

PROVIDING FOR THE CONSIDERATION OF H.R. 1432, THE
AFRICA GROWTH AND OPPORTUNITY ACT

MARCH 10, 1998.—Referred to the House Calendar and ordered to be printed

Mr. LINDER, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 383]

The Committee on Rules, having had under consideration House Resolution 383, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 1432, the “Africa Growth and Opportunity Act” under a structured rule, providing two hours of general debate with one hour divided equally between the chairman and ranking minority member of the Committee on International Relations and one hour divided equally between the chairman and ranking minority member of the Committee on Ways and Means.

The rule provides for consideration of the committee amendment in the nature of a substitute now printed in the bill, as modified by the amendments printed in part 1 of the report of the Committee on Rules, as an original bill for the purposes of amendment, which shall be considered as read.

The rule waives points of order against the committee amendment for failure to comply with clause 7 or Rule XVI (prohibiting non-germane amendments). The provision of the bill which violates this rule is section 17 of this bill, relating to the clarifications of deductions for severance pay.

The rule makes in order only those amendments printed in part 2 of the Rules Committee report and provides that amendments will be considered only in the order specified in the report, may be offered only by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the re-

port, equally divided between a proponent and an opponent. Amendments are not subject to amendment.

The rule also permits the Chairman of the Committee of the Whole to postpone the vote on any amendment and to reduce to 5 minutes the time for voting after the first of a series of votes, provided that the first vote is not less than 15 minutes.

Finally, the rule provides for one motion to recommit, with or without instructions.

COMMITTEE VOTES

Pursuant to clause 2(1)(2)(B) of House rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee rollcall No. 83

Date: March 10, 1998.

Measure: Rule for consideration of H.R. 1432, The Africa Growth and Opportunity Act.

Motion by: Mr. Moakley.

Summary of motion: To make in order the Collins/Coble/Bishop amendment in the nature of substitute, which: clarifies that the President must certify which countries are eligible for benefits of the bill; eliminates requirements that African countries lower corporate taxes and divest all government enterprises; requires African countries to make progress on human worker rights, especially child labor, as defined in the Generalized System of Preferences (GSP); requires African countries to cooperate with U.S. Customs in enforcing laws against transshipment and increases existing penalties; requires African countries to make progress on access for U.S. textile and apparel goods; establishes a special access program for apparel from Africa which is assembled using U.S. fabric cut in the U.S. and U.S. yarn; and extends GSP to countries of Sub-Saharan Africa for 10 years.

Results: Rejected, 4-5.

Vote by Members: Dreier—Nay, Goss—Nay, Pryce—Nay, Hastings—Nay, Myrick—Yea, Moakley—Yea, Frost—Yea, Slaughter—Yea, and Solomon—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE FOR H.R. 1432, AFRICA GROWTH AND OPPORTUNITY ACT

Part I—Amendments modifying the committee amendment in the nature of a substitute

Crane: Clarifies that the bill does not create any new entitlement authority by inserting language that the newly-created position of Assistant Trade Representative is to be paid from amounts subject to appropriation.

Appropriations Committee: Strikes subsection (5)(d) which violates clause 5(a) of Rule XXI (prohibiting appropriations in a legislative bill).

Part II

Smith, L. (WA)—10 minutes: Adds language that assures sub-Saharan countries are actively cooperating in the fight to eliminate

slavery before they are allowed to participate in this new trading design.

Waters—20 minutes: Clarifies that a country seeking eligibility in the bill does not need to meet every one of the enumerated requirements in Section 4(a) to be found eligible.

Waters—20 minutes: Sets a floor for funding the Development Fund for Africa at not less than the amount made available for FY 1998 and ensures a minimum funding level for this Fund.

Waters—20 minutes: Adds specificity to the goals in Section 6(c) regarding expanded trade and investment between the U.S. and sub-Saharan Africa highlighting the importance of encouraging joint ventures between small and large businesses.

Davis (IL)—10 minutes: Sense of Congress that the U.S. Government should make every effort to donate obsolete air traffic control equipment, including related reimbursable technical assistance to eligible sub-Saharan African countries.

Bereuter/Solomon—20 minutes: Gives the President discretion, subject to Congressional approval, to designate certain additional countries as eligible to participate in the programs of the bill if the country or region otherwise meets the requirements in the bill and if that designation is in the national interest of the U.S.

PART I

AMENDMENTS MODIFYING THE COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

In section 13, insert before the period at the end “, subject to the availability of appropriations”.

Beginning on page 50, strike line 9 and all that follows through page 52, line 18.

PART II

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LINDA SMITH OF WASHINGTON, OR REPRESENTATIVE WOLF OF VIRGINIA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

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.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

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.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

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.”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

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”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIS OF ILLINOIS, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

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.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEREUTER OF NEBRASKA, OR REPRESENTATIVE SOLOMON OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

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) are Mauritania, Morocco, Algeria, Egypt, and Tunisia, and the

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region referred to is the Western Sahara region of northwest Africa.

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