

private lands. Bulldozing trenches requires a commitment of valuable personnel and heavy equipment and carries a risk of releasing excessive silt into Lake Oconee.

The increased efficiency of management of National Forests allowed by this land exchange will lead to reduced risk to Forest Service personnel and improved preservation of habitat and wildlife.

The Forest Service will gain a habitat for the red-cockaded woodpecker and a quality trout stream, and the Georgia Nature Conservancy and the Georgia Wildlife Federation have informed me of their support for this legislation. I urge my colleagues to join in passing this legislation.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the Senate bill, S. 604.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 604, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### CLARIFYING EXPORT-IMPORT BANK BOARD REQUIREMENTS

Mr. LEACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2565) to clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States, as amended.

The Clerk read as follows:

H.R. 2565

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CLARIFICATION OF QUORUM REQUIREMENT FOR THE EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) IN GENERAL.—Section 3(c)(6) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)(6)) is amended to read as follows:

“(6) A quorum of the Board of Directors shall consist of at least 3 members.”

(b) EXCEPTION.—Notwithstanding section 3(c)(6) of the Export-Import Bank Act of 1945, if, during the period that begins on July 21, 1999, and ends on October 1, 1999, there are fewer than 3 persons holding office on the Board of Directors of the Export-Import

Bank of the United States, the entire membership of such Board of Directors shall constitute a quorum until the end of such period.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from Pennsylvania (Mr. KANJORSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2565, a bill to clarify the quorum requirements for the Export-Import Bank of the United States. This bill is designed to remedy a serious problem that has developed with regard to vacancies in Ex-Im's Board of Directors. Without prompt congressional action, this situation could result in the suspension of the Bank's ability to make new financial commitments and jeopardize billions of dollars in pending U.S. export transactions.

The background is as follows: The Bank's charter requires a quorum of its five-member board in order to conduct business. Prior to July 20, two vacancies existed on the board. On July 21, the term of a third board member expired.

Although there is some ambiguity as to whether the quorum requirement refers to a majority of the statutorily prescribed five-person board or, instead, to a majority of board members currently in office, the former interpretation is legally preferable.

As explained in legal analysis provided by the General Accounting Office, the quorum requirement for the five-member board necessarily requires at least three members to be present and transact the board's business. Thus, with only two incumbent members, the board lacks its legally required quorum.

This unfortunate problem is compounded by the fact that no nominations have been made for these vacancies, nor has any intent to nominate been sent to the other body. In this awkward circumstance, Congress has no alternative but to act expeditiously to advance the Nation's interest and remedy this situation. Failure to do so would put America's exports and American jobs at risk.

Therefore, H.R. 2565 clarifies Ex-Im's charter by explicitly providing that a quorum of the board shall consist of three members. At the same time, it provides the Bank with authority to continue operations with only two members of the board until October 1 of this year. This brief window should provide sufficient time for the administration to forward qualified nominees and for their expeditious consideration in the other body.

I would like to thank the gentleman from New York (Mr. LAFALCE) for his leadership and cooperation on this issue. Likewise, I would like to express my appreciation for the leadership of the gentleman from Alabama (Mr. CAL-

LAHAN), the gentleman from Washington (Mr. METCALF), the gentleman from Illinois (Mr. MANZULLO), and the gentleman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Domestic and International Monetary Policy.

Mr. Speaker, I urge adoption of this bill.

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

Mr. KANJORSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, may I clarify for the RECORD that, unfortunately, the gentleman from New York (Mr. LAFALCE) wanted to be here today to support this legislation, but his plane has been tied up, and he is unable to make it and asked me to substitute.

Mr. Speaker, I rise in support of H.R. 2565. This legislation, as amended, permits the Export-Import Bank to operate with only two board members until October 1, 1999. During this interim period, the other body should be in a position to confirm additional board members.

This legislation is necessary to allow the bank to make legally-binding financing commitments on nearly \$7 billion in pending U.S. export transactions. Mr. Speaker, in this era of record trade deficits, we must ensure that significant export transactions continue uninterrupted. Continued operation of the Export-Import Bank will allow U.S. companies to compete on a level playing field with their counterparts in other industrialized nations, who also have access to the important export financing tools, such as loan guarantees, that are offered by the Export-Import Bank.

Mr. Speaker, I wish to commend the gentleman from Iowa (Mr. LEACH), chairman of the Committee on Banking and Financial Services, for sponsoring this legislation, and I urge all my colleagues to support it.

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

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply want to thank the gentleman from Pennsylvania (Mr. KANJORSKI) for his assistance on this issue and for his long-time quality representation on the House Committee on Banking and Financial Services.

This is an issue primarily between the Executive Branch and the other body, but it is something that requires a shift in law, and this body, I think, at this time ought to recognize that particular problem and move as cooperatively as possible with the other body and the Executive Branch in this issue.

Mr. LEACH. Mr. Speaker, I yield back the balance of my time.

Mr. KANJORSKI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and pass the bill, H.R. 2565, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

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AUTHORIZING RELEASE OF  
RECORDS ON MISSING PERSONS  
IN SOUTHEAST ASIA

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 172) to authorize and direct the Archivist of the United States to make available for public use the records of the House of Representatives Select Committee on Missing Persons in Southeast Asia.

The Clerk read as follows:

H. RES. 172

*Resolved*, That the Archivist of the United States is authorized and directed to make available for public use the records of the House of Representatives Select Committee on Missing Persons in Southeast Asia (94th Congress).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the question of a final resolution on military and, indeed, even civilian personnel in Southeast Asia, principally in Vietnam, has been one that this country has wrestled with for some time.

The gentleman from New York (Mr. GILMAN) was a member of the Select Committee on Missing Persons in Southeast Asia during that Select Committee's existence in the 1970s. That particular committee was dissolved in the 94th Congress, and portions of its records, including 20 executive sessions, were, according to the appropriate procedures at the time, sealed for 50 years. Less sensitive records were sealed for 30 years.

As a member of the Committee on Ways and Means and the Subcommittee on Trade, it was my pleasure a few years ago to travel with then subcommittee Chairman Sam Gibbons on the first official congressional visit to Vietnam prior to our recognition of that country. We spent 2 days in Hawaii being briefed on the extensive, laborious, scientific pursuit of all leads in terms of missing in action and prisoners of war. We also carried on a number of discussions with Vietnamese officials and with individuals in the private sector, indeed loved ones who had sons, daughters, husbands, missing in that war.

It just seems appropriate, according to H. Res. 172, that the conditions in which we now relate to the country of Vietnam, as it pertains to records that were sealed, would only make it more difficult to conclude once and for all the question of prisoners of war and

missing in action. In fact, opening up reports so that any number of people can examine and find leads they find most appropriate, especially the ability to move into the country and talk to individuals, would maximize the opportunity for closing this particular chapter in America's history.

For that reason, and especially since the Senate has already taken similar action, I would urge all Members to support H. Res. 172.

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

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to join the gentleman from New York (Mr. GILMAN), the gentleman from Mississippi (Mr. TAYLOR), and others who cosponsored this resolution and the gentleman from California (Mr. THOMAS), the chairman of the House Committee on Administration, in support of House Resolution 172.

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This action, hopefully, will help both historians, researchers and, most of all, loved ones of missing American servicemen in Southeast Asia; and we should strive, when at all possible, for a policy of openness with respect to the records of loved ones who fought overseas on behalf of our country.

Simply put, this resolution would declassify the records of the House Select Committee on Missing Persons. It would authorize and direct the archivist of the United States to make these records available to the public.

In the 1970s, Mr. Speaker, the Select Committee investigated and tried to determine whether American servicemen had, in fact, been left behind in Southeast Asia after the Vietnam War. As has been explained, House rules mandated when the Select Committee was dissolved that its records be kept secret for 50 years. Similar rules governed the records of the Senate Select Committee that studied the same issue.

However, several years ago, Mr. Speaker, the Senate agreed to reduce the period of secrecy to 20 years and, thus, directed all its committee files be declassified. We should do the same thing, and we should do it for two principle reasons:

First, the families and loved ones of missing servicemen in Southeast Asia deserve and ought to know what the House Select Committee uncovered, and they should not have to wait even another day. These families should not have to fight their government on the release of these files, particularly since many of their loved ones fought so valiantly, so bravely, on behalf of our government, our people, and our commitment to democracy.

Finally, Mr. Speaker, I believe that secrecy only fuels suspicion. While there are, of course, secrets the government must keep for national security reasons, this is not the case in this instance. As the Senate Select Com-

mittee stated in its final report, and I quote, "Nothing has done more to fuel suspicion about the government's handling of the POW-MIA issue than the fact that so many documents related to those efforts have remained classified for so long."

Mr. Speaker, today we have an opportunity to end that suspicion, and we certainly should do it. I commend the gentleman from New York (Mr. GILMAN) and the gentleman from Mississippi (Mr. TAYLOR), the gentleman from Missouri (Mr. TALENT), and the gentleman from California (Mr. ROHRBACHER), who introduced this resolution, and I am pleased to rise on behalf of its immediate passage.

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

Mr. THOMAS. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. GILMAN), the principal sponsor of H. Res. 172, the chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me this time, and I am pleased to rise today in support of H. Res. 172, a measure designed to declassify the records of the House Select Committee on Missing Persons in Southeast Asia.

I want to thank the chairman of the Committee on House Administration, the gentleman from California (Mr. THOMAS), as well as the ranking minority member, the gentleman from Maryland (Mr. HOYER), for allowing this bill to be brought to the floor under suspension of the rules in this timely manner.

I helped to create and served as a member of the Select Committee on Missing Persons in Southeast Asia during the 94th Congress. At that time the Select Committee was tasked with the responsibility of determining whether American servicemen had been left behind in Southeast Asia after the Vietnam War.

When the Select Committee was dissolved, after completing its work, some 35 boxes of material were sent over to the National Archives and Records Administration. Of that total, 11 boxes contained classified information. This material was subject to House classification rules, which mandated that the material be kept classified for a period of 50 years.

Earlier this decade, the Senate Committee on POW and MIA Affairs declassified all of its files on this issue, making them open to both the families and to researchers. This legislation simply allows the House to follow suit by making a change in House rules and opening all of the Select Committee's files and boxes of material to the public.

In approving this measure for suspension, the committee staff expressed some concern that privacy rights might be compromised if the files were declassified. They were subsequently