act, a landowner must go to the court of Federal claims in order to sue for financial award or to a U.S. district court to challenge the validity of the agency action that resulted in the taking. Opponents of this bill make the claim that this legislation simplifies and expedites the process for landowners who seek to challenge the takings of their property. However, the legislation is opposed by the United States Judicial Conference, as well as a wide array of environmental groups, because of the controversy.

I support the open rule.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BONILLA).

(Mr. BONILLA asked and was given permission to revise and extend his remarks.)

Mr. BONILLA. Mr. Speaker, I rise today in support of the rule and in support of the Tucker Act Shuffle Relief Act. It is a mouthful, and to some it might sound like some popular dance step that today's young people are doing. But, in fact, it is a very old dance step that is practiced by the court system all too often.

Private property owners are forced to choose between filing a takings claim in either the U.S. court of Federal claims or Federal district court. The Tucker Act splits jurisdiction between these two courts so no one court can provide full relief to a property owner. Then what happens is, the courts wind up shuffling the property owners back and forth, bouncing them back and forth like ping pong balls between the two court systems, literally dancing around the problem and avoid ruling in the case.

This bill will stop the old song-and-dance routine by giving both courts jurisdiction over all claims relating to property rights. It would not change any current takings law. Property owners who feel they have had their property taken unfairly should be allowed to have their day in court and not spend years waiting while two courts argue over who should hear their case. I believe this will eliminate unnecessary delays and reduce court costs as well.

It is absurd for a landowner's problems to be tied up in court for sometimes up to 10 years or more, Mr. Speaker, waiting on the courts to figure out jurisdiction has forced landowners to watch their time and money waltz away. The time has come to give priority to citizens' constitutional rights over jurisdictional disputes between judges.

The right to private property is one of our most fundamental and sacred constitutional rights. That right should be respected by the Federal court system.

I encourage Members to vote for the rule and for the bill and for the right of every American to have their day in court. I would also like to commend my colleague and friend, the gentleman from Texas (Mr. SMITH) for taking a leadership role in this effort.

Mr. FROST. Mr. Speaker, I urge adoption of the rule, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I also urge adoption of the rule. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LIMITATION ON FURTHER AMENDMENTS AND DEBATE ON H.R. 992, TUCKER ACT SHUFFLE RELIEF ACT OF 1997, ON THURSDAY, MARCH 12, 1998

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 992 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 stated below.

On the legislative day of Thursday, March 12, the amendment by Representative WATT of North Carolina, if offered today, shall be further debatable for 20 minutes equally divided and controlled by Representative WATT and an opponent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. WATT of North Carolina. Mr. Speaker, reserving the right to object, I missed that.

Mr. SMITH of Texas. Mr. Speaker, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Speaker, I will be happy to respond to the gentleman's question.

Mr. WATT of North Carolina. Mr. Speaker, I just wanted to make sure what it was the gentleman just did.

Mr. SMITH of Texas. Mr. Speaker, if the gentleman will continue to yield, to summarize, what this says is that tomorrow we will still be able to have 20 minutes' debate on the amendment that the gentleman is expected to offer tonight. That 20 minutes will be divided equally between the gentleman and an opponent.

Mr. WATT of North Carolina. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. HASTINGS). Is there objection to the request of the gentleman from Texas?

There was no objection.

TUCKER ACT SHUFFLE RELIEF ACT of 1997

The SPEAKER pro tempore. Pursuant to House Resolution 328 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 992.

□ 1738

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 992) to end the Tucker Act shuffle, with Mr. EWING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT), each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

The issues we discuss today are those of equity and fairness. Every homeowner and every property owner across America deserves to have their day in court, and not just in court but in the right court. Many legislative initiatives are identified with an individual. We have Megan's Law, the Ryan White Act and the Ricky Ray bill.

Today we consider H.R. 992, the Tucker Act Shuffle Relief Act. Maybe we should call it the Narromore Act or the Presault Act or any of the other names of the property owners whose cases demonstrate the real need for this legislation.

W.O. and Eliza Narromore's property was flooded as a result of the government's operation of the Painted Rock Dam in Arizona. They first filed suit in 1980 in an attempt to force the United States to stop flooding their land. In 1988, their case had gone to the appeals court, and then had been sent back to the lower court for retrial. At that trial, the United States moved for dismissal of the case, saying the Narromores' claim should have been for compensation to the court of Federal claims. The Federal circuit agreed with the government and transferred the case to the court of Federal claims in 1992, sending the Narromores back to square one again. Today, 17 years later, their case is still pending.

In 1981, Paul Presault sued the State of Vermont to reclaim a strip of land that had been used by the State to run a government-operated railroad through his front yard. In 1989, the Supreme Court sent Mr. Presault back to square one because of the Tucker Act. Sixteen years later, after again going all the way to the Supreme Court, Mr. Presault is back in the court of Federal claims awaiting yet another hearing.

These are just a couple of the horror stories that demand equity and fairness. Property owners across America should not be tossed back and forth by the courts when they are simply trying to assert their fifth amendment property rights.

H.R. 992 seeks to provide a solution to an unfair judicial maze that often prevents private property owners from having their day in court. An individual who seeks to contest a government taking or an infringement of his or her property rights currently must deal with unreasonable obstacles and costs in negotiating his or her way through the legal maze built by the Tucker Act.

Current law denies the court of Federal claims authority to hear a claim for injunctive relief and denies the U.S. district courts the authority to hear claims for monetary relief over $10,000. Because of this split jurisdiction, no one court can provide complete relief to a property owner whose property has been taken. An owner can choose to seek only one kind of relief or must go to the expense of seeking relief from both courts. In addition, the Federal Government often claims that property owners have sued in the wrong court, bouncing private property owners back and forth yet once again between the two courts.

We may hear some argue that we should end the Tucker Act Shuffle by giving only U.S. district courts the ability to grant complete relief in takings cases. This is the wrong approach. We should not discard the valuable resource of the court of Federal claims's expertise or its large body of case law, compiled over time, by denying the court the ability to hear takings claims for both monetary and equitable relief.

Why not give property owners the option of going to the court that they think is best? Why should the government tell private property owners where to go?

This legislation provides no new cause of action. Instead, it merely creates an option to go either to the court of Federal claims or to the U.S. district courts for all the plaintiff's remedies concerning only fifth amendment private property takings cases.

We do not change the substantive law that defines a taking. We leave to it current law to determine whether there is in fact a legal claim.

There have been concerns voiced about giving an Article III court's power to an Article I court, that it would somehow be unconstitutional. The answer is, both courts are constitutional. Article III powers have been given to Article I courts many times without a detrimental result to the court system or to the Constitution; and H.R. 992 extends injunctive relief powers to the court of Federal claims only in private property takings litigation.

Furthermore, the bill directs that all appeals, whether from the U.S. district court or the court of Federal claims, will go to the same U.S. court of appeals for the Federal circuit which is in an Article III court.

I understand that some Members have concerns that H.R. 992 would override so-called preclusive review provisions of some environmental statutes. In order to reassure my colleagues that this bill will not modify any environmental statutes, I will be offering an amendment stating that H.R. 992 does not override any preclusive review provision in Federal law. This legislation simply allows private property owners to go to either court for a complete remedy of a takings claim.

H.R. 992 does not allow litigants to challenge agency action in several different courts. Should the plaintiff choose to proceed with their case under this act, once the plaintiff chooses one of the two courts, the case remains in that court only. Private property owners should be given the option and the opportunity to assert their constitutional rights in the court of their choice without being treated like a ping pong ball.

□ 1745

Every property owner in America has the right to obtain a timely resolution one way or the other of their takings claims. They deserve to have their day in court and in the right court, which is the court of their own choosing.

Among many organizations, the Chamber of Commerce, the realtors and the home builders support this legislation. I encourage my colleagues on both sides of the aisle to vote for this bill and support the right of every property owner in America to have their claim heard in either court.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Chairman, I thank the gentleman for yielding this time, and today I rise in the strongest

possible support for this bill that is introduced by my good friend, the gentleman from Texas (Mr. SMITH), and I sing his praises. This is a bill that I came here 20 years ago to see enacted into law and finally we are going to have that opportunity.

This legislation represents a very significant step forward in relieving the burdens facing Americans who own property and seek compensation for a taking by the Federal Government. We are all familiar with stories of private property owners whose land values have been disastrously affected by unbridled government regulation. Certainly up in the Adirondack Mountains, where I live, that is so.

Using wetlands restrictions or scenic easements, the government leaves landowners as custodians of their unused land and robs them of their livelihood in too many cases. To find relief from these takings, property land owners such as farmers, small businessmen and homeowners put their trust in the courts to sort out the mess that environmental regulation has made of their lives. But as we all know too well, going to court merely complicates their problems and costs money that they cannot actually afford.

Currently, private property owners have two options to litigate their takings cases. They can seek monetary relief in the U.S. Court of Federal Claims, very expensive; or injunctive relief in a Federal District Court, and that is very expensive, especially for a farmer that might have total income of only $10,000 or $12,000 a year. A property owner must choose between those two courts because of the Tucker Act. This act splits the jurisdiction of takings cases between the Claims and District Courts, requiring a landowner to shuffle back and forth to find relief.

On top of this restriction, section 1500 of the Tucker Act prohibits the Claims Court from even considering a suit that is pending in another court. In many cases, as these property owners find out, the government often claims that they have sued in the wrong court, bouncing the landowners between the two courts, again costing money that these people cannot afford.

For small property owners with limited financial means and time constraints, this shuffle makes it impossible for them to even hope to get some kind of relief. By failing to resolve this situation, we deny the constitutional rights of these property owners.

As my colleague from Texas has ably explained, this bill would put an end to some of this confusion. The bill gives both the District Courts and the Court of Federal Claims concurrent jurisdiction to hear all claims relating to property rights. And through this bill, our constituents can achieve complete relief of their takings cases in just one court and stop this endless game of judicial ping-pong.

To further resolve the difficulties caused by section 1500, this bill would repeal that section. This bill is an efficient and an effective solution to a difficult problem. Without some sort of relief, landowners throughout the country will continue to languish in court for years and years and years as they are shuffled back and forth between District to Claims Courts by government attorneys.

Mr. Chairman, private property takings cases have become the normal way of business for Federal Government agencies in all too many cases. Without the just compensation that the Fifth Amendment requires, private property rights are continually being violated by executive branch agencies that have run amuck throughout this country.

By abusing the Fifth Amendment and chipping away at these rights, we assault the very fabric of our society. H.R. 992 will begin to restore the Fifth Amendment and guarantee the private property rights of all American citizens. By supporting this bill, we can put an end to the Tucker Act shuffle and help private property owners resolve their litigation in a timely manner and, more than that, in a manner that they can afford.

Mr. Chairman, I would again sing the praises of the gentleman from Texas for bringing this legislation to the floor. Let us hope and pray it goes through the Senate and is signed into law. I urge support of the bill.

Mr. WATT of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

I want to join with the gentleman from New York (Mr. SOLOMON) in paying a tribute to my colleague, the gentleman from Texas (Mr. SMITH), for bringing a bill to the floor designed to address a serious issue. The difference between that gentleman's part of this debate and my part of the debate is not in the issue of whether a problem exists. We both agree that citizens of our country should not be shuffled back and forth from one court to another. That is not an area of disagreement that we have. The area of disagreement is how we solve that shuffle and eliminate the necessity of having to shuffle back and forth.

Our position on this side is that the problem needs to be solved, deserves to be solved, but must be solved in a constitutional way. And our position is that the bill of the gentleman from Texas does not resolve this issue in a constitutional way, and I will elaborate on that some more later in this debate.

Second, our position is that the solution that is proposed under this bill, in addition to being an unconstitutional solution, is a solution that would encourage forum shopping, and that is something that we should not be encouraging as a Congress.

Third, the solution that has been offered under this bill, and I believe the gentleman from Texas is going to correct this by offering an amendment which we will support, but as the bill is currently structured, the solution that is currently proposed would eliminate some expedited review under the law and delay disposition of cases that now get expedited review and consideration, and we think that is a real problem.

The fourth problem that we have with this proposed solution is that, as the gentleman from Texas has asserted, we want to speed up the process of getting justice and decisions in these cases. We do not want to slow down the process. And we believe this solution will simply slow down the process. Because if there is a question on the resolution, about the constitutionality of it, nothing is going to happen in this area until at least one or more cases moves through the process and moves on up to the Supreme Court and the Supreme Court decides this issue, which is going to, for a period of time, put us all on hold in these cases. And we think that is not justified.

The final argument we will make, and I want to flesh all of these out later in the discussion, is that if we are looking for a solution to this problem, we ought to find one that the administration will support. The administration does not believe that the solution that is offered under this bill is a constitutional solution or a reasonable way to address what they agree is a problem, and they have indicated that the President will veto this bill.

So we can either have a bill which solves the problem or we can create an atmosphere that preserves the issue for continuing debate, and I thought our objective here was to solve the problem, not just preserve the issue.

Those are the five points that I want to try to develop this evening.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. SKEEN).

(Mr. SKEEN asked and was given permission to revise and extend his remarks.)

Mr. SKEEN. Mr. Chairman, I thank the gentleman for yielding me this time and I rise in strong support of ending the Tucker shuffle.

I do so based on a simple and a powerful premise, the Fifth Amendment to the Constitution of the United States, which currently states that no person shall, quote, be deprived of life, liberty or property without due process of law; nor shall private property be taken for public use without just compensation.

I strongly contend that our Founding Fathers' intent was crystal clear and that the catalyst for much of the Declaration of Independence and the Constitution was based on a tyrannical government's overzealous abuse of power and constant infringements on individual freedom, including property ownership.

Unfortunately, the courts have found numerous ways to circumvent a constitutional right that is no less important than the right to free speech. They have done so under the guise of due process, which in actuality is being

used to retard the process and prevent citizens' constitutionally guaranteed right to seek compensation and relief from a Federal Government that increasingly seems to disregard the most important document in world history.

In essence, this legislation will facilitate a return of constitutional principle by allowing property owners who have been subjected to a taking the opportunity for real redress without fear of the court's ability to do the Tucker shuffle.

Remember, we all took oaths to uphold the Constitution, and I believe my vote for this legislation will uphold that oath. I can only hope that my colleagues, the Senate and the President, remember their oaths of office.

Mr. WATT of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, I rise in opposition to H.R. 992. While this bill appears to be an innocuous bill dealing with court jurisdiction, its actual effect would be to unsettle many areas of environmental law, and that concerns me.

Now, the gentleman from Texas (Mr. SMITH) will offer an amendment that will take care of one of the threats this bill poses to environmental law. His amendment will ensure that this bill does not override existing statutes. I appreciate his willingness to do that and I will support his amendment. But his amendment still leaves another problem with the bill, the enormous expansion of the jurisdiction of the Court of Federal Claims.

Now, that sounds like an arcane issue. Why should we care? The reason is that the Court of Federal Claims has no experience in handling these issues. It operates under different procedures than other courts that hear environmental cases and is not bound by all the precedents that bind those other courts. In other words, we will be sending environmental cases into a new, inexperienced, very different venue than we have dealt with for the last several decades. That creates unnecessary uncertainty not just for environmental advocates but for the regulated landowners and companies.

I should point out that the League of Conservation Voters strongly opposes the bill because environmental law cases simply do not belong in the Court of Claims. Moreover, the expansion may well prove to be unconstitutional.

□ 1800

The judicial conference of the United States, chaired by Chief Justice Rehnquist opposes the provisions of this bill because the bill, and I quote, ''represents a major expansion of the jurisdiction and remedial powers of the Court of Claims.'' Continuing the quote, ''These provisions may raise constitutional issues about the appropriate jurisdiction of an Article I court.'' That is, as my colleague, the gentleman from North Carolina (Mr. WATT), has indicated previously, it may have the unintended consequence, if the bill should pass, of actually delaying action rather than expediting action.

Why would we risk venturing into this uncertain territory? Frankly, the committee gives us no real reason at all. There is no evidence whatsoever that the so-called Tucker Shuffle is a real-world problem affecting real people. We are threatening environmental law for the sake of a theory.

I am, frankly, mystified as to why there is a determined effort to open the doors of the Federal Court of Claims. I do not hear any clamor for that. But I do hear genuine opposition to opening up the court for specific real-world reasons. Let us not unsettle environmental law for the sake of a symbolic bill that will help no one and is most certain to be vetoed. Let us defeat H.R. 992 and get back to the legislation that helps real people without threatening the legal safeguards that protect our air, our land, and our water. H.R. 992 does not spell relief. It spells trouble.

Mr. SMITH of Texas. Mr. Chairman, I yield myself as much time as I may consume to respond very briefly to a couple points that my friend, the gentleman from New York (Mr. BOEHLERT) made.

The first point is that he may have unintentionally misstated, because the Claims Court has plenty of experience handling these types of cases. In fact, it handles all the substantial monetary damage for these Fifth Amendment takings. The other is the gentleman said that he did not know that this is of concern to real people.

In my opening statement, I pointed out two horror cases that concerned very real people; and I would say just the opposite. I think the opposition to what I am trying to do is engendered by theory and idealism, not by concern for the real people who have real problems.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. SMITH), chairman of the Committee on Agriculture.

Mr. SMITH of Oregon. I thank the gentleman for yielding.

Mr. Chairman, I rise today in strong support of H.R. 992, the so-called Tucker Act Shuffle Relief Act. I would like to thank my friend from Texas (Mr. SMITH), who has a great name, for his work on this issue affecting America's private property owners. The takings clause of the Fifth Amendment, as my colleagues have heard, allows the Federal Government to acquire private property as long as the Government provides ''just compensation,'' quote, end quote, to the owner.

But, as many of us know, the Federal Government sometimes does not abide by what we think our constitutional rights really are. In such cases, property owners now have two choices; they can sue for monetary relief, or they can sue for injunctive relief. Because the U.S. Court of Federal Claims lacks the authority to hear cases for injunctive relief and the Federal District Court lacks jurisdiction to hear claims for monetary relief, no one court can provide full relief to an aggrieved property opener.

Land owners filing suit today may, therefore, be shuffled between the courts, resulting in delays, increasing costs of litigation, of course. The Tucker Act Shuffle Relief Act would correct this process and provide full relief to property owners who have suffered by these problems of courts shuffling their concerns back and forth.

Is there no support for this kind of legislation? I am so frustrated with this system and with what is happening to private property rights around the country. As the gentleman knows, I am sure, the courts have been holding lately that if you have 50 percent aggrievement, you might have a standing in court. It costs roughly $250,000 to go to court for a takings issue. This eliminates the man or the woman whose property is taken by the Federal Government under that value, so they just merely give up.

All right, is that a private property right? Should we not be protecting every dollar of every private property owner's rights everywhere we go? Well, part of the frustration is the creation of this kind of legislation. It is essential that we do this to restore the confidence of America to its government again.

Mr. WATT of North Carolina. Mr. Chairman, I yield myself 30 seconds to respond to some of the gentleman's rhetorical questions.

I share the gentleman's objective. He should be aware that there is a solution, there is a constitutional solution that would eliminate the shuffle. We are not opposed to eliminating the shuffle. Our solution would be to give jurisdiction over the monetary relief and the legal issues to the U.S. District Court, which is an Article III court that has the constitutional authority to accept all of that jurisdiction. That will eliminate the shuffle completely.

So I hope the gentleman will support my amendment when it is offered, my amendment with the gentleman from New Jersey (Mr. ROTHMAN).

Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from North Carolina (Mr. WATT) for yielding, and I cannot disagree with him at all. We are clearly in support of protecting property rights and recognizing the constitutional privilege that governs property rights and the need to protect such rights.

But, with all due respect to my good friend from Texas, this bill may appropriately be named the Tucker Shuffle

Act because it seems to shuffle, in fact, people away from justice. I say that because this bill would be far better if we were to utilize the Article III courts and to support the Watt-Rothman amendment that will allow these particular challenges by property owners to be in the United States District Court.

Let me tell my colleagues what happens or share. The Court of Federal Claims does have the ability to roll, if you will, but most times we would see constituents in Texas and Iowa, Idaho, going all the way from those faraway locations all the way to Washington D.C. to get justice.

So what we are suggesting here is shuffle justice away from the local community, when in fact the United States District Courts placed in those local communities, which are, in fact, Article III courts, have the local flavor. They understand Mrs. Jones' concern about her property rights and the infringement on those property rights. She is amongst those judges appointed from that community, Federal judges though they may be, appointed from that community sensitive to the value of the relevance of the emotion, the importance of that property issue.

When we start shuffling constituents, mostly partitioners, small land owners, all the way to the big city here in Washington D.C., it is intimidation, it is a question whether there is any sensitivity and whether or not there is justice.

So I would simply say that we have a real way of dealing with this concern, and that is, in place of the Court of Federal Claims, which may have limited exposure and experience to environmental concerns, for example, you would have the United States District Courts in place in your communities that could fully take advantage of the needs of the particular constituents on very important issues like property rights. The property rights are protected by the Constitution and protected by the Fifth Amendment.

I do not know about my colleagues, but I have seen most of the constituents I represent feel far more comfortable to be able to go into courthouses in their community than to travel all the way to Washington, D.C. and subject themselves, their property, and the meager means that they may have in order to be subjected under the Federal Court of Claims.

I think we are going in the wrong direction. It is wrong headed. If we truly want to shuffle justice back to the people, then let them have their day in court in the United States District Courts in their neighborhoods and in their communities.

This is not a good bill unless amended by the Watt/Rothman bill amendment.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to clarify a point, and that is that this bill does not force anybody to go to Washington. In fact, it does just the opposite. It gives property owners the option of either going to a local Federal district court or going to Washington. The point is they should have the choice. That is why we need to support this bill.

Mr. Chairman, I yield 1 minute to my good friend, the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Chairman, I rise in strong support of the Tucker Act Shuffle Relief Act. This important legislation will ensure equal justice under the law for America's property owners.

The Fifth Amendment to the United States Constitution is very clear. It says that private property will not be taken for public use without just compensation. This guarantees essential freedom and fairness.

The legislation offered by the gentleman from Texas (Mr. SMITH) will make sure that this guarantee of just compensation applies to all Americans. It says that each and every American, whether rich or poor, old or young, lawyer or layman will have their day in court to vindicate their rights. It gives each and every American access to justice.

Without this legislation, the right to protect constitutionally guaranteed Fifth Amendment rights is only as broad as your legal brief and as wide as your wallet.

Too many Americans have been unable to have their day in court because the courtroom door is barred with procedural hurdles and technical barriers. These Americans lack the legal fire power or financial wherewithal to surmount these barricades.

The Tucker Act Shuffle Relief Act removes those barriers to justice. It opens up the doors to relief for all of our people.

Support fairness, stand up for equal access to the courts, vote for the Constitution, support the Tucker Act Shuffle Relief Act.

Mr. SMITH of Texas. Mr. Chairman, I yield 3 minutes to my friend, the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the foundation of our American republic is built upon the idea that citizens have the inherent right to life, liberty, and property. In fact, throughout the writings of our Founding Fathers, the right to property is viewed as fundamental to economic and political liberty.

In the Declaration of Independence, Jefferson cited as a central reason for seeking independence was the King imposing taxes without our consent, the illegal taking of citizens' personal property.

Then, arguing in support of the proposed Constitution, James Madison suggested that government is instituted no less for the protection of the property than of the persons or individuals.

Fortunately for all of us, these views prevailed in the Constitution, and the Fifth Amendment ensures that, in the United States, no one will be deprived of personal property without due process of law and just compensation.

Unfortunately, however, there is currently no single court in which a property owner can seek full relief for a Federal taking. The Tucker Act, which splits jurisdiction on property rights issues between Federal district courts and the Court of Federal Claims, allows the government to argue that property owners are suing in the wrong court. This results in bouncing citizens between two courts, often preventing or significantly delaying a final decision on the underlying issue of an illegal taking.

Today, each of us have the opportunity and the responsibility to protect the constitutional rights of our constituents. The legislation before us today will ensure that Federal agencies and courts cannot sidestep the Constitution through procedural games and delay tactics.

I urge my colleagues to support the Tucker Act Shuffle Relief Act.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to a special friend, my colleague, the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Chairman, I rise in favor of H.R. 992, the Tucker Act Shuffle Relief Act. This bill brings power back to its rightful place, the taxpayer or the property owner.

For too long, our constituents had been denied a quick and painless pursuit of their Fifth Amendment freedom. Our Constitution clearly recognizes that the right to own and manage one's property is essential to protect the other rights delineated in the Constitution.

We must ensure that property owners have the same access to Federal courts as any other individual who claims his constitutional rights had been violated. This bill simply streamlines the process to allow private property owners full recovery for a taking in one court. It does this by granting both Federal district courts and the Court of Federal Claims concurrent jurisdiction to hear all claims related to property rights.

This procedural fix will end the delays and increasing cost of litigation inherent in the Tucker Act as well as provide swift justice for property owners seeking to enforce their constitutional rights under the Fifth Amendment.

I want to thank my good friend, the gentleman from Texas (Mr. SMITH) for offering this very important piece of legislation. His tireless work on this issue will ensure that private property owners across America will receive the protection they deserve under our United States Constitution.

□ 1815

Mr. WATT of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me start by addressing the last two speakers, the gentleman from Georgia and the gentleman from Texas. First of all, I want to say once again and make it absolutely clear that the problem that this bill addresses, the shuffle back and forth between the U.S. court of claims and the U.S. district court, is one that should be done away with. No citizen should be required to go to two separate courts to deal with the same issue.

This bill gives a person whose property has been taken or who claims to have had their property taken or the value diminished in some way the right to take that claim either to the U.S. Federal court of claims or to take it to the U.S. district court. Those are two entirely different courts.

The U.S. district court, under the Constitution, is what is called an Article III court. An Article III court is one in which the judges are given, once they are appointed to the bench, lifetime tenure. The reason that they are given lifetime tenure is that we want them to be completely independent of the executive branch of the government, and we want them to be completely independent of the legislative branch of the government. We do not want politics or favoritism or any threat to intervene in their decision-making, so we give them lifetime tenure. That is an Article III judge.

The U.S. Federal court of claims, or the court of Federal claims, as it is now called, the judges are appointed for a 15-year term. They do not have the level of independence that an Article III judge has because their tenure is shorter. So you have Article III judges with lifetime tenure; you have Article I judges with a 15-year term.

Now, most folks, when I come to this body and take up for the Constitution, say, that MEL WATT just gets overly worried about the Constitution. So I want to put this in context.

In the drafting of the Declaration of Independence, the Founding Fathers complained that ''King George has made judges dependent on his will alone for the tenure of their offices and the amount and payment of their salaries.'' It was for that reason that we wrote into our Constitution the provision for Article III judges. There is an historical basis. We were trying to remove those Article III judges from any influence that the executive branch of the government could exercise over them, and we did it by giving them lifetime tenure so that the executive branch or the legislative branch could not go over and interfere with those folks. They are supposed to be independent.

Now, when you then turn around and say, ''Okay, we're going to give an Article I judge the authority to declare a statute unconstitutional,'' you have stepped over the line. That is what this bill does. It says we are going to give the court of Federal claims judges the authority to declare acts of Congress unconstitutional. The Constitution will not allow that; plain and simple, it will not allow it.

I am not only expressing my opinion on this, I am expressing the administration's opinion on it. They have researched it and written us and said, we will not sign this bill for that reason, among others. I am expressing the opinion of 40 attorneys general whose letter I am holding in my hand, not only Democrats but conservative Republican attorneys general who expressed the exact same opinion.

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Texas.

Mr. SMITH of Texas. I just want to reassure the gentleman that in subcommittee we passed an amendment that took care of the concerns of the State attorneys general. They were concerned about the local issues and what impact it might have on that, and we took that out of the bill. So I hope that that concern is addressed.

Mr. WATT of North Carolina. I do not think that concern has been addressed at all. I assume the attorneys general are still concerned about the constitutional ramifications of this bill. I have not seen anything that eliminates that concern.

Let me tell my colleagues how strongly our Founding Fathers felt about this. Our Founding Fathers actually were of the opinion that even Article III judges could not overrule a statute that was passed by Congress. That is how far away they wanted to put them.

Invalidation of Federal statutes is a very, very serious thing. Our Founding Fathers were so convinced of that that Article III judges who serve in the independent judicial branch of our government were not given that authority. It was not until the landmark case of Marbury v. Madison that even Article III judges were given the authority to invalidate a legislative enactment. Now we are going another step and giving that authority, under this bill, to judges who are appointed for 15 years. They do not have lifetime appointment. They are not independent.

Now you have got to wonder why that is happening. That brings me to my second point; that is, that this bill will encourage forum shopping. You should say, as an initial proposition, ''Well, it should not matter whether a judge is a court of Federal claims judge or a U.S. district court judge, the result ought to be the same.'' It should be. But it should not matter to my colleagues over here, either. That is why I am offering the amendment to make all of these claims come to the United States district court, an Article III court that has the constitutional authority to dispose of both the compensation issue and the constitutionality, the legal substantive issue.

But why do my colleagues want court of Federal claims judges to hear this? Let me tell Members my speculation about it. There are 14 judges on the court of Federal claims. Nine of the eleven active judges on the court of Federal claims were appointed by Presidents Reagan or Bush. Is that accidental, or are we looking to encourage people to go to a court that has a judge in it that was appointed by Republicans?

That ought not to be our objective here. If that is what we are trying to achieve, we ought to pack up and go home if we are willing to sacrifice constitutionality for partisanship. If that is the reason we are doing this, that is absolutely unforgivable.

Now, my colleague is going to offer an amendment that addresses the third concern I have. The bill, as it is now postured, would delay expedited consideration of a lot of these new takings laws, the environmental rules, so that under the bill as it is currently written, last fall when the Environmental Protection Agency issued new air quality and ozone standards, you could get an immediate decision with expedited review within 60 to 90 days; this bill as it is currently written would wipe out that expedited review. A number of other examples that I could give you, I will not go into that, because fortunately my colleague has seen the light on that issue and is going to offer an amendment to correct that problem. I am going to support that amendment.

I want to move on to the fourth point, my fourth concern about this bill. That is, this whole notion that we are trying to speed up the process and get people justice quickly. How long is it going to take for this new system, that I have already told you is unconstitutional, to work its way through the system and up to the Supreme Court, and the Supreme Court to hear arguments and come back down, and somebody to take it back up? We will be here 5 years from now trying to decide whether this is constitutional or not, and I just told you it was unconstitutional. It should not be what we are doing. Because there are going to be some real live litigants involved in that, and the cost to them of going all the way to the Supreme Court to have the court say that this is an unconstitutional statute should not have to be borne by individual citizens in this country.

If we value getting to an expedited result, as my colleague says, and with which I agree, we should correct this problem in a constitutional way. Put all of the jurisdiction in the United States district court. I do not know what impact that will have on the outcome of cases. That depends on individual cases.

I do not care what outcome it has on individual cases. What I do care about is that we do this in a way that is constitutional.

The final thing I care about is that we solve this problem, because fairness and equity, as my colleague from Texas has indicated, ought to always be the hallmark of our judicial system. The Narromores that he talked so much

about ought not to be subjected to the shuffle back and forth. The Joneses, the Smiths, no citizen ought to be subjected to that kind of shuffle.

□ 1830

But guess what? In an effort to maintain this as an issue, my colleagues are willing to pass a bill which the President has already indicated is going to be vetoed.

Let me reaffirm, I have the letter right here in my hand. It says, ''The administration is fully committed to the protection of private property, including the payment of just compensation under the Fifth Amendment when private property is taken for public use. The administration is also committed to streamlining and expediting Federal court litigation. However, H.R. 992 presents constitutional concerns, would waste valuable judicial resources, and would lead to significant instability in the law.''

And then it goes on to say, ''The Attorney General, the Secretary of the Interior, the Administrator of the Environmental Protection Agency, and the Chair of the Council on Environmental Quality would recommend that the President veto H.R. 992, as reported by the House Committee on the Judiciary.''

Now, we can either pass a bill and get it vetoed and preserve the debate, or we can pass a bill that is constitutional and solve this problem. We have the choice right here in this body, and I hope that my colleagues here will exercise that choice in a responsible way. I tried to convince my colleague to do that, but he thinks for some reason, the Court of Federal Claims, there is something sacrosanct about it.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume just to point out that in the statement that my colleague from North Carolina just read, it is abundantly clear that the President himself has not said he is going to veto it or has threatened to veto, it is just a few members of his administration that have recommended to veto, and as he knows, there is a great chasm between recommending and threatening, and I am not aware of any controlling authority that any member of the administration has to actually veto anything.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN asked and was given permission to revise and extend his remarks.)

Mr. GREEN. Mr. Chairman, I would like to thank my colleague from Texas for allowing me to rise in support of H.R. 992. Right now, property owners who have suffered a ''taking'' must elect between suing for monetary relief in the U.S. Court of Federal Claims or injunctive relief from Federal district courts.

Currently, this split jurisdiction hurts property owners. The Tucker Act makes the property owner choose between the two courts. By doing so, an individual can never receive full relief from an uncompensated Fifth Amendment taking.

H.R. 992 would permit private property owners to fully recover from a taking in either court by amending the Tucker Act. H.R. 992 gives both the district courts and the Court of Federal Claims concurrent jurisdiction to hear all of the claims relating to a Fifth Amendment taking. In essence, we have stripped away the confusion, delays and the procedural issues that may make it difficult for a property owner to have their case heard.

H.R. 992 also addresses the issues revolving around section 1500 of the Tucker Act. Section 1500 denies the Federal Court of Claims jurisdiction to entertain a suit pending in another court brought by the same plaintiff. This makes the filing of the Fifth Amendment takings case more complex and costly.

The Tucker Shuffle Relief Act clarifies the law to state that either the district court or the Federal claims court can have jurisdiction, ending this ambiguity in the law, and that is why, Mr. Chairman, I support H.R. 992 and urge its passage.

Mr. SMITH of Texas. Mr. Chairman, I would say to my colleague from North Carolina that I do not have any other speakers, but I intend to close.

Mr. Chairman, I reserve the balance of my time.

Mr. WATT of North Carolina. Mr. Chairman, I yield myself such time as I may consume to respond to the gentleman from Texas (Mr. GREEN). We solved the problem in a constitutional way by the Watt-Rothman amendment. I hope the gentleman will support my amendment. I hope the House will support my amendment and we can solve this shuffle in a constitutional way. That is all we are trying to do. I hope my colleagues will join us and help us do it.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

A previous speaker mentioned that the Justice Department had some concern that this bill would encourage forum shopping. However, I want to point out that this is the same Justice Department in 1995 that admitted that under current law, ''The government presumably would have the right to transfer the cases and consolidate them in one forum.''

Also, all appeals in ''takings'' cases will be heard by the Court of Appeals for the Federal circuit, so a court precedent in takings cases will remain uniform regardless of what trial court a citizen initially chooses. The citizen will not be able to avoid unfavorable precedent by going to one court or the other.

Another point is that today a citizen has a choice of three courts to go to in a tax case. If the citizen does not pay the tax owed, he or she can go to a tax court. If the citizen pays the tax, the citizen can choose to go to the district court nearest to where they reside, or they can go to the Court of Federal Claims. As Chief Justice Lawrence Smith has stated, ''All 3 courts have developed their own particular abilities, and this system has provided, in the view of really all the tax bar, even the IRS and the Justice Department, a better system for the United States.''

We should provide U.S. citizens the same flexibility in takings cases that they now enjoy in tax disputes. We should allow them to choose a U.S. district court or the Court of Federal Claims, depending on their needs. Just as detrimental forum shopping has not developed in tax cases, it will not develop in takings cases either.

Mr. Chairman, the gentleman from North Carolina (Mr. WATT) mentioned a while ago his constitutional concerns and I want to lay them to rest. The Constitution clearly allows Congress to provide the Court of Federal Claims with the power providing equitable and declaratory relief in takings cases.

First, each Federal court, whether an Article I court or an Article III court, has the inherent authority and duty to disregard unconstitutional statutes and regulations. So in IBM Corporation v. U.S., the Federal circuit recently affirmed a ruling by the Court of Federal Claims declaring the Federal tax statute to be unconstitutional.

Second, the Court of Federal Claims already can provide the declaratory and equitable relief in various areas which now encompass about 40 percent of its docket.

Third, recent Supreme Court cases of Northern Pipeline Construction Company v. Marathon Pipeline Company and Commodity Futures Trading Commission v. Shore both signal Congress's ability to give the Court of Federal Claims the power to grant total relief in takings cases.

Mr. Chairman, in closing, let me reiterate that this legislation is based on equity and fairness. Every homeowner and every property owner across America deserves to have their day in court and in the right court and the court of their choosing. Property owners in America should not be shuffled back and forth between courts by the Federal Government when they are simply trying to assert their Fifth Amendment property rights.

H.R. 992 provides a solution to the unreasonable obstacles and costs property owners face today because of the Tucker Act. This bill would simplify the process for private property owners by giving them an option to go either to the Court of Federal Claims or the U.S. district courts for remedies concerning only Fifth Amendment private property takings cases. We do not change the substantive law that defines a taking; we leave it to current law to determine whether there is a legal claim.

My amendment on preclusive review assures that this bill will not modify environmental statutes, so the main objection of the League of Conservation Voters and a few of my colleagues has been addressed.

H.R. 992 simplifies the ability of every property owner in America to obtain a timely resolution one way or the other of their takings claim. If one supports giving private property owners their day in court, if one believes property owners, not big government, should choose the court that hears their case, if one believes that property owners do not deserve to be treated like a ping-pong ball by the Federal Government, if one believes in fairness and equity, then I encourage my colleagues on both sides of the aisle to vote for this simple, straightforward, common sense bill and support the right of every property owner across America to have their day in court.

Mr. Chairman, the Chamber of Commerce, the Realtors, and the Home Builders hope my colleagues will vote for this bill, too, and oppose the Watt amendment tomorrow.

Mr. CONYERS. Mr. Chairman, I rise today to urge you to oppose H.R. 992, the so-called "Tucker Act Shuffle Relief Act of 1997."

While I support the protection of private property rights and the payment of just compensation under the Fifth Amendment, I must oppose H.R. 992 because it is unconstitutional, overrides valuable ''preclusive review'' provisions in Federal statutes, and will lead to duplicative litigation and forum shopping. The bill is strongly opposed by the administration and is likely to be vetoed.

H.R. 992 is unconstitutional because it blurs the important distinction between Article III and Article I judges by allowing Article I, Court of Federal Claims judges to invalidate Federal regulations. Only Article III courts have the power of judicial review and the power to enjoin agency actions. The Supreme Court has clearly ruled that Congress cannot grant an Article I court the remedial powers of an Article III court.

Second, H.R. 992 overrides the ''preclusive review'' provisions that are an integral part of many Federal statutes. Preclusive review provisions ensure prompt and definitive resolution of legal challenges to agency decisions by providing that challenges to the validity of a particular statute must be brought in a particular court within 60 to 90 days. Businesses and investors rely on ''preclusive review'' provisions in order to make long-term business and investment decisions with certainty.

The bill would override these ''preclusive review'' provisions and allow challenges to be brought in a variety of different Federal courts at any time. A number of major Federal statutes would be affected, including the Safe Drinking Water Act, the Resource Conservation and Recovery Act, the Consumer Product Safety Act, and the Occupational Safety and Health Act. This result would be harmful to the public and the regulated community.

Finally, H.R. 992 will lead to duplicative litigation and forum shopping. By repealing 28 U.S.C. 1500, H.R. 992 eliminates provisions in current law that prevent duplicative litigation when a similar claim has been filed or is pending in another court. This will lead to a rash of wasteful litigation and forum shopping which would unnecessarily expend limited judicial resources.

I urge a "no" vote on H.R. 992.

The CHAIRMAN pro tempore (Mr. LAHOOD). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment, and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tucker Act Shuffle Relief Act of 1997''.

SEC. 2. TUCKER ACT SHUFFLE RELIEF.

(a) IN GENERAL.—

(1) GRANT OF CONCURRENT JURISDICTION.—Except as provided in paragraph (3), the United States district courts and the United States Court of Federal Claims shall each have original jurisdiction to hear and determine all claims (whether for monetary or other relief) arising out of agency action alleged—

(A) to constitute a taking in violation of the fifth article of amendment to the Constitution of the United States; or

(B) not to constitute such a taking only because the action was not in accordance with lawful authority.

(2) ELECTION BY PLAINTIFF.—The plaintiff, by commencing an action under this section, elects which court shall hear and determine those claims as to that plaintiff.

(3) PARTIES INVOLUNTARILY JOINED.—No third party may be involuntarily joined to a case, within the jurisdiction of the Court of Federal Claims by reason of this section, if that party would be entitled to a determination of the claim with respect to which that party is joined by a court established by or under article III of the Constitution of the United States.

(b) EQUITABLE AND DECLARATORY REMEDIES.—With respect to any claim within its jurisdiction by reason of this section, the Court of Federal Claims shall have the power to grant equitable and declaratory relief when appropriate.

(c) APPEALS.—Any appeal from any action commenced under this section shall be to the United States Court of Appeals for the Federal Circuit.

(d) DEFINITIONS.—As used in this Act, the term—

(1) ''agency'' means a department, agency, independent agency, or instrumentality of the United States, including any military department, Government corporation, Government-controlled corporation, or other establishment in the executive branch of the United States Government; and

(2) ''agency action'' means any action or decision taken by an agency.

(e) CONFORMING AMENDMENT TO TITLE 28, UNITED STATES CODE, RELATING TO JURISDICTION OVER TORT CLAIMS.—Section 1346(b) of title 28, United States Code, is amended by inserting ''and the Tucker Act Shuffle Relief Act of 1997'' after ''chapter 171 of this title''.

SEC. 3. REPEAL OF LIMITATION ON FEDERAL CLAIMS COURT JURISDICTION BECAUSE OF PENDENCY OF CLAIMS IN OTHER COURTS.

(a) IN GENERAL.—Section 1500 of title 28, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 91 of title 28, United States Code, is amended by striking out the item relating to section 1500.

Amend the title so as to read: ''A bill to end the Tucker Act shuffle, and for other purposes.''.

The CHAIRMAN. During consideration of the bill for amendment, the Chairman may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Texas:

Page 3, after line 12, insert the following:

(4) PRECLUSIVE REVIEW.—The grant of jurisdiction made by this subsection does not extend to matters over which other Federal law has granted exclusive jurisdiction to one or more United States courts of appeals or district courts.

Mr. SMITH of Texas. Mr. Chairman, my colleague, the gentleman from North Carolina (Mr. WATT), has raised a concern that this bill might change the preclusive review provisions that are contained in some Federal environmental statutes. Such provisions specify that the review of the particular statutes must be handled by specified Federal courts.

The preclusive review issue is not one about substantive law, only about which Federal courts get to adjudicate a dispute regarding a particular statute. In any event, I want to reassure my colleagues that the Tucker Act Shuffle Relief Act will not modify any Federal environmental laws, so I am offering this amendment to make sure that the bill does not override preclusive review provisions.

My amendment simply states that the grant of jurisdiction made by the Tucker Act Shuffle Relief Act does not extend to matters over which other Federal law has granted exclusive jurisdiction to one or more United States courts of appeals or district courts. This shows the preclusive provisions will not be touched by this bill.

While the concern raised about preclusive review is unfounded, in my opinion, I do want to make a good faith effort to address it, so I encourage Members to support this amendment.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would inquire of my friend from Texas whether he is intending to amend, is asking unanimous consent to amend his amendment? I thought we had talked about that.

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, the amendment that I am offering now has language that has been added that the gentleman from North Carolina and I talked about earlier today, and I want to reassure him that that language has been inserted.

Mr. WATT of North Carolina. Mr. Chairman, I thank the gentleman for answering that question.

Mr. Chairman, this certainly improves the gentleman's bill, this amendment. I support his amendment fully. It does not go all the way to address the constitutional issue, unfortunately, but it addresses the issue of expedited review of cases, and that needed to be addressed, and I am glad he is doing it. I encourage my colleagues to support the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT OFFERED BY MR. WATT OF NORTH CAROLINA.

Mr. WATT of North Carolina. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. WATT of North Carolina:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tucker Act Shuffle Relief Act of 1998''.

SEC. 2. TUCKER ACT SHUFFLE RELIEF.

(a) IN GENERAL.—

(1) GRANT OF JURISDICTION TO UNITED STATES DISTRICT COURTS.—The United States district courts shall have original jurisdiction to hear and determine all claims, notwithstanding the dollar amount, arising out of an agency action alleged to constitute a taking without just compensation under the fifth article of amendment to the Constitution of the United States.

(2) ELECTION BY PLAINTIFF.—The plaintiff may elect to file separate actions relating to such claims in the United States district court and the Court of Federal Claims, or may consolidate all such claims in the United States district court.

(3) PRECLUSIVE OR EXCLUSIVE REVIEW.—Nothing in this section shall be construed to affect any provision of a Federal statute which gives preclusive or exclusive jurisdiction of a specific cause of action to the United States court of appeals or to specific United States district courts.

(4) APPEALS.—Any appeal to a ruling by the United States district court shall be heard in accordance with section 1291 of title 28, United States Code.

(b) DEFINITIONS.—As used in this Act, the term—

(1) ''agency'' means a department, agency, independent agency, or instrumentality of the United States, including any military department, Government corporation, Government-controlled corporation, or other establishment in the executive branch of the United States Government; and

(2) ''agency action'' means any action or decision taken by an agency.

SEC. 3. CLARIFICATION OF LIMITATION ON FEDERAL CLAIMS COURT JURISDICTION BECAUSE OF PENDING CLAIMS IN OTHER COURTS.

Section 1500 of title 28, United States Code, is amended by inserting '', arising from the same operative facts and seeking the same relief,'' after ''any suit or process''.

Amend the title so as to read: ''A bill to end the Tucker Act shuffle, and for other purposes.''.

Mr. WATT of North Carolina. Mr. Chairman, this amendment, now that the chairman of our subcommittee has made his amendment, the primary purpose would be to remove the discretion for a litigant to go to the Court of Federal Claims or to the U.S. district court, which I think is an unconstitutional discretion, and still give to a litigant the right to take their claim to the U.S. district court, an Article III court, and have their claim determined in its entirety.

□ 1845

They could litigate the constitutionality of the taking; they can litigate the amount of compensation they are due as a result of the taking. All of that can be addressed in the United States District Court.

In our opinion, to give a litigant the option of going to the U.S. Court of Claims, the Federal Court of Claims, is an unconstitutional act, because those judges are not Article III judges. I have already summarized that. I will not belabor that point anymore.

I do have a severe concern that the reason that this option is being offered under the bill is for political purposes. I misstated in my earlier statement, all of the 14 active judges of the Court of Federal Claims and 9 of the 11 active judges on the Court of Appeals from that court are either Reagan or Bush appointees. I think that is really what is giving this option for people to go to the Court of Federal Claims is all about.

We ought not to worry about political objective, we ought to be worrying about getting a bill that solves the problem in a constitutional way. I hope that my colleagues will support my amendment.

Mr. Chairman, Assistant Attorney General Eleanor Acheson stated precisely why, in her recent testimony before the Subcommittee on Immigration and Claims, we should oppose this amendment.

She said,

The Court of Federal Claims has developed expertise in resolving and streamlining takings litigation, and in the other complex cases within its specialized docket.

She also stated that,

Takings claims may involve extensive discovery and trial on significant issues with which a Federal District Court has little experience.

We should not discard the valuable resource of the Court of Federal Claims' expertise or its large body of case law, which has been compiled over many years. Property owners across America have the right to be heard in either the Claims Court or the Federal District Court.

Why not give property owners the option of bringing a takings claim in a U.S. District Court or the Court of Federal Claims? If the owner wants to pursue his or her claim in a court close to home, the individual can choose a Federal District Court. If the owner wants to utilize the expertise of a specialized court, the owner can choose the Court of Federal Claims. We should make it as easy as possible for property owners to have their claims heard.

My colleague is concerned that Congress cannot constitutionally give the Claims Court the authority to grant injunctive relief, but the Court of Federal Claims already has the power to grant injunctive relief in various areas, totaling about 40 percent of its docket, as I noted a minute ago.

Further, the Supreme Court has provided us with a test to judge whether Congress can give the Court of Federal Claims the power of injunctive relief in different circumstances. If we apply these tests found in the cases of Northern Pipeline and Commodity Futures, the result is very clear. Congress can grant the Claims Court the powers of injunctive relief in Fifth Amendment takings cases.

There are some, and I certainly do not put my friend, the gentleman from North Carolina (Mr. WATT) in this category, but there are some who say they are for property rights. What they mean is that they are for property rights in the abstract, for property rights theoretically, for property rights idealistically, but when it comes to helping real people with real problems, somehow they can never be found.

This bill is a fair, straightforward, commonsense way to give every property owner across America their right to choose the court that they think is best for their claim, either the Claims Court or the Federal District Court.

This amendment would destroy that option for every property owner in America. The underlying bill is supported by such organizations as the National Association of Realtors, the National Association of Home Builders, and the U.S. Chamber of Commerce. These groups also oppose the weakening amendments, such as this one. So I hope tomorrow, when we ultimately vote on this amendment, there will be strong bipartisan opposition to it.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. EWING) having assumed the chair, Mr. SUNUNU, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 992) to end the Tucker Act shuffle, had come to no resolution thereon.

WAIVER OF APPLICATION OF SUBSECTIONS 402(a) AND (b) OF TRADE ACT OF 1974 WITH RESPECT TO VIETNAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–227)

The SPEAKER pro tempore. laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

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.*

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida [Ms. ROS-LEHTINEN] is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

(Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FILNER] is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SMITH] is recognized for 5 minutes.

(Mr. SMITH of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. WOOLSEY] is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. KLINK] is recognized for 5 minutes.

(Mr. KLINK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

JUSTICE FOR THE FLATOW FAMILY AND A TOOL AGAINST TERRORIST ATTACKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

Mr. SAXTON. Mr. Speaker, today was a momentous day for many of us who have worked for over a year to accomplish what I guess I would describe as a very, very important and worthwhile goal.

On April 9, 1995, a young lady by the name of Alicia Flatow was the victim of a terrorist attack as a college student while riding in a bus in the Gaza strip. Soon after the terrorist attack, the Islamic Jihad claimed responsibility.

Then about a year and a half ago, Alicia's father, who was a resident of New Jersey, Steven Flatow, came to visit me in my office with his attorney, Steve Perles, from Washington, DC. It seems that they had filed suit against the Islamic Republic of Iran for the part they played in this terrorist attack, and for allegedly supporting the terrorist attack.

I was informed by Mr. Flatow and his attorney that in filing and successfully pursuing such a court case, that momentous expenses are incurred, and at the most, under then current law, under then law, that law that existed at that time, a year and a half ago, the most that could be recovered would be something slightly over $1 million, and that in order to pursue a proper remedy, that Federal law would have to be changed to permit recovery for punitive damages.

I went to see the gentleman from Illinois [Mr. HENRY HYDE], explained the situation to him, and he agreed that if the chairman of the Committee on International Relations also agreed, that we would make the appropriate change in the law. We did, and in the Senate, Senator LAUTENBERG lent his hand, and the change in the law was made.

Today, at a little after 10 o'clock this morning, Federal District Judge Royce Lambeth issued the statement in which was embodied his decision. The State of Iran this morning was entered against a judgment for $247 million for the part they played in the killing of young Alicia Flatow. This is justice for the Flatow family. It sadly does little to remedy the damage that was done to the young lady, but it is some form of justice to the family.

But just as importantly, perhaps more importantly, we have established through law and through now judicial process that there is yet another tool that the citizens of the United States of America have available to use against terrorist attacks like the one that occurred on April 9, 1995, in the Gaza strip.

I hope that the message goes out loud and clear to terrorists around the world, wherever they may be, and would-be terrorists, and, importantly, very importantly, today's governments around the world that are known to be supporters of terrorism, that the United States and the citizens of the United States and the Congress of United States and the court system in the United States, that none of us are going to rest easy until every act of terrorism is stopped.

Today was a good day in our fight against terrorism, but we must be determined to carry this battle further in the days ahead. So today I thank all of those who were involved in this process. I thank the gentleman from Illinois [Mr. HENRY HYDE] for the part he played, the gentleman from New York [Mr. BEN GILMAN] for the part he played, and the court system and Judge Royce Lambeth for the part he played.

□ 1900

EVERY AMERICAN MUST COUNT

The SPEAKER pro tempore (Mr. EWING). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, today I rise to discuss an issue that is critical to democracy, fairness and representation in this country. The issue to which I am referring is the year 2000 census.

As a newly appointed member to the Subcommittee on the Census, I look forward to working closely with other members to make sure that every citizen in America is indeed counted. Since 1790, during the first census, there was a significant undercount, especially among the poor and disenfranchised. Two hundred years later, in 1990, it is estimated that the census missed 10 percent of the population or 26 million people. Most of those who were not counted were poor people living in cities and rural communities throughout America, African

Americans, Latinos, immigrants and children.

The City of Chicago's undercount was about 2.4 percent and the African American undercount was about 5.6 percent. We can ill afford to have a count in the year 2000 that does not include every American citizen. Too much is at stake.

The census count determines who receives billions of dollars in Federal aid. Every year census information directs an estimated $170 billion in Federal spending. Census data helps to determine where the money goes for better roads, highways and transit systems, schools, senior citizen centers, health care facilities and programs for Head Start and school lunches. In addition to money, representation is at stake. Congress, State legislatures, city councils, county boards and other political subdivisions are redrawn as a result of the census count.

There are some in this body who would deny representation and resources to millions of citizens in the name of maintaining the status quo. Under the Census Bureau's plan, everybody counts. All Americans will be included in the census. But if we keep taking the census the old way, we will continue to miss millions of people, and one might wonder if we have learned anything since 1790.

I was always taught that those who failed to remember the mistakes of the past are doomed to repeat them. I have learned from the past, and the past dictates that the old way of trying to count every citizen will not work. Therefore, business as usual is unacceptable, and we must begin to do things a new way.

In addition to making sure that every American counts, the Census Bureau's plan of sampling will save the taxpayers hundreds of millions of dollars. Let us put politics aside and use a method that the experts agree will yield the most accurate count. The experts have stated that if statistical sampling is not used to conduct the 2000 census, then the question we will ask is not whether the census was accurate, but how many people did we miss.

I urge grassroots organizations all over America, as well as the more traditional ones like the NAACP, Urban League, fraternities, sororities, churches and other groups to become actively involved in trying to make sure that all of our citizens are counted. Let us remember, if you are not counted, then in reality you do not count. Census-taking must be a high priority and sampling is the most professional way to make sure that there is no significant undercount.

The SPEAKER pro tempore (Mr. SAXTON). Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

(Mrs. MALONEY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE PLIGHT OF SMALL FARMERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I rise this evening to urge my colleagues to be a part of legislation that will help many farmers and ranchers who are struggling to survive. There are two initiatives that I and others will introduce to respond to serious problems confronting this Nation's farmers and ranchers, particularly small farmers and ranchers.

First, the onerous provisions of the 1996 farm bill that ban family farmers and ranchers from receiving a loan from the United States Department of Agriculture if a previous loan had been written down are causing many farmers and ranchers to go out of business. We must correct the credit barriers created by the 1996 farm bill.

Farmers who have had credit problems under that bill are treated worse than persons who are declared in bankruptcy. Work is in progress for the legislation to fix this problem.

Another damaging problem is the continuing and very real threat by the Department of Justice to issue an opinion stating that the complainants in discrimination cases that did not file a lawsuit within 2 years cannot get money damages even if they show discrimination. The Department has taken that position because of its interpretation of the law regarding the statute of limitations.

When that decision is issued, and if it holds, complainants in many of the pending cases are at risk of getting nothing for a lifetime of suffering. Again, without relief in cases where relief is merited, small farmers and ranchers who have been discriminated against will be driven out of business. We cannot tolerate that result.

Farmers have been important to this Nation's past and farmers are vital to this Nation's future, especially the small family farmers and ranchers.

American producers, who represent less than 3 percent of the population, provide more than enough food and fiber to meet the needs of our Nation as well as many nations overseas. Our Nation's farms have changed greatly since the late 1950s. In 1959, there were more than 2.4 million small farms, those less than 180 acres in the United States, and over 172,000 farms in North Carolina, representing 6.9 percent. By 1978, the Nation's number of small farms had declined to a little over 1.3, a loss of 1.1 million small farms. In that same period, North Carolina lost 106,262 small farms, bringing its total to 66,091 small farms.

It is important to note that by 1990, almost a quarter of all small farmers had income below the poverty line, more than twice the Nation's average. And by 1992, there were only 1.1 million small farms left in the United States, a 45 percent decline from 1959. North Carolina had only a little over 39,000 farms left in 1992, a decline of 23 percent.

Several factors have accelerated the demise of small producers: globalization of commerce, economies of scale, limited access to capital and technological advances. The existence of worldwide markets for all commodities, not just agriculture commodities, have created unique market forces and pressures that producers of the past did not have to compete with. But now American producers have to cope with the substantially larger and less accommodating world markets in which to vend their merchandise with competitors who play by sometimes significantly different rules.

With regard to technology, inventions have paved the way for substantial high-level mechanization and modern agriculture, but the technological advances usually come at a very high price and one that most often small farmers are unable to afford. Often small producers are also limited-resource producers. These disadvantaged farmers many times have severe constraints in access to capital for various reasons, including the sheer lack of collateral, the inability to demonstrate the wherewithal to repay a loan and the paucity of funds made available by such lending institutions.

However, all these have had an even sharper influence on minority farmers and ranchers. Indeed, we know that we must correct this issue, Mr. Speaker.

I urge my colleagues, as they will consider this legislation as it comes before them, that we cannot allow small farmers and small ranchers not to have this legislation.

Economies of scale are factors as many small producers do not have the tools necessary to achieve the most efficient methods of production as they frequently are priced out of the market for implements, land and other inputs. Also one must be cognizant of the impact of vertical integration, concentration and contract farming on the role of the twentieth-century producer.

However, the aforementioned factors have had an even sharper influence on minority farmers and ranchers. In 1920, there were over 6 million farms in the United States and close to sixth—926,000 were operated by African-Americans. In 1992, the landscape was very, very different. Only 1% of the 1.9 million farms in the United States are operated by African-Americans.

One-percent—18,816, is a paltry sum when African-Americans comprise 13% of the total American population. In my home state of North Carolina, there has been a 64% decline in minority farmers, just over the last 15 years, from 6,996 farms in 1978 to 2,498 farms in 1992.

There are several reasons why the number of minority and limited resource farmers are declining so rapidly, but the one that has been documented time and time again is the discrimination in the credit extended from the Department of Agriculture, the very agency established by the U.S. government to accommodate and assist the special needs of all farmers and ranchers.

Mr. Speaker, at the end of each day, those of us in government must be honest and answer the question, by our policies, who have we helped and who have we hurt?

The priorities of the United States, make a statement about who we are and where we stand. It signals to our citizens and to the world the principles by which our lives are governed.

I urge each of my colleagues to be continually dedicated to the small farmers and ranchers of our great nation by becoming an original co-sponsor of legislation that will soon be introduced to fix the credit and statute of limitations problems.

ENACT H.R. 3411, THE COMMISSION ON AMERICAN MATHEMATICS LEADERSHIP ACT, TO REFORM MATH EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Yesterday I introduced a bill, H.R. 3411, establishing the Commission on American Mathematics Leadership to improve the way mathematics is taught in our Nation's schools.

The need for this bill is clear. Just 2 weeks ago the most comprehensive and rigorous international comparison of mathematics education ever undertaken revealed American high school seniors, even our Nation's best students in advanced classes, to be among the world's least prepared. The results of this study, the Third International Mathematics and Science Study, called TIMS, cry out for comprehensive reexamination of our current approach to mathematics education in the United States.

As part of the study, in the spring of 1995, fourth, eighth and twelfth graders from more than 40 countries, including the United States, were tested. Asian countries did not participate. The twelfth grade examination was comprised of four separate parts, testing general mathematics, including fractions and percentages, graphics and algebra, as well as advanced mathematics including calculus, geometry and equations.

In the general knowledge of mathematics, American twelfth graders did better than students in only Cyprus and South Africa. Students in four countries, Italy, Russia, Lithuania and the Czech Republic, performed at the same level as those in the United States. Meanwhile, 14 countries, led by the Netherlands and Sweden, outperformed the United States.

In the category of advanced mathematics, tests given to students who had taken or were taking precalculus, calculus or advanced placement calculus, 11 countries outperformed the United States and no country performed worse.

The study indicates that our Nation's mathematics deficiency lies with the systematic instruction of mathematics and not in the abilities of our students. This is made clear by the fact that fourth graders do well, while eighth and twelfth graders struggle. In fact, the work of American fourth graders is quite strong in math when compared to similar students in other countries.

Equally upsetting is the fact that American students fared poorly in math even though they expressed more enthusiasm for learning the subjects than their peers in other nations. The results of this review are disappointing and unacceptable.

As the chair of the Subcommittee on Technology of the House Committee on Science with jurisdiction over our Nation's technology and competitiveness policy, I find that there is a direct correlation between the ability of the United States to compete internationally and mathematics skills. The requisite expertise needed for technology jobs, in this ever more technologically advanced world marketplace, runs the spectrum from programming, designing systems, trouble shooting and serving clients, among others. All of these talents are reliant upon the concepts of basic and advanced math.

Without these skills, our Nation's technology work force will soon fall far behind our global competitors, further behind, I should say. Exacerbating the international competitiveness concerns is the technology work force shortage facing our Nation. The Department of Labor projects the doubling of the demands for computer scientists, engineers and systems analysts over the next 10 years, an increase of more than 1 million high-skilled high-wage jobs. Yet today many employers report difficulty in recruiting enough workers with these skills despite aggressive retraining and hiring programs.

There is no time to lose, especially for many young Americans. Students must simply become better educated about basic math and their own economic future. Since 1976, workers with wages in the 50th percentile have lost about 15 percent of their earning power while the lowest tenth have lost 25 percent in real wages.

So as we approach the new millennium students underprepared for the workplace are likely to see their wages decline further.

Mr. Speaker, at the start of this decade our Nation's governors set the goal of making American students first in the world in mathematics. The results of the TIMS study demonstrate how far we have to go to reach that goal. So today I urge my colleagues to join with me to renew that lofty goal. We must use the TIMS study as a wake-up call to revamp the culture of math instruction from top to bottom.

I believe the first step necessary to reverse our Nation's declining math proficiency is enactment of the bill that I introduced, the Commission on American Mathematics Leadership Act.

□ 1915

The duties of the blue-ribbon commission will be to review the existing research base on mathematics education leadership, including the status of math education in the United States relative to international competitors, proposed professional development priorities to assure that the teaching of math at all educational levels in the United States is strengthened, and to propose a new direction and new ideas to assure our students are world class achievers in mathematics.

The bill I have introduced is also introduced in the Senate, a companion bill, by my distinguished colleague, Senator FRIST of Tennessee. It has been referred to both the Committee on Science and the Committee on Education and the Workforce. I look forward to working closely with my good friends, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Pennsylvania (Mr. GOODLING), to enact this important bill.

CONGRESS MUST PASS LEGISLATION REFORMING THE IRS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, today we are 35 days away from April the 15th, a dreaded day for every American taxpayer. As we all struggle through this burdensome time of year, please allow me to share with my colleagues some facts.

The average American family today pays more in taxes than it spends on food, clothing and shelter combined. Mr. Speaker, I want to repeat that. The average working family in America today pays more in taxes than it spends on food, clothing and shelter combined.

The Gettysburg address is only 269 words, the Declaration of Independence is only 1,337 words, and the Holy Bible is only 773,000 words. However, the tax law has grown from 11,400 words in 1913, to 7 million words today. I want to repeat that. The tax law has grown from 11,400 words in 1913 to 7 million words today.

There are at least 480 different tax forms. The easiest form, the 1040 EZ, has 33 pages of instructions, all in fine print. As a result, Americans devote 5.4 billion hours, 5.4 billion hours, to complying with the Tax Code each year, which is more time than it takes to produce every car, truck and van made in the United States. I think that is worthy to be repeated also, Mr. Speaker. Americans devote 5.4 billion hours to complying with the Tax Code each year, which is more time than it takes to produce every car, truck and van made in the United States.

Americans also spend $200 billion each year on tax lawyers, accountants and other costs associated with tax law compliance. The IRS sends out 8 billion pages of forms and instructions each year, which, if laid end to end, would stretch 28 times around the earth. I want to repeat that. The Internal Revenue Service sends out 8 billion pages

of forms and instructions each year which, if laid end to end, would stretch 28 times around the earth.

The IRS, the Internal Revenue Service, employs 114,000 people. That is twice as many as the CIA and five times more than the FBI.

Unfortunately, I could go on and on with equally horrifying facts. The American tax system is simply out of control. Our families and businesses are facing a burden that is far too high and this Congress must do something to help them.

Last year we provided the first tax relief in 16 years, and that is a good start, but, Mr. Speaker, it is not enough. The American tax burden is much more than the size of the check we write to the Internal Revenue Service each year. It is also the difficulty in cost of complying with a lengthy and complicated Tax Code.

The best thing that we can do to help families and businesses nationwide is to give them a simpler, fairer tax system. This will give families more time to spend together, it will give businesses more time to do their business, and it will allow everyone to keep more of their hard-earned dollars.

I know that a reduced tax burden is appealing to people in my district, the third district of eastern North Carolina. Somehow I imagine that people throughout this Nation think it is a pretty good idea also.

Mr. Speaker, I urge my colleagues to join those of us in this Congress, bipartisan, to reduce the tremendous burden American taxpayers currently face. Bills have been introduced to sunset the Tax Code and to replace it with a fairer and simpler tax system. It is critical that we pass this legislation and start the debate about how exactly to give the taxpayers the relief they deserve. Whether it be a flat tax or a national sales tax, or another modification of the tax system, the American people need this and deserve this.

This debate will separate those of us on both sides of the aisle who are serious about tax reform from those who simply talk about it. Talk is cheap. Actions speak louder than words. Mr. Speaker, we have an opportunity in this Congress, the 105th Congress, to bring relief to the American taxpayers and it is something we need to do.

I urge my colleagues to pass this legislation for the sake of the American people. Let us eliminate the Internal Revenue Code and replace it with a fairer and simpler tax system.

NATIONAL SECURITY AND MILITARY READINESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. HUNTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. HUNTER. While the Speaker is there in the Speaker's chair, I want to thank the gentleman for what he has done to help bring our military forces at least to the state of readiness they are at today. As a friend on the Committee on National Security, the gentleman has worked long and hard to see to it that we have sufficient airlift to move our forces around the world.

I am here, Mr. Speaker, to speak about national security. We are in this great Chamber, the Chamber where, according to Alexander Hamilton, the people rule, and our first constitutional duty to our people, to our country, is to defend them. And yet, Mr. Speaker, over the last several years, under the leadership, if we can call it that, of the Clinton Administration, we have been abandoning our first duty to the people of the United States in that our military forces are much smaller than they were 6 years ago, and they are not ready, Mr. Speaker, to fight and win two regional conflicts. And that is the standard that we set for our armed forces.

Now 5 years ago when we fought Desert Storm we had 18 army divisions. Today we only have 10. We had 24 fighter air wings. Today we only have 13. The Clinton Administration has cut our air power almost in half. And in those days we had 546 naval ships. Today we only have about 333 ships in the U.S. Navy, so they have cut the Navy by about 40 percent.

Now, Mr. Speaker, we in the Congress obviously produce the defense authorization bill, and if we do not produce a bill that is signed by the President this year, that puts enough money in spare parts, ammunition, fuel, training and other aspects of readiness, as well as in modernization, and that means buying new equipment to replace the old equipment, then we are doing a great disservice to every young man and young woman who goes down to a recruiter and signs up to be in the U.S. military.

We have been having hearings around the country. The other day my great colleague, the gentleman from California (Mr. DUKE CUNNINGHAM), who has also a seat made in San Diego, and I and a number of other Members, the gentleman from Pennsylvania (Mr. MCHALE), and of course the gentleman from Virginia (Mr. HERB BATEMAN), who is the chairman of the Subcommittee on Military Readiness, the gentleman from Texas (Mr. SOLOMON ORTIZ), the gentleman from Guam (Mr. ROBERT UNDERWOOD), and the gentleman from Utah (Mr. JIM HANSEN) all participated in a readiness hearing. We had that hearing on the Constellation, the United States aircraft carrier stationed in San Diego.

The testimony that came back from not only the leadership in the Navy, the people that wear the stars on their shoulders, the admirals, but also the enlisted people, was very disturbing, and I want to give my colleagues some of that testimony today, Mr. Speaker.

First, let us hear from Archie Clemmins, Admiral Archie Clemmins, who is the Commander-in-Chief of the United States Pacific Fleet. And he said this: After decades of requirement driven operations, we are now asset limited. In the past, decisions to commit forces were guided by requirements. Now we determine the level of peacetime commitment based upon forces available. Instead of meeting all requirements, we must prioritize missions and then assign increasingly scarce resources. This is becoming more difficult as U.S. leadership and interests dictate an increase rather than a decrease in forward deployed naval forces.

And he closed with these words in his statement: The net effect is that we are stretching our forces to the limit. He said further: In the past 4 years, we have reduced our personnel force size by over 22 percent while maintaining recruiting standards and keeping faith with the career force. Although we have been manning our deploying ships at adequate level, we are experiencing manning shortfalls that have grown into readiness concerns.

Now that means, Mr. Speaker, that these 333 ships in a Navy that used to be 546 ships are having to operate at an increased OPTEMPO. That means that they are on deployment more often than they were 5 or 10 or 15 years ago, even during the Cold War. And that means that a young sailor who goes off on a 6-month cruise, or a young marine who goes off on a long deployment to Bosnia, or in days past Somalia or Haiti, now comes home and before he can spend time with his family, he is told that he has to leave again on another deployment; or he has to go with his ship while it is being repaired, given an emergency overhaul at some other port, and he is home just in time, has just enough time basically to hug his family, kiss his wife good-bye and leave.

After a period of time, Mr. Speaker, the American personnel who are serving in the uniform say, that is it, I have had it and I am leaving the service. Even today, and this was testimony throughout our hearings, pilots, who are a very, very critical component of our military forces, are in declining number. It is tougher to retain them. They are leaving and going other places.

Now, there are a lot of reasons given for that. Some of the reasons, theoretically, are monetary reasons. They can fly for airlines. It is a little easier job than being deployed for 6 months at a time on an aircraft carrier. But morale is low. And morale is low partly because of that OPTEMPO, because we have this fleet with decreasing resources.

And this budget that President Clinton has given to us is $100 billion less than the budget that Ronald Reagan gave to us in the mid-1980s, using real dollars. So it could be dollar driven, but it is also morale driven in the sense that these people are seeing that we do not have the spare parts that we need. And that means that when a petty officer, and this was testified to us, when

a petty officer goes to a shelf and reaches for a component now for a part, he cannot find that part. It is not there because we did not buy it for him.

So now he has to go to one of the airplanes that we have in the fleet that is stationed on deck and he has to take that part out of the airplane. That is called cannibalization. Eating your own. It is like a farmer who has two hay bailers and he robs parts off one hay bailer so he can make the other one work. The problem with that, of course, is that you get to the point of no return with the first airplane just like you get to the point of no return with the first hay bailer and it becomes just a parts machine. All it is good for now is taking parts off of it. And if we do try to restore it, now we have to spend the manpower getting the extra part that was robbed off it to make the other plane work and you have to spend a lot of time putting that part back into the plane that was robbed.

So we are taking readiness dollars in several ways. We are taking a lot of manpower dollars.

Now, let me go to a statement by General David A. Bramlett, commander of the United States Army Forces Command. He said: Today our biggest concern is resource. The bottom line is that for fiscal year 1998, FORCECOM has fewer dollars than last year in operation and maintenance funding, roughly a 9 percent decrease in constant dollars. In sum, it is and will continue to be increasingly difficult to balance the requirements of go-to-war readiness, infrastructure and quality of life at current and anticipated levels of funding.

What that means is they leave old barracks and old houses for our military families. A corporal and his wife and couple of kids may be asked to live in a home that he can be absolutely ashamed of because Uncle Sam does not have the dollars to fix that home or to give him a better one because of the fact he has had to take that money and use it for fuel or spare parts to keep part of our military operating.

□ 1730

Now, let me refer to another gentleman who testified. This is commander Terry Kraft, United States Navy, Commanding Officer Tactical Electronic Warfare, Squadron 131. Commander Kraft said, ''Another example of one of the frustrations present in our current situation is part support. Available parts go first to deployed squadrons, as they should. The challenge lies in obtaining parts for the jets needed to train when not deployed. Cannibalization has become routine for my squadron.''

Mr. Speaker, we live in a time when our economy is extremely robust. We have lots of money circulating in this economy, lots of government revenue. We are supposed not to have any deficit this year. And yet, we have a military that has to cannibalize some of its airplanes so that the other airplanes can fly.

One other important area, Mr. Speaker, is ammunition. I asked the Marine Corps and the Army and the Navy to tell me if they had enough ammo, and if they did not, how short they were. The Marine Corps is $193 million short of the basic ammunition supply that it needs under its definition of a two MRC. That means two-conflict scenario. Incidentally, a two MRC scenario presumes that we might have to fight Desert Storm again in the Middle East, and we might have to fight almost at the same time as a conflict in Korea.

Well, the United States Marine Corps, which is our 911 force, those are the guys that go in first and sometimes they take enormous casualties. They are $193 million short of their basic ammo supply. We ought to be ashamed of that, Mr. Speaker. The Army is $1.7 billion short of its basic ammunition supply. And the Navy is over $300 million short of its basic ammunition supply.

So Mr. Speaker, we are disserving the American people. And the American people may not think a lot about national defense right now, now that the crises with Saddam Hussein seems to be momentarily past us. But there is going to be a time when we have another conflict, another war, and the American people are going to turn to us and say, ''Why did you follow the Clinton administration when it slashed national defense?''

Mr. Speaker, I hope that in this cycle, in this funding cycle, we restore the massive cuts that have been made in our readiness so that we do not have to stand there before the American people after a lot of casualties have been taken on the Korean Peninsula or in the Middle East with no answers for the American people who are asking that question after their sons and daughters have gone off to fight a war that we did not have them prepared for.

So Mr. Speaker, I see over here I have my good friend, the gentleman from North Carolina (Mr. JONES), who is an outstanding member of the Committee on National Security, along with you, Mr. Speaker; and I would like to yield to my colleague.

Mr. JONES. Mr. Speaker, I thank the gentleman from California very much for yielding.

I really wanted to make a brief statement. Then I have got a couple questions I would like to ask him. I first want to thank him for the leadership he, as well as the Speaker and other Members, provide on the Committee on National Security. It is because of his experience and his knowledge, he is a former veteran himself, that he is able to help those of us who are new on the committee understand the threat and importance of trying to rebuild our military, which I think has taken unbelievable cuts over the last several years. And before I ask the question, I wanted to make the statement, because I know of also his interest in our retirees, those who have served this Nation both in wartime and peacetime.

I believe I read recently, and correct me if I am wrong, that the President has recommended approximately a $300 million cut in veterans health care benefits and at the same time asking for a 38 percent increase in funding for the National Endowment for the Arts and some of his other social programs. To me, that is a tragedy when we turn our back on those who have served our Nation again, whether it be peacetime or wartime.

My colleague touched on deployments earlier. Would the gentleman please verify for me and expand if he can. Is it true that since President Clinton has been our President that we have been on 25 deployments? And if that is true, could you approximate the cost of that and where those monies come from.

Mr. HUNTER. Mr. Speaker, reclaiming my time, yes. In fact, our good colleague, the gentleman from Pennsylvania (Mr. WELDON), who is chairman of the Subcommittee on Research and Development, has developed these facts. In the last 5 years or so, we have deployed over 25 times. And that corresponds or can be compared to about 10 deployments, major deployments, in the previous 10 years.

So the ironic facts are that, while Ronald Reagan and George Bush stood up to the Soviet Union and brought down the Soviet Union with the policy of peace through strength, this President has cut defense almost in half and yet, with a series of operations, so-called peacekeeping operations, in Somalia and Haiti and Bosnia and other places, has stretched our forces to the limit. And the price tag that I have seen on the total of all these deployments is in excess of $13 billion. That is the information that I have on it. And, yes, there have been 25 major deployments.

The other thing that the gentleman needs to know is this: We put together a defense budget that was based on what it would take for us to maintain our Armed Forces and we did not count the deployments. So it is like having a family put together their yearly budget and they say, okay, we are going to spend so much for our house mortgage, so much for our car payments, so much for gas, and we are going to eat at home, so, so much for groceries each month; and then they have a death in the family or sickness in the family and they have to travel halfway across the country and they have got to stay at grandma's, and they have got to help somebody out on a trip that takes 5 weeks or 2 months. They will notice that their family budget goes far beyond what they had programmed it for because they have an emergency or a contingency they did not plan for.

All of those 25 deployments that the gentleman from Pennsylvania (Mr. WELDON) talks about and that the

chairman of the Committee on Armed Services, Committee on National Security Committee, the gentleman from South Carolina (Mr. SPENCE), our great chairman, talks about, all of those deployments were taken out of our budget. We were not given any extra money to do that.

So what happened? We said, okay, the President says we are going to go to Bosnia. He says, ''You go find the money,'' to the military leadership. So they go to the aircraft repair commands. ''You guys cannot repair as many aircraft as you thought you were going to have to repair.'' And the gentlewoman from Florida (Mrs. FOWLER) brought this up today. We have over 100 aircraft awaiting repair. We have over 100 engines that are in repair that are backlogged on depot level maintenance.

So the President's military leadership goes and says stop repairing those planes. We need the money to pay for fuel and to pay for the other necessities to take our forces halfway around the world to Bosnia, and we are going to take it out of your repair budget.

Then they go to the Marines, perhaps; and they say, hold up. Do not buy that ammunition you were going to buy with the money that Congress gave you. We are going to use that money to fly you across the world to Somalia. You are going to run an operation there or to Bosnia. So what happens is, that money is taken out of our hide. It is taken out of the military forces accounts that they were going to use to modernize.

So we now have what is known as a supplemental coming up. That means, when you have an emergency, you try to pay for it. We cannot afford to take that out of the military's own hide right now, because they already have a shortage of spare parts. They have got a shortage of ammunition. They have got a shortage of personnel incentives to keep those pilots in the service.

If we rob them of this money to pay for this commitment in Bosnia that they did not ask for, but we placed on them, then we are disservicing those people.

Mr. JONES. Mr. Speaker, let me tell the gentleman as chairman of the Subcommittee on Military Procurement, I say that respectfully for those who might be watching, the gentleman from Texas does such an outstanding job.

I have three bases in my district. I have Seymour Johnson Air Force Base, I have Camp Lejeune Marine Base in Jacksonville, North Carolina, and I have Cherry Point Marine Air Station in Havelock, North Carolina.

During the Christmas break, I had the occasion to meet with two pilots from Cherry Point off base, out of uniform. I was distressd with what they told me. These are young men in their early thirties, mid thirties and wanting to make a career out of the Marine Corps.

Again, they are telling me how they are being restricted as it relates to their flying time, to their combat practices. When you are making all these comments, I want the people that might be watching tonight, the American people, to know that we are talking about readiness.

We are telling our pilots, as you were saying, we do not have enough money for you to get up there and do what you need to do to be at a razor sharp edge so that you can defend this Nation. You can take care of yourself. You can take care of that plane.

I get a little frustrated, and I guess that is why I am kind of fumbling, to see, as the gentleman made mention in his comments, these fine young men and women that are dedicated to this Nation.

I am afraid that, too many times, all of us as American citizens take our military for granted. We do not think about what they need, what we need to do to have a strong military until they are called upon.

I want to thank the gentleman from California (Mr. HUNTER) and the gentleman from New Jersey (Mr. SAXTON) who is now on the floor. I am sure he wants to engage in some discussion in just a moment.

But I think that the gentleman from California talks about the deployment and what it has cost, and I want to ask him a question because of his experience and expertise being in the position he is in. We talk about China. We talk about Iran. We talk about Iraq. Can you tell me how, let us take China for an example, how they are building their military. Are they somewhat stagnated, or are they spending money to build a strong military?

Mr. HUNTER. I thank my good friend, the gentleman from North Carolina for the question. I want to say, also, that the gentleman from South Carolina is one of the finest members of our committee. We really appreciate him and all the hard work that he does on the subcommittee. He is always there and stays late. He is usually there with the other gentleman who is here right now, the gentleman from New Jersey (Mr. SAXTON).

Mr. JONES. I must tell the gentleman, he said South Carolina. I know he meant North Carolina.

Mr. HUNTER. I meant North Carolina.

Mr. JONES. You have been in that campaign. I want you to come back.

Mr. HUNTER. I am from southern California, so I think everything is the south. But I thank my friend for correcting me.

With respect to China, China is trying to step into the superpower shoes that were left by the Soviet Union, and I think their intent toward the United States is best manifested by the fact that their most recent purchases from Russia have been antiship missile cruisers. Now, those are ships that were built by Russia with one goal in mind, and that is of destroying American aircraft carriers.

You may recall that we embarrassed China with respect to the Taiwan crisis. We moved the fleet in, and we backed them down. They were throwing missiles over the bow as the Taiwanese were trying to hold their elections. They were embarrassed by that, and I am sure their military vowed to never have it happen again.

So they have been going about the task of acquiring a lot of missile capability, some of it supersonic, some of it with the ability to zig and zag so that our antimissile shipboard defense systems will not be able to hit them. They are doing that for one reason. They want to be able to sink our ships and destroy the young men and women that operate those ships.

China is becoming very aggressive. They have made very aggressive statements about us. During the Taiwan crisis, one of the diplomats said we hope the people of America care more about Los Angeles than they do about Taiwan. That is a very naked threat to use nuclear weapons on an American city, something you would never get from the Soviet Union.

We thought the Soviet Union was bellicose and threatening, but the Chinese have been building a lot of military capability. They are buying a lot of high-tech capability from the Russians and from other countries that have technology, some of them western countries, unfortunately.

They have got about 42 supercomputers that they bootlegged out of the United States and that they got past an acquiescent Clinton administration review. The Clinton administration has not done a good job of keeping the supercomputers out of the hands of the people that are now using them, some of them in their military nuclear complex, building nuclear systems that are to be targeted at American cities.

But you mentioned one thing I want to bring back to your district in North Carolina. You mentioned sitting down with your pilots and talking with them and their concern about lack of spare parts. Let me give you the mirror of that discussion that you have had in informal discussions.

We had this hearing on the carrier, the USS *Constellation*, in San Diego last week. This is what one of our people said, Commander John Hults, Commanding Officer of the Strike Fighter Squadron 113. This is what Commander Hults said.

□ 1945

He said, ''Very simply stated, my job is to get all of my pilots into the cockpit enough to make them proficient in all of our primary mission areas.'' That sounds logical. ''In order to achieve that, the training and readiness matrix that we use to report our level of readiness requires that each Hornet pilot,'' that is an F–18, ''fly 32.8 flight hours per month.''

Here he says it. ''The reality is that we don't have the necessary resources available to us to attain or maintain

that level of readiness.'' That means that those young pilots in Commander Hults's squadron, if they have to enter into a combat situation in the Middle East or in Korea in the near future, will not have the training that we said they needed to have to make them proficient. The reason they did not have the training is because this government in Washington, D.C., while they felt we had plenty of money to spend on the National Endowment for the Arts and a lot of other things that have at least what I would call marginal value added to this country, we did not see clear, our government, to give the resources to our pilots and to pilot training.

He goes on and he says this. ''The number one resource challenge that we face is low aircraft availability. The primary reason is that we don't have enough spare parts in the F/A–18 community. This lack of spare parts is the cause of a snowball effect that can be felt throughout the squadron. The fewer parts we have, the more cannibalization we have to do.''

He brings up that word again, robbing one airplane so that another one can fly, ''The more cannibalization we have to do, the more maintenance man-hours required; the more man-hours required, the longer the workday, which affects morale and leads to retention problems.''

So he has brought this back to why people are leaving these critical positions in the armed forces right now. Low morale.

One thing Ronald Reagan did when he came in in 1980 was put in enough increases in our military budget to put those spare parts on the shelf and to pay our people adequate pay, and to carry that flag high, to establish a policy in this country that we would achieve peace with our allies and our adversaries through American strength.

Commander Hults goes on. He says, ''Our noncombat expenditure allowance, which is the ordnance we are given for training, doesn't allow us to practice with the weapons we will realistically use in combat. Among our modern-day weapons of choice for combat are the various laser-guided bombs that provide pinpoint delivery accuracy and, therefore, minimum collateral damage and minimum numbers of aircraft required to send into harm's way.'' We all remember that.

Americans who watched CNN and watched the war in the Gulf remember perhaps the world's luckiest taxicab driver; it was that taxicab that was going across the Iraqi bridge. The American airplane came in and instead of delivering as we did in the old days in World War II, in Vietnam and Korea literally a blanket of hundreds and hundreds of bombs, hoping that one of them or two of them would hit the bridge at a key point and knock it out, we delivered one bomb into that bridge and we set it right into a strategically placed strut on that bridge and just as the taxicab driver got to the end of the bridge and got safely off of it, that bomb hit. One single bomb, that is the precision-guided munition that Commander Hults is talking about. But he says we need to train with those bombs.

Then he goes on to say this. He says, ''Unfortunately, we don't get any of those in our noncombat expenditure allowance, and I currently have only one pilot in my squadron that has ever carried and delivered one.'' That means that if Commander Hults is in a combat situation over Iraq in the next several months and he says, ''I have two bridges I have to knock out. Has anybody ever dropped one of these laser-guided bombs?'' he will have one man who says, ''I've used them before, Commander,'' but he will not have anybody else. So he will have to either take a chance that a brand-new rookie with that piece of equipment can learn enough to do the job, or he is going to have to send that same pilot that knocks out the first bridge, the only guy he has got in the squadron who is qualified, to do the second bridge.

It is just one of thousands of examples, but it is an example of how the policies that we set here and the inadequacy of military spending that we have established as a policy here have a harmful effect on two things, our ability to defeat the enemy in combat, and secondly, the disservice that we do to our young men and women who put on the uniform expecting to get the very best in equipment and training, who are shortchanged as a result of that.

I thank the gentleman for letting me give that lengthy explanation, and I yield to him for any other questions.

Mr. JONES. I just want to thank the gentleman for being on the floor tonight. I know the gentleman from New Jersey (Mr. SAXTON) is going to join him. I thank the gentleman for letting me be a small part of this tonight.

I want to thank the gentleman from California and the gentleman from New Jersey because they are the leaders in the Republican Party; in the House, they are the people that many of us look to for guidance as it relates to helping our military remain the power that it needs to be to protect the freedoms of this country.

I must say to the gentleman from California and to the gentleman from New Jersey that what they are doing tonight is extremely helpful, because every civic club I speak to back in my district, I always close with comments about the needs of our military to protect the freedoms of this country. That is really what it comes down to.

I always close by telling the people that if you have not read the book by Caspar Weinberger called The Next War, you need to read it, because there is a lot of good information as to what is out there that threatens our security and our freedoms.

Again, I thank the gentleman for letting me be a small part of this.

Mr. HUNTER. I thank the gentleman. He has done a lot to help this committee.

I want to recognize the gentleman from New Jersey (Mr. SAXTON), an expert in lots of military areas who really has great expertise, especially in airlift.

Mr. SAXTON. I thank the gentleman for yielding. Before the gentleman from North Carolina leaves the floor, I just want to thank him for being here tonight and making the contribution that he did. I know how deeply and earnestly he feels about the issues that he was talking about relative to our national defense. We value the leadership of the gentleman from North Carolina (Mr. JONES) on these issues. We were delighted he was able to be here with us tonight.

First, let me say how much I enjoy serving on the gentleman's subcommittee, the Procurement Subcommittee. There are darned few things that we have to be thankful for, that is, those of us who disagree with the Clinton administration on our level of military commitment in these days, but one of the things that we do have to be thankful for is that the gentleman is where he is. I watched, actually I helped, I was there by his side last year on the Procurement Subcommittee as we tried to sort out and make those difficult decisions about how to best allocate the very limited resources, relatively limited resources that we have to make use of relative to our national security. It always made me feel good at the end of the day that the gentleman was there holding the reins to make sure that we were guided correctly through that maze of decisions that we had to make.

Mr. HUNTER. If the gentleman will hold on for just a second, I appreciate his kind words. I just wanted to remind him and remind my colleagues that the reason I am the chairman of that Procurement Subcommittee is because one of my dearest friends in the world that I know, the gentleman thinks highly of him too, the gentleman from South Carolina (Mr. SPENCE), the chairman of the Committee on National Security, appointed me and appointed the other members who are chairmen of the subcommittees.

He basically gave us the ball in all of our respective areas. I have Military Procurement, the gentleman from Pennsylvania (Mr. WELDON) has Research and Development, the gentleman from Virginia (Mr. BATEMAN) has Readiness, the gentleman from Colorado (Mr. HEFLEY) has Military Construction and on down the line. The gentleman from Indiana (Mr. BUYER) has Personnel. He has let us run with the ball.

When we have had a fight with the Clinton administration, he has always stood behind us.

I accept the gentleman's thanks. It is a two-way street because the gentleman from New Jersey is a real hero in my book. But I want to let him

know, too, that it is our leader, the gentleman from South Carolina (Mr. SPENCE) who has really bucked this administration and bucked the numbers that we are forced to live with.

Mr. SAXTON. I could not agree more with regard to the gentleman from South Carolina (Mr. SPENCE), as well. One of the really productive things I believe about the style of leadership that the gentleman from South Carolina provides is that he recognizes that in each committee member there is a little bit different area of expertise, whether it happens to be shipbuilding, and I think of the gentleman from Virginia (Mr. BATEMAN), or whether it happens to be munitions and I think of the gentleman from California (Mr. HUNTER), or whether it happens to be some other area, there are many members of our committee, and I might say on both sides of the aisle, to which the gentleman from South Carolina (Mr. SPENCE) is willing to hand the ball at any given time to carry it through his or her area of expertise. I think that is the mark of a real leader, to be able to dispense the job the way the gentleman from South Carolina has been able to.

I wanted to bring up a bit of history, and fairly recent history, actually when I heard the gentleman's opening statement at the beginning of this hour about how we had built down for the last number of years, I believe since 1985 actually was when the builddown in defense spending started. I think back to those days, I think of the speeches that Ronald Reagan gave about how we would make our country proud again and how we would make our country, the country's national security worthy of the respect of the American people again, and how in 1980 and 1981 he began that buildup.

But I also remember another person who served at the end of the decade of the 1980s and the beginning of the decade of the 1990s, the Secretary of Defense, our friend Dick Cheney, who at the time was Secretary Cheney. I remember one speech that he gave in particular which is most, I believe, noteworthy today in the context of where we find ourselves. That occurred over in the then-Armed Services Committee room.

I believe it was in September of 1990. Saddam had invaded Kuwait. Secretary Cheney came before the Armed Services Committee and he said words that were almost identical to this, one of those phrases or one of those few sentences that I will always remember. He said, ''The Cold War is over, and I am here on the brink of our going to war with Iraq to explain to you why I think we need a smaller defense.'' He was very determined to make sure he got the right message across.

He continued, ''But,'' he said, ''I want to make sure everyone understands that unlike after every other conflict,'' he was saying every other conflict prior to the end of the Cold War, ''unlike at the end of every other conflict, this time,'' he said, ''we're going to do it smart.''

Well, I wish he were still in that chair, because we probably would have done it smart. But I am afraid in the meantime perhaps we have not been so smart. Maybe the builddown has gone too fast.

I do not think he had in mind the speeches we have to give like the one we are giving tonight about cannibalization, OPTEMPO, lack of readiness, modernization problems that we have, making decisions about how we are going to best use the limited resources. That is not what Dick Cheney had in mind, I am sure.

Then after he fully discussed that with us, he said, ''And remember something else, too.'' He said, ''The Soviet threat has diminished. The Soviet Union is on the verge of breaking up.'' He said, ''But remember this. The threat will not go away. It will only change.'' Words to remember.

Earlier I heard the gentleman discussing the situation relative to China. We know the situation relative to South Korea and North Korea. We know that we were on the brink of another conflict in the Middle East just a few weeks ago.

We have got, what is it, 25,000 troops ongoing in Bosnia, give or take a platoon or two? And so the threat has changed. As the gentleman knows, it is not just a conventional threat that we face today, it is new threats that perhaps existed in the past but are even more prevalent today than they were during the Cold War.

The acronym WMD is spoken in these halls quite frequently, particularly in our committee, weapons of mass destruction, WMD, and the technology that we are in the process of developing to deal with the problems involved in weapons of mass destruction. That is what this entire flap over Iraq was about, how to deal with this issue and all of these kinds of threats, I am afraid, are what Dick Cheney was talking about when he said, ''And don't ever forget, the threat may change, but there will be a threat.''

□ 2000

And so today, more than ever, I think it is important that Members of this House and Members of the other House and Members of the American public and people that work over in the Pentagon recognize the need to face today's threat, because it is different, but it has not gone away.

Mr. HUNTER. Mr. Speaker, the gentleman has made a great and eloquent statement, as usual.

Let me ask the gentleman, who specializes, and incidentally, we really value the gentleman's membership on the Committee on National Security, and especially the work that he has done in terms of the task force on terrorism and the fact that the gentleman recognizes, perhaps more than any other Members, although Sonny Bono, our good buddy, was one of the people that recognized that we were entering this era of terrorists with high technology.

Let me ask the gentleman, though, about airlift capability. Where are we going with airlift, and what kind of job is the C–17 doing, for example, the newest addition to our airlift fleet, and how much more work do we have to do?

Mr. SAXTON. Mr. Speaker, we have a ways to go. Our strategic airlift, that is the lift that we use to get to far places around the world, over the last several decades has been carried out in basically 3 fashions. We have the C–141s that started to come on line in 1962; we have C–5s, a great fleet of C–5s, although they are old too. They also came on line in the 1960s. We also have a fleet of aircraft which we in effect rent from the airlines which are called the craft fleet, and they are pressed into service in time of surge when we need to get someplace in a hurry. They are regular commercial aircraft, freight carriers that we use, for the most part, and also passenger carriers, but freight carriers for the most part that we use in conjunction with the C–141s and C–5s.

The C–141s are worn out and absolutely will be out of service, for the most part, with the exception of one wing, that I am aware of, that will be flying out of McGuire Air Force base up in New Jersey, and a few C–141s by aught 3 that will be used by the Reserves. Other than that, the C–141s are going away.

The C–17 buy that we have put in place to replace in effect the worn out C–141s are in the process of coming on line. We are ramping up so that we can produce and bring on line 15 a year. We are currently, I believe, at 10 a year, and we currently have a wing of them down in Charleston, another wing going out at McChord Air Force base on the West Coast, and so between now and aught 3, aught 4, aught 5, that buy will be completed.

In talking with the Air Force leadership just the other day, we have the need, they believe, for about 15 or 20 additional, in addition to the 120 that we have already committed to buy, and that request will be formally made in the 5-year plan as it begins to unfold.

The C–5 fleet is also worn out, and this is a big problem, because there is a debate currently going on in the Air Force. In fact, I am going out to Travis Air Force base in the next few weeks to look at the possibility, a proposal that the Air Force is making on modernization of the C–5 fleet. They need new hydraulics, new engines and new aeronautical devices to bring them up to speed so that they can fly in today's modern world. The problem with the C–5 is that today, because they are old and worn out, they have the ability to take off, on average, only 7 out of 8 times they try.

Mr. HUNTER. Mr. Speaker, if the gentleman will yield, I hope that that same average does not apply to landings.

Mr. SAXTON. Mr. Speaker, I hope not, too. Obviously it does not, but for one reason or another, one time out of

every 8 they take off, they cannot take off, so this creates a very big problem if one flies from this country overseas and makes a few landings there, by the time you get back around the loop, if you have landed 6 or 7 or 8 times, and you figure you are not going to take off one of those times, which is very bad. So this modernization proposal that they have is a very good proposal. Actually, the airframe has 80 percent of its life left in it, but the hydraulics and engines and aeronautics all have to be replaced.

So, Mr. Speaker, that is essentially where we are. The craft fleet will remain very important, but basically, our military airlifters are either in need of replacement or very extensive modernization programs.

Mr. HUNTER. Mr. Speaker, I thank the gentleman. Once again, I thank him for his great expertise on the Committee on National Security, and we have a bunch of great Members who have really contributed in these very difficult times. Our motto is that we are going to keep working and we are going to try to build that budget back up to where it should be so that we do a service rather than a disservice to the folks in uniform.

OMISSION FROM THE CONGRESSIONAL RECORD

The following was omitted from the CONGRESSIONAL RECORD of March 10, 1998 at page H–918 following the one-minute speech of the gentleman from Ohio (Mr. TRAFICANT).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, MARCH 10, 1998

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 595. An act to designate the Federal building and United States courthouse located at 475 Mulberry Street in Macon, Georgia, as the ''William Augustus Bootle Federal Building and United States Courthouse''.

H.R. 3116. An act to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes.

OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, MARCH 10, 1998

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 347. An act to designate the Federal building located at 61 Forsyth Street SW., in Atlanta, Georgia, as the ''Sam Nunn Atlanta Federal Center''.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PASCRELL (at the request of Mr. GEPHARDT) for today until 2:00 p.m. on account of attending a funeral.

Mr. TANNER (at the request of Mr. GEPHARDT) for after 5:00 p.m. today and Thursday, March 12th on account of serving as pallbearer at former law partner's funeral.

Mr. DEUTSCH (at the request of Mr. GEPHARDT) for after 3:30 p.m. today and Thursday, March 12th on account of personal reasons.

Mr. MANTON (at the request of Mr. GEPHARDT) for after 3:00 p.m. today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. WATT of North Carolina) to revise and extend their remarks and include extraneous material:

Mr. DAVIS of Illinois for 5 minutes.
Mr. FILNER for 5 minutes.
Ms. NORTON for 5 minutes.
Ms. WOOLSEY for 5 minutes.
Mr. KLINK for 5 minutes.
Ms. MALONEY of New York for 5 minutes.
Mrs. CLAYTON for 5 minutes.

The following Members (at the request of Mr. SAXTON) to revise and extend their remarks and include extraneous material:

Mrs. MORELLA, today and March 12 for 5 minutes.
Ms. ROS-LEHTINEN, March 17 for 5 minutes.
Mr. SAXTON, today for 5 minutes.
Mr. WELDON of Florida, March 14 for 5 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks were granted to:

The following Members (at the request of Mr. WATT of North Carolina) and to include extraneous matter:

Mr. KIND.
Mr. MASCARA.
Mr. BLUMENAUER.
Mr. HAMILTON.
Mr. VENTO.
Mrs. MCCARTHY of New York.
Mr. CARDIN.
Ms. SANCHEZ.
Mr. SKELTON.
Mr. HASTINGS of Florida.
Ms. STABENOW.
Mr. FARR of California.

The following Members (at the request of Mr. SAXTON) and to include extraneous matter:

Mr. CALVERT.
Mr. FRELINGHUYSEN.
Mrs. KELLY.
Mr. YOUNG of Florida.
Mrs. CHENOWETH.
Mr. RADANOVICH.
Mr. MICA.
Mr. COBLE.
Mr. KNOLLENBERG.
Mr. GEKAS.
Mr. SHIMKUS.

The following Members (at the request of Mr. HUNTER) and to include extraneous matter:

Mr. EVERETT.
Mr. BUNNING.
Mrs. KENNELLY of Connecticut.
Mr. SHERMAN.
Mr. COSTELLO.
Mr. PACKARD.
Mr. BRADY.
Mr. GINGRICH.
Mr. HAMILTON.
Mr. TORRES.

ADJOURNMENT

Mr. HUNTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Thursday, March 12, 1998, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the third and fourth quarters of 1997 by various Committees of the U.S. House of Representatives, pursuant to Public Law 95–384, as well as a consolidated report of foreign currencies and U.S. dollars utilized for Speaker-authorized official travel in the first quarter of 1997 and the first quarter of 1998 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 1997 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Patricia Paoletta	11/18	11/22	Switzerland		984.00		986.20				1,970.20
Committee total					984.00		986.20				1,970.20

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

TOM BLILEY, Chairman, Mar. 2, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, 1997 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Carol Murphy	10/10	10/14	Germany		940.00						940
	10/13	10/13	Bosnia								
	10/14	10/18	France		1,087.00						1,087.00
Commercial airfare							4,450.89				4,450.89
Timothy Sanders	10/10	10/14	Germany		940.00						940.00
	10/13	10/13	Bosnia								
	10/14	10/18	France		1,087.00						1,087.00
Commercial airfare							4,057.01				4,057.01
John Ziolkowski	10/10	10/14	Germany		940.00						940.00
	10/13	10/13	Bosnia								
	10/14	10/18	France		1,087.00						1,087.00
Commercial airfare							4,068.33				4,068.33
Hon. C.W. Bill Young	10/13	10/14	Egypt		226.00		(3)				226.00
	10/14	10/14	Baharain				(3)				
	10/14	10/15	Kuwait		387.00		(3)				387.00
	10/15	10/16	Saudi Arabia				(3)				
	10/16	10/16	Bosnia				(3)				
	10/16	10/17	Belgium		275.00		(3)				275.00
Douglas Gregory	10/13	10/14	Egypt		226.00		(3)				226.00
	10/14	10/14	Baharain				(3)				
	10/14	10/15	Kuwait		387.00		(3)				387.00
	10/15	10/16	Saudi Arabia				(3)				
	10/16	10/16	Bosnia				(3)				
	10/16	10/17	Belgium		275.00		(3)				275.00
Kevin Roper	10/13	10/14	Egypt		226.00		(3)				226.00
	10/14	10/14	Baharain				(3)				
	10/14	10/15	Kuwait		387.00		(3)				387.00
	10/15	10/16	Saudi Arabia				(3)				
	10/16	10/16	Bosnia				(3)				
	10/16	10/17	Belgium		275.00		(3)				275.00
Gregory Dahlbert	10/13	10/15	Czech Republic		464.00.00						464.00
	10/15	10/19	France		1,156.00.00						1,156.00
Commercial airfare							4,160.00				4,160.00
James Dyer	10/13	10/15	Czech Republic		464.00						464.00
	10/15	10/19	France		1,156.00						1,156.00
Commercial airfare							4,160.00				4,160.00
John Plashal	10/13	10/15	Czech Republic		464.00						464.00
	10/15	10/19	France		1,156.00						1,156.00
Commercial airfare							4,160.00				4,160.00
Juliet Pacquing	11/1	11/12	China		3,350.00						3,350.00
Commercial airfare (filed in separate report).											
Delacroix	12/9	12/11	Chile		647.00						647.00
	12/11	12/13	Argentina		641.50						641.50
Commercial airfare							3,696.39				3,696.39
James Dyer	12/9	12/11	Chile		647.00						647.00
	12/11	12/13	Argentina		641.50						641.50
Commercial airfare							3,637.00				3,637.00
Timothy Peterson	12/9	12/11	Chile		647.00						647.00
	12/11	12/13	Argentina		641.50						641.50
Commecial airfare							3,637.00				3,637.00
William Inglee	12/7	12/10	Germany		669.00						669.00
	12/10	12/12	Belgium		568.00						568.00
Commercial airfare							1,335.70				1,335.70
Hon. Joseph McDade	12/10	12/16	Argentina		1,233.00						1,233.00
Commercial airfare							6,220.00				6,220.00
Hon. Frank Wolf	12/15	12/17	Bosnia		200.00						200.00
Commercial airfare							863.60				863.60
Frank Cushing	11/30	11/2	Belgium		550.00						550.00
	12/2	12/4	Luxembourg		512.00						512.00
	12/4	12/7	Italy		808.00						808.00
	12/7	12/8	Tunisia		172.00						172.00
	12/8	12/11	France		897.00						897.00
Commercial airfare							4,533.90				4,533.90
Paul Thomson	11/30	12/2	Belgium		550.00						550.00
	12/2	12/4	Luxembourg		512.00						512.00
	12/4	12/7	Italy		808.00						808.00
	12/7	12/8	Tunisia		172.00						172.00
	12/8	12/11	France		897.00						897.00
Commercial airfare							4,533.90				4,533.90
Deborah Weatherly	12/2	12/4	Luxembourg		512.00						512.00
	12/4	12/7	Italy		808.00						808.00
	12/7	12/8	Tunisia		172.00						172.00
	12/8	12/11	France		897.00						897.00
Commercial airfare							4,533.90				4,533.90
John Mikel	11/30	12/2	Belgium		550.00						550.00
	12/2	12/4	Luxembourg		512.00						512.00
	12/4	12/7	Italy		808.00						808.00
	12/7	12/8	Tunisia		172.00						172.00
	12/8	12/11	France		897.00						897.00
Commercial airfare							4,533.90				4,533.90
Elizabeth Dawson	11/30	12/2	Belgium		550.00						550.00
	12/2	12/7	Italy		1,237.00						1,237.00
	12/7	12/8	Tunisia		172.00						172.00
	12/8	12/11	France		897.00						897.00
Commercial airfare							4,522.90				4,522.90
Total					37,552.50		67,104.42				104,656.92

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, 1997 AND DEC. 31, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Committee on Appropriations, surveys and investigations staff:											
Frederick A. Bigden	10/18	10/25	Germany		1,082.00		5,211.30		29.80		6,323.10
	10/25	10/29	Italy		466.50						466.50
	10/29	10/31	England		719.00						719.00
Frederick A. Brugger	10/15	10/18	Japan		747.00		5,165.88		42.51		5,955.39
Gail O. Burton	10/15	10/18	Japan		747.00		5,165.88		54.34		5,967.22
Norman H. Gardner	10/31	11/12	China		2,967.75		5,049.00		35.79		8,052.54
Robert D. Green	10/18	10/23	Germany		706.25		5,687.03		26.40		6,419.68
	10/23	10/24	Bosnia		376.25						376.25
	10/24	10/25	Hungary		197.00						197.00
	10/25	10/28	Italy		466.50						466.50
	10/28	10/31	England		702.00						702.00
Walter C. Hersman	10/18	10/23	Germany		706.25		4,677.20		36.00		5,419.45
	10/23	10/24	Bosnia		376.25						376.25
	10/24	10/25	Hungary		246.25						246.25
	10/25	10/26	Macedonia		136.00						136.00
	10/26	10/31	Germany		755.00						755.00
Susan G. Joseph	10/16	10/20	China		1,290.00		4,428.61		33.00		5,751.61
Dennis K. Lutz	10/18	10/23	Germany		730.00		5,703.28		50.40		6,483.68
	10/23	10/24	Bosnia		376.25						376.25
	10/24	10/25	Hungary		197.00						197.00
	10/25	10/28	Italy		466.50						466.50
	10/28	10/31	England		702.00						702.00
Patricia M. Murphy	10/18	10/25	Germany		1,082.00		5,211.30		160.00		6,453.30
	10/25	10/28	Italy		466.50						466.50
	10/28	10/31	England		719.00						719.00
Robert H. Pearre, Jr.	10/18	10/25	Germany		1,082.00		4,677.20		76.55		5,835.75
Robert J. Reitwiesner	10/21	10/23	Germany		242.00		4,194.85		109.14		4,545.99
	10/23	10/24	Bosnia		376.25						376.25
	10/24	10/25	Hungary		197.00						197.00
	10/25	10/27	Italy		346.50						346.50
	10/27	10/28	The Netherlands		147.75						147.75
	11/6	11/12	China		1,475.75		4,471.00		146.71		6,093.46
Robert R. Stevens	10/18	10/23	Germany		706.25		4,677.20		161.50		5,544.95
	10/23	10/24	Bosnia		376.25						376.25
	10/24	10/25	Hungary		246.25						246.25
	10/25	10/26	Macedonia		136.00						136.00
	10/26	10/31	Germany		755.00						755.00
R.W. Vandergrift, Jr.	10/31	11/12	China		2,984.25		5,049.00		434.10		8,467.35
Frank J. Waldburger	10/16	10/20	China		1,290.00		4,431.61		111.62		5,833.23
T. Peter Wyman	10/31	11/12	China		2,967.75		5,049.00		533.89		8,550.64
Committee totals					30,755.25		78,849.34		2,041.75		111,646,34

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BOB LIVINGSTON, Chairman, Mar. 3, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, 1997 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Henry J. Hyde	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Hon. Melvin L. Watt	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Hon. Sheila Jackson Lee	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Thomas Mooney	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Mitch Glazier	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Julian Epstein	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Sheila Klein	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Robert Jones	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
James Farr	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00						650.00
Delegation expenses	10/2	10/4	Spain				7,717.44		1,388.14		9,105.58
	10/4	10/6	Italy				6,077.28		693.33		6,770.61
Hon. Bill McCollum	12/1	12/3	Colombia		579.00		(4)				579.00
	12/3	12/5	Bolivia		348.00						348.00
	12/5	12/6	Peru								
Commercial airfare							95.00				95.00
Hon. Asa Hutchinson	12/1	12/3	Colombia		579.00		(4)				348.00
	12/3	12/5	Bolivia		348.00						348.00
	12/5	12/6	Peru								
Commercial airfare							522.00				522.00
Daniel Bryant	12/1	12/3	Colombia		579.00		(4)				579.00
	12/3	12/5	Bolivia		348.00						348.00
	12/5	12/6	Peru								
Commercial airfare							353.00				353.00
Committee total					11,781.00		14,764.72		2,081.47		28,627.19

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Air transportation was provided by the Drug Enforcement Administration.

HENRY J. HYDE, Chairman, Mar. 2, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John Conyers, Jr	6/29	7/2	Haiti		631.76		(3)				631.76
Hon. William D. Delahunt	6/29	7/2	Haiti		631.76		(3)				631.76
Hon. Robert C. Scott	6/29	7/2	Haiti		631.76		(3)				631.76
Julian Epstein	6/29	7/2	Haiti		631.76		(3)				631.76
Stephanie Peters	6/29	7/2	Haiti		631.76		(3)				631.76
Delegation expenses	6/29	7/2	Haiti						4,277.67		4,277.67
Martina Hone	8/9	8/15	Kenya		1,091.00						1,091.00
	8/15	8/19	Tanzania		727.00						727.00
	8/19	8/20	Kenya		182.00						182.00
Commercial airfare							3,693.45				3,693.45
Stephanie Peters	8/9	8/14	Kenya		909.00						909.00
	8/14	8/20	Ethiopia		1,091.00						1,091.00
Commercial airfare							4,209.85				4,209.85
Hon. John Conyers, Jr.	9/5	9/8	Haiti		711.73		(3)				711.73
Hon. William D. Delahunt	9/5	9/8	Haiti		711.73		(3)				711.73
Julian Epstein	9/5	9/8	Haiti		711.73		(3)				711.73
Stephanie Peters	9/5	9/8	Haiti		711.73		(3)				711.73
Carl LeVan	9/5	9/8	Haiti		711.73		(3)				711.73
Delegation expenses	9/5	9/8	Haiti						2,053.18		2,053.18
Committee total					10,717.45		7,903.30		6,330.85		24,951.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HENRY J. HYDE, Chairman, Feb. 24, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Carolyn Maloney	10/1	10/5	Equador		752.00		1,629.65		240.00		
Alys Campaigne	10/25	10/31	Germany		1,115.00		1,038.10				
	12/1	12/12	Japan		1,794.00		5,396.00		190.00		
Daniel Moll	12/6	12/10	UK		1,416.00		4,437.90				
Kevin Long	10/12	10/15	Colombia		772.00		1,707.20				
	10/16	10/18	Mexico		482.50						
Michael Yeager	10/12	10/15	Colombia		772.00		1,707.20				
	10/16	10/18	Mexico		482.50						
Michael Delph	10/12	10/16	Colombia		559.00		1,751.00				
Gilbert Macklin	10/12	10/16	Colombia		772.00		1,751.00				
Sean Littlefield	10/12	10/16	Colombia		772.00		1,751.00				
Joseph Harrison	12/4	12/9	Thailand		1,440.00		6,231.76		380.34		
	12/10	12/17	Indonesia		1,976.00						
	12/18	12/19	Singapore		212.94						
Harold Gossett	12/4	12/9	Thailand		1,440.00		6,231.76		380.34		
	12/10	12/17	Indonesia		1,976.00						
	12/18	12/19	Singapore		212.94						
Carl Brizzi	12/4	12/13	Thailand		2,440.00		6,231.76		380.34		
	12/14	12/17	Indonesia		988.00						
	12/18	12/19	Singapore		212.94						
Joseph Jakub	12/4	12/13	Thailand		2,440.00		6,231.76		380.34		
	12/14	12/17	Indonesia		988.00						
	12/18	12/19	Singapore		212.94						
Kevin Long	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		143.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Robert Charles	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		143.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Michelle Lang	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		143.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Sean Littlefield	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		143.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Andrew Richardson	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		143.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Dale Anderson	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		143.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Hon. Dennis Hastert	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		246.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Hon. Mark Souder	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		246.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Hon. John Mica	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		246.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Hon. Tom Davis	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		246.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Hon. John Shadegg	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		246.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Hon. Mark Sandord	11/17	11/18	Israel		624.00				19.71		
	11/18		Jordan				8.00				
	11/19		Kuwait		231.00		56.07		87.57		
	11/20		Bahrain		369.00						
	11/21		Saudi Arabia		246.00				467.44		
	11/22	11/23	Turkey		516.00		66.71		156.58		
	11/24	11/25	Greece		215.00				135.71		
Committee totals					50,022.76		46,904.39		12,355.48		109,282.63

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN BURTON, Chairman, Jan. 30, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
David Adams	10/12	10/16	Colombia		772.00						772.00
Commerical airfare							1,751.00				1,751.00
	11/17	11/19	Panama		258.00				128.10		386.10
	11/19	11/22	Haiti		552.50				15.00		567.50
Commerical airfare							878.00				878.00
Hon. Cass Ballenger	12/1	12/2	Mexico		[3] 188.99						188.99
	12/2	12/4	El Salvador		[3] 30.00						30.00
	12/4	12/6	Nicaragua		[3] 176.25						176.25
Paul Berkowitz	12/3	12/4	India		365.25						365.25
	12/4	12/7	Nepal		712.00						712.00
	12/8	12/10	Bhutan		312.00						312.00
	12/11	12/13	India		385.00						385.00
Commercial airfare							7,408.70				7,408.70
Deborah Bodlander	11/15	11/19	Qatar		900.00						900.00
Commerical airfare							5,697.90				5,697.90
	12/2	12/6	England		1,416.00						1,416.00
Commercial airfare							4,501.90				4,501.90
Elana Broitman	10/10	10/12	Belarus		392.00						392.00
	10/12	10/18	Russia		2,108.00						2,108.00
Commercial airfare							4,281.00				4,281.00
Peter Brookes	12/13	12/19	China		2,086.00						2,086.00
Commercial airfare							3,702.00				3,702.00
Hon. Tom Campbell	11/24	11/24	Ethiopia		188.00						188.00
	11/25	12/1	Eritrea		258.00						258.00
	12/2	12/5	Ethiopia		[3] 790.00						790.00
	12/6	12/8	Djibouti		[3] 216.00						216.00
	12/8	12/9	Yemen		251.00						251.00
	12/9	12/12	Kenya		[3] 555.00						555.00
	12/13	12/16	Tanzania		[3] 663.25				621.00		1,284.25
	12/17	12/18	Egypt		352.00						352.00
Commercial airfare							7,198.37				7,198.37
Theodore Dagne	11/29	12/2	Eritrea		324.00						324.00
	12/2	12/6	Ethiopia		618.00						618.00
	12/6	12/8	Djibouti		[3] 216.00						216.00
	12/8	12/9	Yemen		251.00						251.00
Commercial airfare							5,980.80				5,980.80
Hon. Eni F.H. Faleomavaega	11/18	11/19	Israel		624.00						624.00
	11/19	11/20	Kuwait		435.00						435.00
	11/20	11/21	Bahrain		369.00						369.00
	11/21	11/22	Saudi Arabia		246.00						246.00
	11/22	11/24	Turkey		323.00						323.00
	11/24	11/25	Greece		215.00						215.00
Martin Gage	11/15	11/17	Turkey		[3] 416.00						416.00
	11/17	11/19	Azerbaijan		[3] 585.00						585.00
	11/19	11/21	Kazakhstan		[3] 526.00						526.00
	11/21	11/23	Uzbekistan		[3] 618.00						618.00
	11/23	11/24	Turkmenistan		[3] 166.00						166.00
	11/24	11/25	Norway		[3] 214.00						214.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Richard Garon	11/22	11/24	Greece		500.00						500.00
	11/24	11/24	Syria		267.00						267.00
	11/25	11/25	Israel		139.00						139.00
Commercial airfare							4,354.40				4,354.40
Kristen Gilley	10/10	10/12	Belarus		392.00						392.00
	10/12	10/18	Russia		[3] 1,808.00						1,808.00
Commercial airfare							4,446.60				4,446.60
Hon. Benjamin Gilman	11/24	11/25	Syria		267.00				136.67		403.67
	11/25	11/25	Israel		139.00						139.00
Commercial airfare							1,516.00				1,516.00
Hon. Alcee Hastings	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azerbaijan		645.00						645.00
	11/19	11/21	Kazakhstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
John Herzberg	10/10	10/17	Bosnia		[3] 2,361.00						2,361.00
Commercial airfare							3,850.10				3,850.10
Amos Hochstein	12/6	12/8	Djibouti		[3] 216.00						216.00
	12/8	12/9	Yemen		251.00						251.00
	12/9	12/12	Kenya		[3] 555.00						555.00
	12/12	12/16	Tanzania		[3] 774.00				621.00		1,395.00
	12/17	12/19	Egypt		528.00						528.00
Commercial airfare							6,299.50				6,299.50
Mark Kirk	10/10	10/17	Bosnia		[3] 2,361.00						2,361.00
Commercial airfare							3,850.10				3,850.10
	12/2	12/10	Japan		3,249.00						3,249.00
Commercial airfare							5,294.00				5,294.00
Christopher Kojm	10/12	10/14	Austria		350.00						350.00
	10/14	10/16	Belgium		[3] 442						442
Commercial airfare							3,689.80				3,689.80
John Mackey	10/12	10/16	Colombia		772.00						772.00
	10/16	10/18	Mexico		482.50						482.50
Commercial airfare							1,707.20				1,707.20
	11/13	11/16	Ireland		822.00						822.00
Commercial airfare							787.00				787.00
Caleb McCarry	10/12	10/16	Colombia		[3] 612.00						612.00
Commercial airfare							1,751.00				1,751.00
	11/17	11/19	Panama		258.00				128.10		386.10
	11/19	11/22	Haiti		[3] 545.42				15.00		560.42
Commercial airfare							878.00				878.00
Denis McDonough	10/12	10/16	Colombia		772.00						772.00
	10/16	10/18	Mexico		482.50						482.50
Commercial airfare							1,094.00				1,094.00
	11/17	11/19	Panama		258.00				128.10		386.10
	11/19	11/22	Haiti		552.50				15.00		567.50
Commercial airfare							878.00				878.00
Hon. Cynthia McKinney	10/15	10/17	Uganda		[3] 340.80						340.80
	10/17	10/17	Rwanda		[3] 373.00						373.00
Commercial airfare							7,550.00				7,550.00
Lester Munson	11/29	12/2	Eritrea		258.00						258.00
	12/2	12/6	Ethiopia		509.00						509.00
	12/6	12/8	Djibouti		[3] 216.00						216.00
	12/8	12/9	Yemen		251.00						251.00
Commercial airfare							5,830.80				5,830.80
Hon. Donald Payne	11/29	12/2	Eritrea		268.00						268.00
	12/2	12/6	Ethiopia		[3] 518.00						518.00
	12/6	12/8	Djibouti		[3] 216.00						216.00
	12/8	12/9	Yemen		251.00						251.00
	12/9	12/12	Kenya		[3] 555.00						555.00
	12/12	12/16	Tanzania		[3] 774.00				621.00		1,395.00
	12/17	12/18	Egypt		352.00						352.00
Commercial airfare							7,753.00				7,753.00
Stephen Rademaker	10/12	10/14	Austria		342.00						342.00
	10/14	10/17	Belgium		675.00						675.00
	10/17	10/18	Hungary		[3] 186.00						186.00
Commercial airfare							4,279.40				4,279.40
	11/17	11/19	Panama		258.00				128.10		386.10
Commercial airfare							608.00				608.00
Francis Record	12/4	12/17	Belgium		[3] 752.00						752.00
	12/7	12/21	England		[3] 558.00						558.00
Commercial airfare							4,144.70				4,144.70
Grover Joseph Rees	10/20	10/22	Switzerland		[3] 194.00						194.00
Commercial airfare							2,595.40				2,595.40
	11/30	12/3	Indonesia		741.00						741.00
	12/3	12/11	Vietnam		[3] 2,028.00						2,028.00
	12/11	12/15	Philippines		[3] 868.00						868.00
Commercial airfare							5,045.00				5,045.00
John Walker Roberts	10/13	10/14	Austria		171.00						171.00
	10/14	10/16	Belgium		450.00						450.00
Commercial airfare							2,146.80				2,146.80
Hon. Dana Rohrabacher	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azerbaijan		645.00						645.00
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Thomas Sheehy	12/5	12/6	Cote d'Ivoire		[3] 75.00						75.00
	12/6	12/9	Liberia		[3] 225.00						225.00
	12/9	12/10	Cote d'Ivoire		[3] 75.00						75.00
	12/10	12/14	Ghana		873.00						873.00
Commercial airfare							4,387.90				4,387.90
Gregory Simpkins	12/5	12/6	Cote d'Ivoire		[3] 75.00						75.00
	12/6	12/9	Liberia		[3] 225.00						225.00
	12/9	12/10	Conte d'Ivoire		[3] 75.00						75.00
	12/10	12/14	Ghana		[3] 864.00						864.00
Commercial airfare							4,387.90				4,387.90
Hillel Weinberg	12/14	12/17	Belgium		[3] 752.00						752.00
	12/17	12/21	England		[3] 657.00						657.00
Commercial airfare							4,147.70				4,147.70
Hon. Robert Wexler	11/14	11/15	England						137.25		137.25
Commercial airfare							2,129.20				2,129.20
Committee total					62,229.96		136,801.17		2,694.32		201,725.45

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Represents refund of unused per diem.

BEN GILMAN, Chairman, Mar. 6, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Thomas A. O'Donnell	8/12	8/12	Korea								
	8/12	8/18	Vietnam		1,470.00		5,101.30				6,571.30
Committee total					1,470		5,101.30				6,571.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BOB STUMP, Chairman; Oct. 26, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Catherine Eberwein	10/12	10/16	Asia		1,050.00						1,050.00
Commercial airfare							2,391.00				2,391.00
Patrick Murray	10/23	10/26	Europe		959.00						959.00
Commercial airfare							4,194.00				4,194.00
Susan Ouelette	10/23	10/26	Europe		959.00						959.00
Commercial airfare							4,194.70				4,194.70
Merrell Moorhead	10/23	10/26	Europe		959.00						959.00
Commercial airfare							4,194.70				4,194.70
Christopher Barton	12/1	12/6	South America		927.00						927.00
Hon. Porter Goss	12/1	12/8	Europe		2,206.00						2,206.00
Hon. Michael Castle	12/1	12/8	Europe		2,206.00						2,206.00
Hon. Sherwood Boehlert	12/1	12/8	Europe		2,206.00						2,206.00
Hon. Norm Dicks	12/1	12/8	Europe		2,206.00						2,206.00
Hon. David Skaggs	12/1	12/8	Europe		1,876.00						1,876.00
Commercial airfare							2,272.90				2,272.90
Hon. Nancy Pelosi	12/1	12/6	Europe		1,646.00						1,646.00
Commercial airfare							2,208.90				2,208.90
Hon. Jane Harman	12/4	12/5	Europe		708.00						708.00
Commercial airfare							2,350.90				2,350.90
John Mills	12/1	12/8	Europe		2,206.00						2,206.00
Michael Sheehy	12/1	12/8	Europe		1646.00						1,646.00
Commercial airfare							2,208.90				2,208.90
Timothy Sample	12/1	12/8	Europe		2,206.00						2,206.00
Tom Newcomb	12/1	12/8	Europe		2,206.00						2,206.00
Merrell Moorhead	12/1	12/8	Europe		2,206.00						2,206.00
Susan Ouellette	12/1	12/8	Europe		2,206.00						2,206.00
Michael Meermans	12/1	12/8	Europe		2,206.00						2,206.00
Diane Roark	12/1	12/8	Europe		2,034.00						2,034.00
Mary Engebreth	12/1	12/8	Europe		2,034.00						2,034.00
Beth Larson	12/1	12/8	Europe		2,206.00						2,206.00
Lydia Olson	12/1	12/8	Europe		2,206.00						2,206.00
Committee total					41,270.00		24,016.70				65,286.70

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PORTER GOSS, Chairman, Jan. 28, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ISRAEL, JORDAN AND SPAIN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 10 AND JAN. 19, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John Boehner	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Hon. Paul Kanjorski	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Hon. Chris Shays	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Hon. Deborah Pryce	1/11	1/16	Israel		1,410.00		[4] 2,500				3,910.00
	1/16	1/16	Jordan		145.00		(3)				145.00
Hon. Rob Portman	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Hon. Steve LaTourette	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Hon. Bob Ney	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Hon. Jim Maloney	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Barry Jackson	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Brian Gaston	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Karen Feather	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ISRAEL, JORDAN AND SPAIN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 10 AND JAN. 19, 1998—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Tim Day	1/11	1/16	Israel		1,410.00		[4] 2,500				3,910.00
	1/16	1/16	Jordan		145.00		(3)				145.00
Brian Durdle	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Dave DiStefano	1/11	1/16	Israel		1,410.00		(3)				1,410.00
	1/16	1/18	Jordan		590.00		(3)				590.00
	1/18	1/19	Spain		235.00		(3)				235.00
Committee total					29,930.00		5,000.00				34,930.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military.
[4] Military one way; return commercial.

JOHN BOEHNER, Feb. 19, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO ISRAEL, JORDAN, EGYPT, MOROCCO, AND IRELAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 11 AND JAN. 19, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mac Collins	1/11	1/13	Israel		417.00		(3)				417.00
	1/13	1/14	Jordan		251.00		(3)				251.00
	1/14	1/17	Egypt		701.00		(3)				701.00
	1/17	1/18	Morocco		195.00		(3)				195.00
	1/19	1/20	Ireland		352.00		(3)				352.00
Total					1,916.00		(3)				1,916.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

MAC COLLINS, Feb. 13, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO ENGLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 16 AND FEB. 19, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Charles W. Johnson	12/16	2/19	England		900.00		581.00				1,481.00
Total					900.00		581.00				1,481.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHARLES W. JOHNSON, Feb. 20, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO BELGIUM, FRANCE AND POLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 15 AND JAN. 22, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Chaplain James Ford	1/15	1/18	Belgium		852.00						852.00
	1/18	1/20	France		598.00						598.00
	1/20	1/22	Poland		556.00						556.00
Committee total					2,006.00						2,006.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES FORD, Feb. 27, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO BELGIUM, FRANCE AND POLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 15 AND JAN. 22, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Peter Davidson	1/15	1/18	Belgium		852.00						852.00
	1/18	1/20	France		598.00						598.00
	1/20	1/22	Poland		556.00						556.00
Committee total					2,006.00						2,006.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PETER DAVIDSON, Feb. 25, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO SWITZERLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 30 AND FEB. 3, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Gardner G. Peckham	1/30	2/3	Switzerland		1,000.00		3,124.49				4,124.4
Committee total					1,000.00		3,124.49				4,124.49

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

GARDNER G. PECKHAM, Mar. 2, 1998.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and 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.

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. 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. 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. 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. 105–436). Referred to the Committee of the Whole House on the State of the Union.

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.

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. DELAHUNT, 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 amd 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. ROHRABACHER.

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.

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.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2883

OFFERED BY: MR. HORN

AMENDMENT NO. 1.: Page 9, after line 15, add the following:

SEC. . FINDINGS AND SENSE OF CONGRESS REGARDING THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) FINDINGS.—Congress finds the following:

(1) Certain provisions enacted by the Government Performance and Results Act of 1993 (Public Law 103–62) are inconsistent with the Federal Reserve Act (12 U.S.C. 221 et seq.).

(2) The Board of Governors of the Federal Reserve System has indicated that while the Government Performance and Results Act of 1993 is inconsistent with the Federal Reserve Act, the Board of Governors intends to comply voluntarily with the substance of the provisions enacted by the Government Performance and Results Act of 1993.

(3) The Board of Governors of the Federal Reserve System is accountable to Congress and is required to make annually a full report of its operation to the Speaker of the House of Representatives.

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

(1) the Statutory independence of the Board of Governors of the Federal Reserve System should be maintained, and the Board of Governors should be commended for its commitment to comply voluntarily with the substance of the provisions enacted by the Government Performance and Results Act of 1993; and

(2) the Board of Governors of the Federal Reserve System should include in its annual reports to Congress information pertaining to strategic planning and performance measurement for operations of the Board of Governors, with the exception of such information as pertains to the area of monetary policy.