

The Clinton administration signed the bilateral agreement with Vietnam on July 13, 2000, after nearly four years of meticulous negotiations. Under terms of the agreement, Vietnam will reduce tariffs on approximately 250 products, about four-fifths of which are agricultural products. My own State of South Dakota will be among the beneficiaries of Vietnam's market opening commitments. As the second-largest producer of sunflower seeds, our farmers will no doubt benefit from the slash in duty on this product from the current level of 30 percent to 10 percent. Exporters of soybeans, furthermore, will see the rates drop by half, to only 5 percent.

In addition to the significant reduction in tariffs on agricultural and industrial products, the agreement opens Vietnam to American financial, banking and telecommunications services. While the agreement does not make Vietnam a member of the World Trade Organization, WTO, a number of its provisions bring Vietnam one step closer to compliance with WTO accords. Specifically, Vietnam has committed to abide by WTO standards regarding customs procedures, import licensing requirements and phytosanitary measures. In addition, Vietnam has also agreed to follow WTO agreements on intellectual property rights, which protect American copyrights, patents and trademarks. The same can be said for regulations involving American investment there. Hopefully, passage of this bilateral agreement will add momentum to Vietnam's bid for full membership in the global trading body.

The United States, in return, has promised to grant Vietnam normal trade relations, NTR. The practical effect of this action would be that products imported from Vietnam would now be subject to the same level of tariffs as products from almost every other country in the world. Vietnamese companies would no longer face significant tariff barriers to our market. The agreement does include, however, a safeguard provision to prevent a surge in Vietnamese imports from injuring our own domestic industries.

The implementing resolution introduced today would fulfill our obligation to grant Vietnam normal trade relations. Under this legislation, however, Vietnam's trading status would still be subject to annual Congressional review. The legislation is in no way a permanent extension of such treatment. This is due to the so-called Jackson-Vanik provisions of the Trade Act of 1974, which allow for an annual review by Congress of an extension of normal trade relations to any non-market economy country, such as Vietnam.

Specifically, the Jackson-Vanik amendment mandates that a non-market economy country's access to American markets is conditioned on their

completion of a bilateral commercial agreement with the United States and their policies on freedom of emigration. According to the statute, a non-market economy country like Vietnam must sign an agreement with the United States extending nondiscriminatory treatment to our products. In other words, they must grant normal trade relations to the United States. Access to our markets is further contingent on their policies on freedom of emigration. If the President determines that such policies meet certain standards, or that a waiver of the Jackson-Vanik provisions would, in fact, encourage further liberalization of their emigration policies, only then can the United States grant these countries normal trade relations.

President Clinton first waived Jackson-Vanik provisions with respect to Vietnam in 1998 on the basis that such action would promote further liberalization of its emigration policies. The waiver has been extended every year since then. But since Vietnam does not currently have a bilateral agreement with the United States, and therefore does not receive normal trade relations, the waiver simply allows for the U.S. Overseas Private Investment Corporation, OPIC, and the U.S. Export-Import Bank to support U.S. businesses exporting to and/or operating there. The legislation I am introducing today would grant normal trade relations to Vietnam, meeting the second requirement of Jackson-Vanik, and therefore allow the market opening agreement to take effect.

The Presidential waiver of Vietnam's treatment under Jackson-Vanik has never been disapproved by Congress. In fact, support for the waiver has grown substantially in both chambers. Last year, for instance, 330 members of the House voted in favor of the waiver's extension and a bill disapproving the President's waiver was voted down by 94 Senators. I am confident that such action indicates strong support by Members of Congress for passage of this agreement.

I am encouraged that President Bush has sent the agreement to Congress for final approval. Indeed, last month, I signed a letter urging him to do so as soon as possible. This is an important agreement, and today we are taking the first step towards swift Senate consideration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 795. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 723, to amend the Public Health Service Act to provide for human embryonic stem cell generation and research; which was referred to the Committee on Health, Education, Labor, and Pensions.

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TEXT OF AMENDMENTS

SA 795. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 723, to amend the Public Health Service Act to provide for human embryonic stem cell generation and research; which was referred to the Committee on Health, Education, Labor, and Pensions; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON MIXING HUMAN AND ANIMAL GAMETES.

(a) DEFINITIONS.—In this section:

(1) GAMETE.—The term "gamete" means a haploid germ cell that is an egg or a sperm.

(2) SOMATIC CELL.—The term "somatic cell" means a diploid cell whose nucleus contains the full set of chromosomes of a human or an animal.

(b) PROHIBITION.—It shall be unlawful for any person to knowingly attempt to create a human-animal hybrid by—

(1) combine a human gamete and an animal gamete; or

(2) conducting nuclear transfer cloning using a human egg or a human somatic cell nucleus.

(c) SANCTIONS.—

(1) IN GENERAL.—Any person who violates subsection (b) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 10 years, or both.

(2) CIVIL PENALTIES.—The Secretary of Health and Human Services shall promulgate regulations providing for the application of civil penalties to persons who violate subsection (b).

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At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON EXPORTATION OF HUMAN EMBRYOS.

The Secretary of Commerce shall prohibit the export (as such term is defined in section 16 of the Export Administration Act of 1979 (50 U.S.C. App 2415)) from the United States of any human embryo or part thereof.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, June 19, 2001, at 9:30 a.m., in room SD-106 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of the hearing is to receive testimony on S. 764, a bill to direct the Federal Energy Regulatory Commission to impose just and reasonable load-differentiated demand rates