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.)

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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.

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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.

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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.

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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.

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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
Clay
Clayton
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crapo
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 pharmeceuticals 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.

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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)
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)

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

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