

Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: California" (FRL #6439-9), received September 14, 1999; to the Committee on Environment and Public Works.

EC-5363. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Nevada" (FRL #6440-4), received September 14, 1999; to the Committee on Environment and Public Works.

EC-5364. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision of Standards of Performance for Nitrogen Oxide Emissions from New Fossil-Fuel Fired Steam Generating Units—Temporary Stay of Rules as they Apply to Units for Which Modification or Reconstruction Commenced After July 9, 1997" (FRL #64376-1), received September 14, 1999; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. GRAMM, for the Committee on Banking, Housing, and Urban Affairs:

Harry J. Bowie, of Mississippi, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

John D. Hawke, Jr., of the District of Columbia, to be Comptroller of the Currency for term of five years.

Armando Falcon, Jr., of Texas, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, for a term of five years.

Dorian Vanessa Weaver, of Arkansas, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2003.

Dan Herman Renberg, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2003.

Roger Walton Ferguson, Jr., of Massachusetts, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MCCAIN (for himself, Mr. CRAPO, Mr. COCHRAN, and Mr. BINGAMAN):

S. 1633. To recognize National Medal of Honor sites in California, Indiana, and South Carolina; to the Committee on Armed Services.

By Mr. ALLARD:

S. 1634. A bill to amend the Internal Revenue Code of 1986 to allow a credit for residential solar energy property; to the Committee on Finance.

By Mr. GRAMS:

S. 1635. A bill to amend the Agricultural Market Transition Act to extend the term of marketing assistance loans; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD:

S. 1636. A bill to authorize a new trade, investment, and development policy for sub-Saharan Africa; to the Committee on Finance.

By Mr. LOTT:

S. 1637. A bill to extend through the end of the current fiscal year certain expiring Federal Aviation Administration authorizations; considered and passed.

By Mr. ASHCROFT (for himself, Mr. SPECTER, and Ms. COLLINS):

S. 1638. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty; to the Committee on the Judiciary.

By Mr. FRIST (for himself, Mr. BREAUX, Mr. MCCAIN, Mr. HOLLINGS, and Mr. ROCKEFELLER):

S. 1639. A bill to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service and Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002; to the Committee on Commerce, Science, and Transportation.

By Mr. WELLSTONE:

S. 1640. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to protect pension benefits of employees in defined benefit plans and to direct the Secretary of the Treasury to enforce the age discrimination requirements of the Internal Revenue Code of 1986 with respect to amendments resulting in defined benefit plans becoming cash balance plans; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1641. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code, of 1986 to require that group and individual health insurance coverage and group health plans provide coverage of cancer screening; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM:

S. Res. 185. A resolution recognizing and commending the personnel of Eglin Air Force Base, Florida, for their participation and efforts in support of the North Atlantic Treaty Organization's (NATO) Operation Allied Force in the Balkan Region; to the Committee on Armed Services.

By Mr. LOTT (for himself, Mr. GREGG, and Mr. COVERDELL):

S. Res. 186. A resolution expressing the sense of the Senate regarding reauthorizing the Elementary and Secondary Education Act of 1965.

By Mr. DASCHLE (for himself, Mr. KENNEDY, Mr. HARKIN, and Mrs. MURRAY):

S. Res. 187. A resolution to express the sense of the Senate regarding education funding.

By Mr. EDWARDS (for himself, Mr. HELMS, Mr. GRAHAM, Mr. HOLLINGS, Mr. WARNER, Mr. ROBB, Mr. LAUTENBERG, Mr. TORRICELLI, Mr. MOYNIHAN, Mr. SCHUMER, Mr. LIEBERMAN, Mr. SARBANES, and Mr. SPECTER):

S. Res. 188. A resolution expressing the sense of the Senate that additional assistance should be provided to the victims of Hurricane Floyd; to the Committee on Environment and Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN (for himself, Mr. CRAPO, Mr. COCHRAN, and Mr. BINGAMAN):

S. 1633. To recognize National Medal of Honor sites in California, Indiana, and South Carolina; to the Committee on Armed Services.

LEGISLATION TO RECOGNIZE NATIONAL MEDAL OF HONOR SITES IN CALIFORNIA, INDIANA, AND SOUTH CAROLINA

Mr. MCCAIN. Mr. President, I rise today to introduce legislation that would designate the Medal of Honor memorials at the national cemetery at Riverside, California, the White River State Park at Indianapolis, Indiana, and the museum at Patriots Point in Mount Pleasant, South Carolina, as National Medal of Honor sites. I am joined in this effort by Senators CRAPO, COCHRAN, and BINGAMAN. This legislation is a companion bill to H.R. 1663, sponsored by Representative KEN CALVERT and cosponsored by 77 Members of the House of Representatives.

Mr. President, this is not a frivolous piece of legislation that I am introducing today. The Medal of Honor is this nation's highest honor. The 3,417 Americans who have received the Medal of Honor, from the Civil War through the terrible battle in the dusty streets of Mogadishu, each demonstrated uncommon courage in the service of their country, many at the cost of their lives. In testimony in support of the House bill before the Veterans Subcommittee on Benefits, Paul Bucha, president of the Congressional Medal of Honor Society, stated that the Society "believes that these projects will bring full recognition to recipients and is hopeful that this will complete the system of memorials that recognize Medal of Honor recipients." Passage of the bill Senators CRAPO, COCHRAN, BINGAMAN and I are introducing today will help to ensure this recognition in a timely manner.

Designation of the three sites as "National" memorials will give them the status they deserve, while bringing them appropriately under the department of Interior. There is no cost associated with this legislation. I hope that my colleagues in the Senate will support passage of this legislation, and thank the President for this opportunity to address the Senate on behalf of this worthy legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1633

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 "National Medal of Honor Memorial Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Medal of Honor is the highest military decoration which the Nation bestows.

(2) The Medal of Honor is the only military decoration given in the name of the Congress of the United States, and therefore on behalf of the people of the United States.

(3) The Congressional Medal of Honor Society was established by an Act of Congress in 1958, and continues to protect, uphold, and preserve the dignity, honor, and name of the Medal of Honor and of the individual recipients of the Medal of Honor.

(4) The Congressional Medal of Honor Society is composed solely of recipients of the Medal of Honor.

SEC. 3. NATIONAL MEDAL OF HONOR SITES.

(a) **RECOGNITION.**—The following sites to honor recipients of the Medal of Honor are hereby recognized as National Medal of Honor sites:

(1) **RIVERSIDE, CALIFORNIA.**—The memorial under construction at the Riverside National Cemetery in Riverside, California, to be dedicated on November 5, 1999.

(2) **INDIANAPOLIS, INDIANA.**—The memorial at the White River State Park in Indianapolis, Indiana, dedicated on May 28, 1999.

(3) **MOUNT PLEASANT, SOUTH CAROLINA.**—The Congressional Medal of Honor Museum at Patriots Point in Mount Pleasant, South Carolina, currently situated on the U.S.S. Yorktown.

(b) **INTERPRETATION.**—This section may not be construed to require or permit the expenditure of Federal funds (other than expenditures already provided for) for any purpose related to the sites recognized in subsection (a).

By Mr. ALLARD:

S. 1634. A bill to amend the Internal Revenue Code of 1986 to allow a credit for residential solar energy property; to the Committee on Finance.

RESIDENTIAL SOLAR ENERGY TAX CREDIT ACT
OF 1999

• Mr. ALLARD. Mr. President. I am honored today to introduce the Residential Solar Energy Tax Credit Act of 1999 which provides a 15 percent residential tax credit for consumers who purchase solar electric (photovoltaics) and solar thermal products.

This bill is an important step in preserving U.S. global leadership in the solar industry where we now export over 70 percent of our products. In the last five years, over ten U.S. solar manufacturing facilities have been built or expanded making the U.S. the world's largest manufacturer of solar products. The expansion of the U.S. domestic market is essential to sustain U.S. global market dominance.

Other countries, notably Japan and Germany, have instituted very large-scale market incentives for the use of solar energy on buildings—spending far more by their governments to build their respective domestic solar industries. Passage of this bill will insure the U.S. stays the global solar market leader into the next millennium.

The recent tax bill passed by this body included necessary support of the independent domestic oil producers, overseas oil refiners, nuclear industry decommissioning, and wind energy—all worthy. This small proposal not only adds to these but provides an incentive to the individual homeowner to generate their own energy. In fact, 28 states have passed laws in the last two years to provide a technical standard for interconnecting solar systems to the electric grid, provide consumer friendly contracts, and provide rates for the excess power generated. These efforts at regulatory reform at the state level combined with a limited incentive as proposed in this bill, will drive the use of solar energy.

Contrary to popular belief, solar energy is manufactured and used evenly throughout the United States. Solar manufacturers are in Arizona, California, Colorado, Delaware, Florida, Illinois, Iowa, Maryland, Massachusetts, Michigan, New Jersey, New Mexico, New York, North Carolina, Ohio, Texas, Virginia, Washington and Wisconsin. In addition, solar assembly and distribution companies are in: Alaska, Connecticut, Georgia, Hawaii, Idaho, Indiana, Kansas, Maine, Minnesota, Missouri, Montana, Nevada, New Hampshire, Oregon, Pennsylvania, Rhode Island, Tennessee, Vermont, as well as Puerto Rico, U.S. Virgin Islands and Guam. In addition to these states, solar component and research companies are in Alabama, Arkansas, Kentucky, Mississippi, Nebraska, North Dakota, Oklahoma, South Carolina, and West Virginia.

More than 90 U.S. electric utilities, including municipalities, cooperatives and independents—which represent more than half of U.S. power generation—are active in solar energy. Aside from new, automated solar manufacturing facilities, a wide range of new uses of solar occurred in 1999, such as:

an array of facilities installed in June at the Pentagon power block to provide mid-day peak power;

installation of solar on the first U.S. skyscraper in Times Square in New York City; and

development of a solar mini-manufacturing facility at a brown field in Chicago which will provide solar products for roadway lighting and for area schools

This small sampling of American ingenuity is just the beginning of the U.S. solar industry's maturity. Adoption of solar power by individual American consumers will create economies-of-scale of production that will, over time, dramatically lower costs and increase availability of solar power.

The bill I have introduced costs much less than the Administration's proposal and provides consumer safeguards. This bill represents a pragmatic approach in utilizing the marketplace as a driver of technology. The benefits to our country are profound. The U.S. solar industry believes the incentives will create 20,000 new high technology manufac-

turing jobs, offset pollution of more than 2 million vehicles, cut U.S. solar energy unit imports which are already over 50 percent, and leverage U.S. industry even further into the global export markets.

The Residential Solar Energy Tax Credit Act of 1999 is sound energy policy, sound environmental policy, promotes our national security, and enhances our economic strength at home and abroad. I ask my colleagues to include this initiative in upcoming tax deliberations. American consumers will thank us, and our children will thank us for the future benefits we have preserved for them.●

By Mr. GRAMS:

S. 1635. A bill to amend the Agricultural Market Transition Act to extend the term of marketing assistance loans; to the Committee on Agriculture, Nutrition, and Forestry.

AGRICULTURAL MARKETING ASSISTANCE LOANS

• Mr. GRAMS. Mr. President, today I rise to introduce legislation extending the term of the CCC marketing assistance loans made to producers by Farm Service Agencies from nine months to thirty-six months. Moreover, my bill grants the Secretary of Agriculture discretion to extend the term of a marketing assistance loan for an additional nine month period if the Secretary determines the extension beyond the thirty-six months would be beneficial to producers.

This nonrecourse marketing assistance loan program gives farmers more bargaining power in the market because they are not forced to sell their crops immediately after the harvest. Without the loan program, buyers' knowledge that farmers have their backs against the wall needing money to repay their bills can force down prices. Prices at harvest also tend to be lower due to the ample volume of grains. These nonrecourse loans permit a farmer to store the grain for a period of time, allowing him the opportunity to sell his crop later when the market price might be higher than the harvest price.

The problem with the current system is that buyers know when the nine month loans are coming due, which adversely impacts the marketing position of producers. Buyers know that the financial pressure on producers is building and they will be forced to take a lower price. Extending the term of the loans from nine to thirty six months will give the farmers better marketing power because it introduces more uncertainty and therefore options to farmers on when the grain will be sold.

I should note that I do not expect farmers to exhaust the full thirty-six months to market their grain, or that the Secretary would routinely extend that term to 45 months, due to the decline in grain quality that would consequently occur. However, I wanted to ensure that farmers possess as much flexibility as possible in deciding when to market their product.

Again, with this bill, I hope to provide farmers with another marketing tool to help them get the best price possible on the market. Our farm families are hurting, and we must help. In addition to introducing this bill, I want to again call upon Agriculture Appropriations conferees to complete their work without adding new issues. Relief to farmers must be passed as soon as possible.

Mr. President, I look forward to working with my colleagues on the Agriculture Committee to pass my bill in the near future.●

Mr. FEINGOLD:

S. 1636. A bill to authorize a new trade, investment, and development policy for sub-Saharan Africa; to the Committee on Finance.

THE HOPE FOR AFRICA ACT OF 1999

Mr. FEINGOLD. Mr. President, today I am introducing the HOPE for Africa Act of 1999, a bill to authorize a new trade, investment and development policy for sub-Saharan Africa. I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1636

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 "HOPE for Africa Act of 1999".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Declarations of policy.
- Sec. 5. Sense of Congress.
- Sec. 6. Sub-Saharan Africa defined.

TITLE I—CANCELLATION OF DEBT OWED BY SUB-SAHARAN AFRICAN COUNTRIES

- Sec. 101. Cancellation of debt owed to the United States Government by sub-Saharan African countries.
- Sec. 102. Advocacy of cancellation of debt owed to foreign governments by sub-Saharan African countries.
- Sec. 103. Report to Congress on plan of advocacy for the cancellation of debt owed to the International Monetary Fund and the International Bank for Reconstruction and development by sub-Saharan African countries.
- Sec. 104. Report on the cancellation of debt owed to United States lenders by sub-Saharan African countries.
- Sec. 105. Study on repayment of debt in local currencies by sub-Saharan African countries.
- Sec. 106. Sense of Congress relating to the allocation of savings from debt relief of sub-Saharan African countries for basic services.
- Sec. 107. Sense of Congress relating to level of interim debt payments prior to full debt cancellation by sub-Saharan African countries.

TITLE II—TRADE PROVISIONS RELATING TO SUB-SAHARAN AFRICA

- Sec. 201. Encouraging mutually beneficial trade and investment.

- Sec. 202. Generalized system of preferences.
- Sec. 203. Additional enforcement.

TITLE III—DEVELOPMENT ASSISTANCE FOR SUB-SAHARAN AFRICAN COUNTRIES

- Sec. 301. Findings.
- Sec. 302. Private and voluntary organizations.
- Sec. 303. Types of assistance.
- Sec. 304. Critical sectoral priorities.
- Sec. 305. Reporting requirements.
- Sec. 306. Separate account for Development Fund for Africa.

TITLE IV—SUB-SAHARAN AFRICA EQUITY AND INFRASTRUCTURE FUNDS

- Sec. 401. Sub-Saharan Africa equity and infrastructure funds.

TITLE V—OVERSEAS PRIVATE INVESTMENT CORPORATION AND EXPORT-IMPORT BANK INITIATIVES

- Sec. 501. Overseas private investment corporation initiatives.
- Sec. 502. Export-Import Bank initiative.

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Anticorruption efforts.
- Sec. 602. Requirements relating to sub-Saharan African intellectual property and competition law.
- Sec. 603. Expansion of the United States and foreign commercial service in sub-Saharan Africa.

TITLE VII—OFFSET

- Sec. 701. Private sector funding for research and development by NASA relating to aircraft performance.

SEC. 3. FINDINGS.

Congress finds the following:

(1) It is in the mutual interest of the United States and the countries of sub-Saharan Africa to promote broad-based economic development and equitable trade and investment policies in sub-Saharan Africa.

(2) Many sub-Saharan African countries have made notable progress toward democratization in recent years.

(3) Despite the enormous political and economic potential in Africa, Africa has the largest number of the poorest countries in the world, with an average per capita income of less than \$500 annually. Thirty-three of the 41 highly indebted poor countries (HIPC) are located in sub-Saharan Africa.

(4) A plan for sustainable, equitable development for, and trade with, Africa must recognize the different levels of development that exist between countries and among different sectors within each country.

(5) Sub-Saharan Africa is inordinately burdened by \$230,000,000,000 in bilateral and multilateral debt whose service requirements—

(A) now take over 20 percent of the export earnings of the sub-Saharan African region, excluding South Africa; and

(B) constitute a serious impediment to the development of stable democratic political structures, broad-based economic growth, poverty eradication, and food security.

(6) The United Nations Declaration of Human Rights guarantees the right to food, shelter, health care, education, and a sustainable livelihood, as well as rights to political freedoms.

(7)(A) The key principles guiding any United States economic policy toward sub-Saharan Africa should include those repeatedly identified by African governments, including the priorities laid out in the "Lagos Plan" developed by the finance ministers of the sub-Saharan African countries in coordination with the Organization for African Unity.

(B) The overriding priority expressed in the "Lagos Plan" is freedom for each African country to self-determine the economic policies that—

(i) suit the needs and development of their people;

(ii) help achieve food self-sufficiency and security; and

(iii) provide broad access to potable water, shelter, primary health care, education, and affordable transport.

(8) Fair trade and mutually beneficial investment can be important tools for broad-based economic development.

SEC. 4. DECLARATIONS OF POLICY.

Congress makes the following declarations:

(1) Economic relations between sub-Saharan Africa and the United States must be oriented toward benefiting the majority of the people of sub-Saharan Africa and of the United States.

(2) Congress endorses the goals stated in the Lagos Plan developed by sub-Saharan African Finance Ministers in cooperation with the Organization for African Unity.

(3) In developing new economic relations with sub-Saharan Africa, the United States should pursue the following:

(A) Strengthening and diversifying the economic production capacity of sub-Saharan Africa.

(B) Improving the level of people's incomes and the pattern of distribution in sub-Saharan Africa.

(C) Adjusting the pattern of public expenditures to satisfy people's essential needs in sub-Saharan Africa.

(D) Providing institutional support for transition to functioning market economies in sub-Saharan Africa through debt relief.

(E) Supporting environmentally sustainable development in sub-Saharan Africa.

(F) Promoting democracy, human rights, and the strength of civil society in sub-Saharan Africa.

(G) Assisting sub-Saharan African countries in efforts to make safe and efficacious pharmaceuticals and medical technologies as widely available to their populations as possible.

SEC. 5. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) for the majority of people in sub-Saharan Africa to be able to benefit from new trade, investment, and other economic opportunities provided by this Act, and the amendments made by this Act, the pre-existing burden of external debt of sub-Saharan African countries must be eliminated; and

(2) only significant debt relief will allow operation of local credit markets and eliminate distortions currently hindering development in sub-Saharan Africa.

SEC. 6. SUB-SAHARAN AFRICA DEFINED.

In this Act, the terms "sub-Saharan Africa", "sub-Saharan African country", "country in sub-Saharan Africa", "sub-Saharan African countries", and "countries in sub-Saharan Africa" refer to the following:

- Republic of Angola (Angola)
- Republic of Benin (Benin)
- Republic of Botswana (Botswana)
- Burkina Faso (Burkina)
- Republic of Burundi (Burundi)
- Republic of Cameroon (Cameroon)
- Republic of Cape Verde (Cape Verde)
- Central African Republic
- Republic of Chad (Chad)
- Federal Islamic Republic of the Comorors (Comoros)
- Democratic Republic of Congo (DROC)
- Republic of the Congo (Congo)
- Republic of Côte d'Ivoire (Côte d'Ivoire)
- Republic of Djibouti (Djibouti)
- Republic of Equatorial Guinea (Equatorial Guinea)
- Ethiopia
- State of Eritrea (Eritrea)
- Gabonese Republic (Gabon)
- Republic of the Gambia (Gambia)
- Republic of Ghana (Ghana)
- Republic of Guinea (Guinea)
- Republic of Guinea-Bissau (Guinea-Bissau)

Republic of Kenya (Kenya)
 Kingdom of Lesotho (Lesotho)
 Republic of Liberia (Liberia)
 Republic of Madagascar (Madagascar)
 Republic of Malawi (Malawi)
 Republic of Mali (Mali)
 Islamic Republic of Mauritania (Mauritania)
 Republic of Mauritius (Mauritius)
 Republic of Mozambique (Mozambique)
 Republic of Namibia (Namibia)
 Republic of Niger (Niger)
 Federal Republic of Nigeria (Nigeria)
 Republic of Rwanda (Rwanda)
 Democratic Republic of Sao Tome and Principe (Sao Tomé and Príncipe)
 Republic of Senegal (Senegal)
 Republic of Seychelles (Seychelles)
 Republic of Sierra Leone (Sierra Leone)
 Somalia
 Republic of South Africa (South Africa)
 Republic of Sudan (Sudan)
 Kingdom of Swaziland (Swaziland)
 United Republic of Tanzania (Tanzania)
 Republic of Togo (Togo)
 Republic of Uganda (Uganda)
 Republic of Zambia (Zambia)
 Republic of Zimbabwe (Zimbabwe)

TITLE I—CANCELLATION OF DEBT OWED BY SUB-SAHARAN AFRICAN COUNTRIES

SEC. 101. CANCELLATION OF DEBT OWED TO THE UNITED STATES GOVERNMENT BY SUB-SAHARAN AFRICAN COUNTRIES.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following:

“PART VI—CANCELLATION OF DEBT OWED TO THE UNITED STATES BY SUB-SAHARAN AFRICAN COUNTRIES

“SEC. 901. CANCELLATION OF DEBT.

“(a) IN GENERAL.—
 “(1) IN GENERAL.—Except as provided in paragraph (2), the President shall cancel all amounts owed to the United States (or any agency of the United States) by sub-Saharan African countries defined in section 6 of HOPE for Africa Act of 1999 resulting from—
 “(A) concessional loans made or credits extended under any provision of law, including the provisions of law described in subsection (b)(1); and
 “(B) nonconcessional loans made, guarantees issued, or credits extended under any provision of law, including the provisions of law described in subsection (b)(2).
 “(2) EXCEPTION.—The provisions of paragraph (1) relating to cancellation of debt shall not apply to any sub-Saharan country if the government of the country—
 “(A) (including its military or other security forces) engages in a pattern of significant violations of internationally recognized human rights;
 “(B) has an excessive level of military expenditures;
 “(C) has repeatedly provided support for acts of international terrorism, as determined by the Secretary of State under section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. app. 2405(j)(1)) or section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)); or
 “(D) is failing to cooperate on international narcotics control matters.
 “(3) CERTIFICATION BY PRESIDENT.—The President shall certify to Congress that any country with respect to which debt is canceled under this subsection is not engaged in an activity described in paragraph (2).
 “(b) PROVISIONS OF LAW.—
 “(1) CONCESSIONAL PROVISIONS OF LAW.—The provisions of law described in this paragraph are the following:
 “(A) Part I of this Act, chapter 4 of part II of this Act, or predecessor foreign economic assistance legislation.

“(B) Title I of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.).
 “(2) NONCONCESSIONAL PROVISIONS OF LAW.—The provisions of law described in this paragraph are the following:
 “(A) Sections 221 and 222 of this Act.
 “(B) The Arms Export Control Act (22 U.S.C. 2751 et seq.).
 “(C) Section 5(f) of the Commodity Credit Corporation Charter Act.
 “(D) Sections 201 and 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5621 and 5622).
 “(E) The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.).
 “(c) TERMINATION OF AUTHORITY.—The authority to cancel debt under this section shall terminate on September 30, 2002.
“SEC. 902. ADDITIONAL REQUIREMENTS.
 “(a) REDUCTION OF DEBT NOT CONSIDERED TO BE ASSISTANCE.—A reduction of debt under section 901 shall not be considered to be assistance for purposes of any provision of law limiting assistance to a country.
 “(b) INAPPLICABILITY OF CERTAIN PROHIBITIONS RELATING TO REDUCTION OF DEBT.—The authority to provide for reduction of debt under section 901 may be exercised notwithstanding section 620(r) of this Act.
“SEC. 903. REPORTS TO CONGRESS.
 “(a) IN GENERAL.—Not later than December 31, 1999, and December 31 of each of the next 3 years, the President shall prepare and transmit to the appropriate congressional committees an annual report concerning the cancellation of debt under section 901 for the prior fiscal year.
 “(b) DEFINITION.—In this section, the term ‘appropriate congressional committees’ means—
 “(1) the Committee on Banking and Financial Services and the Committee on International Relations of the House of Representatives; and
 “(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.
“SEC. 904. AUTHORIZATION OF APPROPRIATIONS.
 “For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the cancellation of debt under section 901, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2000 through 2002.”.

SEC. 102. ADVOCACY OF CANCELLATION OF DEBT OWED TO FOREIGN GOVERNMENTS BY SUB-SAHARAN AFRICAN COUNTRIES.

(a) ADVOCACY OF CANCELLATION OF DEBT.—The Secretary of State shall provide written notification to each foreign government that has outstanding loans, guarantees, or credits to the government of a sub-Saharan African country (qualifying under section 901(a) of the Foreign Assistance Act of 1961, as added by this Act) that it is the policy of the United States to fully and unconditionally cancel all debts owed by each such sub-Saharan African country to the United States. In addition, the Secretary shall urge in writing each such foreign government to follow the example of the United States and fully and unconditionally cancel all debts owed by sub-Saharan African countries to each such foreign government.
 (b) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary of State shall prepare and submit to Congress a report containing—
 (1) a description of each written notification provided to a foreign government under subsection (a);
 (2) a description of the response of each foreign government to the notification; and
 (3) a description of the amount (if any) owed to the United States by any foreign

government opposing the United States policy advocated pursuant to subsection (a).

SEC. 103. REPORT TO CONGRESS ON PLAN OF ADVOCACY FOR THE CANCELLATION OF DEBT OWED TO THE INTERNATIONAL MONETARY FUND AND THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT BY SUB-SAHARAN AFRICAN COUNTRIES.

(a) IN GENERAL.—Not later than January 1, 2000, the Secretary of the Treasury shall submit to Congress a plan to advocate the cancellation of debt owed to the International Monetary Fund and the International Bank for Reconstruction and Development by sub-Saharan African countries and report on its implementation. The plan shall include proposed instructions to the United States Executive Directors of the International Monetary Fund and the International Bank for Reconstruction and Development to use the voice, vote, and influence of the United States to advocate that their respective institutions—
 (1) fully and unconditionally cancel all debts owed by any country in sub-Saharan Africa to such institution;
 (2) encourage each country that benefits from such debt cancellation to allocate 20 percent of the national budget of the country, including savings from such debt cancellation, to basic services, as the country has committed to do under the United Nations 20/20 Initiative, with appropriate input from civil society in developing basic service plans; and
 (3) provide that until all debts owed to such institution have been fully and unconditionally canceled, such institution not be party to, and that no future loan from such institution be used to finance in whole or part the implementation of, any agreement which requires the government of any such country, during any 12-month period beginning on the date of enactment of this section to pay an amount exceeding 5 percent of the annual export earnings of the country toward the servicing of foreign loans.
 (b) DIRECTIONS TO EXECUTIVE DIRECTORS.—The Executive Directors of the International Monetary Fund and the International Bank for Reconstruction and Development shall carry out the instructions described in subsection (a) by all appropriate means, including sending written notice to the governing bodies of members, and by requesting formal votes on the matters described in subsection (a).

(a) IN GENERAL.—Not later than January 1, 2000, the Secretary of the Treasury shall submit to the Congress a report on the amount of debt owed to any United States person by any country in sub-Saharan Africa. The report shall specify the amount owed to each such person by each country, the face value and market value of the debt, and the amount of interest paid to date on the debt. The report shall also include a plan to acquire each debt obligation owed to any United States person by any country in sub-Saharan Africa at the market value of the debt obligation as of January 1, 1999.

SEC. 104. REPORT ON THE CANCELLATION OF DEBT OWED TO UNITED STATES LENDERS BY SUB-SAHARAN AFRICAN COUNTRIES.
 Not later than January 1, 2000, the Secretary of the Treasury shall submit to the Congress a report on the amount of debt owed to any United States person by any country in sub-Saharan Africa. The report shall specify the amount owed to each such person by each country, the face value and market value of the debt, and the amount of interest paid to date on the debt. The report shall also include a plan to acquire each debt obligation owed to any United States person by any country in sub-Saharan Africa at the market value of the debt obligation as of January 1, 1999.

SEC. 105. STUDY ON REPAYMENT OF DEBT IN LOCAL CURRENCIES BY SUB-SAHARAN AFRICAN COUNTRIES.

Section 603 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in section 101(d) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999) is amended—
 (1) in subsection (e)—
 (A) by striking “and” at the end of paragraph (3);

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

“(4) the viability and desirability of having each indebted country in sub-Saharan Africa (as defined in section 6 of the HOPE for Africa Act of 1999) repay foreign loans made to the country (whether made bilaterally, multilaterally, or privately) in the currency of the indebted country; and”;

(2) in subsection (g), by adding at the end the following:

“(6) The matters described in subsection (e)(4).”.

SEC. 106. SENSE OF CONGRESS RELATING TO THE ALLOCATION OF SAVINGS FROM DEBT RELIEF OF SUB-SAHARAN AFRICAN COUNTRIES FOR BASIC SERVICES.

It is the sense of Congress that the government of each sub-Saharan African country should allocate 20 percent of its national budget, including the savings from the cancellation of debt owed by the country to—

(1) the United States (pursuant to part VI of the Foreign Assistance Act of 1961, as added by section 101 of this Act);

(2) other foreign countries (pursuant to section 103 of this Act);

(3) the International Monetary Fund and the International Bank for Reconstruction and Development (pursuant to section 104 of this Act); and

(4) United States persons (pursuant to section 106 of this Act); for the provision of basic services to individuals in each such country, as provided for in the United Nations 20/20 Initiative. In providing such basic services, each government should seek input from appropriate non-governmental organizations.

SEC. 107. SENSE OF CONGRESS RELATING TO LEVEL OF INTERIM DEBT PAYMENTS PRIOR TO FULL DEBT CANCELLATION BY SUB-SAHARAN AFRICAN COUNTRIES.

It is the sense of Congress that, prior to the full and unconditional cancellation of all debts owed by sub-Saharan African countries to the United States (pursuant to part VI of the Foreign Assistance Act of 1961, as added by section 101 of this Act), to other foreign countries, and to United States persons, each sub-Saharan African country should not, in making debt payments described in this title, pay in any calendar year an aggregate amount greater than an amount equal to 5 percent of the export earnings of the country for the preceding calendar year.

TITLE II—TRADE PROVISIONS RELATING TO SUB-SAHARAN AFRICA

SEC. 201. ENCOURAGING MUTUALLY BENEFICIAL TRADE AND INVESTMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) A mutually beneficial United States Sub-Saharan Africa trade policy will grant new access to the United States market for a broad range of goods produced in Africa, by Africans, and include safeguards to ensure that the corporations manufacturing these goods (or the product or manufacture of the oil or mineral extraction industry) respect the rights of their employees and the local environment. Such trade opportunities will promote equitable economic development and thus increase demand in African countries for United States goods and service exports.

(2) Recognizing that the global system of textile and apparel quotas under the MultiFiber Arrangement will be phased out under the Uruguay Round Agreements over the next 5 years with the total termination of the quota system in 2005, the grant of additional access to the United States market in these sectors is a short-lived benefit.

(b) 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 imports to the United States from Kenya and Mauritius, respectively, not later than 30 days after each country demonstrates the following:

(A) The country is not ineligible for benefits under section 502(b)(2) of the Trade Act of 1974 (19 U.S.C. 2462(b)(2)).

(B) The country does not engage in significant violations of internationally recognized human rights and the Secretary of State agrees with this determination.

(C)(i) The country is providing for effective enforcement of internationally recognized worker rights throughout the country (including in export processing zones) as determined under paragraph (5), including the core labor standards enumerated in the appropriate treaties of the International Labor Organization, and including—

(I) the right of association;

(II) the right to organize and bargain collectively;

(III) a prohibition on the use of any form of coerced or compulsory labor;

(IV) the international minimum age for the employment of children (age 15); and

(V) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

(ii) The government of the country ensures that the Secretary of Labor, the head of the national labor agency of the government of that country, and the head of the International Confederation of Free Trade Unions-Africa Region Office (ICFTU-AFRO) each has access to all appropriate records and other information of all business enterprises in the country.

(D) The country is taking adequate measures to prevent illegal transshipment of goods that is carried out by rerouting, false declaration concerning country of origin or place of origin, falsification of official documents, evasion of United States rules of origin for textile and apparel goods, or any other means, in accordance with the requirements of subsection (d).

(E) The country is taking adequate measures to prevent being used as a transit point for the shipment of goods in violation of the Agreement on Textiles and Clothing or any other applicable textile agreement.

(F) The cost or value of the textile or apparel product produced in the country, or by companies in any 2 or more sub-Saharan African countries, plus the direct costs of processing operations performed in the country or such countries, is not less than 60 percent of the appraised value of the product at the time it is entered into the customs territory of the United States.

(G) Not less than 90 percent of employees in business enterprises producing the textile and apparel goods are citizens of that country, or any 2 or more sub-Saharan African countries.

(2) OTHER SUB-SAHARAN COUNTRIES.—The President shall continue the existing no quota policy for each other country in sub-Saharan Africa if the country is in compliance with the requirements applicable to Kenya and Mauritius under subparagraphs (A) through (G) of paragraph (1).

(3) TECHNICAL ASSISTANCE.—The Customs Service shall provide the necessary technical assistance to sub-Saharan African countries in the development and implementation of adequate measures against the illegal transshipment of goods.

(4) OFFSETTING REDUCTION OF CHINESE QUOTA.—When the quota for textile and apparel products imported from Kenya or Mauritius is eliminated, the quota for textile and apparel products from the People's Republic

of China for each calendar year in each product category shall be reduced by the amount equal to the volume of all textile and apparel products in that product category imported from all sub-Saharan African countries into the United States in the preceding calendar year, plus 5 percent of that amount.

(5) DETERMINATION OF COMPLIANCE WITH INTERNATIONALLY RECOGNIZED WORKER RIGHTS.—

(A) DETERMINATION.—

(i) IN GENERAL.—For purposes of carrying out paragraph (1)(C), the Secretary of Labor, in consultation with the individuals described in clause (ii) and pursuant to the procedures described in clause (iii), shall determine whether or not each sub-Saharan African country is providing for effective enforcement of internationally recognized worker rights throughout the country (including in export processing zones).

(ii) INDIVIDUALS DESCRIBED.—The individuals described in this clause are the head of the national labor agency of the government of the sub-Saharan African country in question and the head of the International Confederation of Free Trade Unions-Africa Region Office (ICFTU-AFRO).

(iii) PUBLIC COMMENT.—Not later than 90 days before the Secretary of Labor makes a determination that a country is in compliance with the requirements of paragraph (1)(C), the Secretary shall publish notice in the Federal Register and an opportunity for public comment. The Secretary shall take into consideration the comments received in making a determination under such paragraph (1)(C).

(B) CONTINUING COMPLIANCE.—In the case of a country for which the Secretary of Labor has made an initial determination under subparagraph (A) that the country is in compliance with the requirements of paragraph (1)(C), the Secretary, in consultation with the individuals described in subparagraph (A), shall, not less than once every 3 years thereafter, conduct a review and make a determination with respect to that country to ensure continuing compliance with the requirements of paragraph (1)(C). The Secretary shall submit the determination to Congress.

(C) REPORT.—Not later than 6 months after the date of enactment of this Act, and on an annual basis thereafter, the Secretary of Labor shall prepare and submit to Congress a report containing—

(i) a description of each determination made under this paragraph during the preceding year;

(ii) a description of the position taken by each of the individuals described in subparagraph (A)(ii) with respect to each such determination; and

(iii) a report on the public comments received pursuant to subparagraph (A)(iii).

(6) REPORT.—Not later than March 31 of each year, the President shall publish in the Federal Register and submit to Congress a report on the growth in textiles and apparel imported into the United States from countries in sub-Saharan Africa in order to inform United States consumers, workers, and textile manufacturers about the effects of the no quota policy.

(c) TREATMENT OF TARIFFS.—The President shall provide an additional benefit of a 50 percent tariff reduction for any textile and apparel product of a sub-Saharan African country that meets the requirements of subparagraphs (A) through (G) of subsections (b)(1) and (d) and that is imported directly into the United States from such sub-Saharan African country if the business enterprise, or a subcontractor of the enterprise, producing the product is in compliance with the following:

(1) Citizens of 1 or more sub-Saharan African countries own not less than 51 percent of the business enterprise.

(2) If the business enterprise involves a joint-venture arrangement with, or related to as a subsidiary, trust, or subcontractor, a business enterprise organized under the laws of the United States, the European Union, Japan, or any other developed country (or group of developed countries), or operating in such countries, the business enterprise complies with the environmental standards that would apply to a similar operation in the United States, the European Union, Japan, or any other developed country (or group of developed countries), as the case may be.

(d) CUSTOMS PROCEDURES AND ENFORCEMENT.—

(1) OBLIGATIONS OF IMPORTERS AND PARTIES ON WHOSE BEHALF APPAREL AND TEXTILES ARE IMPORTED.—

(A) IN GENERAL.—Notwithstanding any other provision of law, all imports to the United States of textile and apparel goods pursuant to this Act shall be accompanied by—

(i) 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

(ii) if there is more than one manufacturer or producer, or if 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 subclause (i) with respect to each such manufacturer, producer, contractor, or subcontractor, including a description of the process performed by each such entity;

(iii) a certification by the importer of record 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

(iv) a certification by the importer that the goods being entered do not violate applicable trademark, copyright, and patent laws.

(B) LIABILITY.—The importer of record and the final retail seller of the merchandise shall be jointly liable for any material false statement, act, or omission made with the intention or effect of—

(i) circumventing any quota that applies to the merchandise; or

(ii) avoiding any duty that would otherwise be applicable to the merchandise.

(2) OBLIGATIONS OF COUNTRIES TO TAKE ACTION AGAINST TRANSSHIPMENT AND CIRCUMVENTION.—The President shall ensure that any country in sub-Saharan Africa that intends to import textile and apparel goods into the United States—

(A) has in place adequate measures 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 of any provision of this section or of any agreement regulating trade in apparel and textiles between that country and the United States.

(3) STANDARDS OF PROOF.—

(A) FOR IMPORTERS AND RETAILERS.—

(i) IN GENERAL.—The United States Customs Service (in this Act referred to as the “Customs Service”) shall seek imposition of a penalty against an importer or retailer for a violation of any provision of this section if the Customs Service determines, after appropriate investigation, that there is a substantial likelihood that the violation occurred.

(ii) USE OF BEST AVAILABLE INFORMATION.—

If an importer or retailer fails to cooperate with the Customs Service in an investigation to determine if there has been a violation of any provision of this section, the Customs Service shall base its determination on the best available information.

(B) FOR COUNTRIES.—

(i) IN GENERAL.—The President may determine that a country is not taking adequate measures to prevent illegal transshipment of goods or to prevent being used as a transit point for the shipment of goods in violation of this section if the Customs Service determines, after consultations with the country concerned, that there is a substantial likelihood that a violation of this section occurred.

(ii) USE OF BEST AVAILABLE INFORMATION.—

(i) IN GENERAL.—If a country fails to cooperate with the Customs Service in an investigation to determine if an illegal transshipment has occurred, the Customs Service shall base its determination on the best available information.

(ii) EXAMPLES.—Actions indicating failure of a country to cooperate under subclause (i) include—

(aa) denying or unreasonably delaying entry of officials of the Customs Service to investigate violations of, or promote compliance with, this section or any textile agreement;

(bb) providing appropriate United States officials with inaccurate or incomplete information, including information required under the provisions of this section; and

(cc) denying appropriate United States officials access to information or documentation relating to production capacity of, and outward processing done by, manufacturers, producers, contractors, or subcontractors within the country.

(4) PENALTIES.—

(A) FOR IMPORTERS AND RETAILERS.—The penalty for a violation of any provision of this section by an importer or retailer of textile and apparel goods—

(i) for a first offense (except as provided in clause (iii)), shall be a civil penalty in an amount equal to 200 percent of the declared value of the merchandise, plus forfeiture of the merchandise;

(ii) for a second offense (except as provided in clause (iii)), shall be a civil penalty in an amount equal to 400 percent of the declared value of the merchandise, plus forfeiture of the merchandise, and, shall be punishable by a fine of not more than \$100,000, imprisonment for not more than 1 year, or both; and

(iii) for a third or subsequent offense, or for a first or second offense if the violation of the provision of this section is committed knowingly and willingly, shall be punishable by a fine of not more than \$1,000,000, imprisonment for not more than 5 years, or both, and, in addition, shall result in forfeiture of the merchandise.

(B) FOR COUNTRIES.—If a country fails to undertake the measures or fails to cooperate as required by this section, the President shall impose a quota on textile and apparel goods imported from the country, based on the volume of such goods imported during the first 12 of the preceding 24 months, or shall impose a duty on the apparel or textile goods of the country, at a level designed to secure future cooperation.

(5) 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 of textiles and

apparel from sub-Saharan African countries, in addition to the specific provisions of this section.

(6) MONITORING AND REPORTS TO CONGRESS.—Not later than March 31 of each year, the Customs Service shall monitor and the Commissioner of Customs shall submit to Congress a report on the measures taken by each country in sub-Saharan Africa that imports textiles or apparel goods into the United States—

(A) to prevent transshipment; and

(B) to prevent circumvention of this section or of any agreement regulating trade in textiles and apparel between that country and the United States.

(e) DEFINITION.—In 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. 202. 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.—

“(i) IN GENERAL.—(I) Subject to clause (ii), the President may provide duty-free treatment for any article described in subclause (II) that is imported directly into the United States from a sub-Saharan African country.

“(II) ARTICLE DESCRIBED.—

“(aa) IN GENERAL.—An article described in this subclause is an article set forth in the most current Lome Treaty product list, that is the growth, product, or manufacture of a sub-Saharan African country that is a beneficiary developing country and that is in compliance with the requirements of subsections (b) and (d) of section 201 of the HOPE for Africa Act of 1999, with respect to such article, 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 all articles imported from United States Trading partners. This subparagraph shall not affect the designation of eligible articles under subparagraph (B).

“(bb) OTHER REQUIREMENTS.—In addition to meeting the requirements of division (aa), in the case of an article that is the product or manufacture of the oil or mineral extraction industry, and the business enterprise that produces or manufactures the article is involved in a joint-venture arrangement with, or related to as a subsidiary, trust, or subcontractor, a business enterprise organized under the laws of the United States, the European Union, Japan, or any other developed country (or group of developed countries), or operating in such countries, the business enterprise complies with the environmental standards that would apply to a similar operation in the United States, the European Union, Japan, or any other developed country (or group of developed countries), as the case may be.

“(ii) RULE OF CONSTRUCTION.—For purposes of clause (i), in applying subparagraphs (A) through (G) of section 201(b)(1) and section 201(d) of the Hope for Africa Act of 1999, any reference to textile and apparel goods or products shall be deemed to refer to the article provided duty-free treatment under clause (i).”

(b) TERMINATION.—Title V of the Trade Act of 1974 is amended by inserting after section 505 the following new section:

“SEC. 505A. TERMINATION OF BENEFITS FOR SUB-SAHARAN AFRICAN COUNTRIES.

“No duty-free treatment provided under this title shall remain in effect after September 30, 2006 in the case of a beneficiary developing country that is a sub-Saharan African country.”.

(d) **DEFINITIONS.**—Section 507 of the Trade Act of 1974 (19 U.S.C. 2467) is amended by adding at the end the following:

“(6) **SUB-SAHARAN AFRICAN COUNTRY.**—The terms ‘sub-Saharan African country’ and ‘sub-Saharan African countries’ mean a country or countries in sub-Saharan Africa, as defined in section 6 of the HOPE For Africa Act of 1999.

“(7) **LOME TREATY PRODUCT LIST.**—The term ‘Lome Treaty product list’ means the list of products that may be granted duty-free access into the European Union according to the provisions of the fourth iteration of the Lome Convention between the European Union and the African-Caribbean and Pacific States (commonly referred to as ‘Lome IV’) signed on November 4, 1995.”.

(e) **CLERICAL AMENDMENT.**—The table of contents for title V of the Trade Act of 1974 is amended by inserting after the item relating to section 505 the following new item:

“505A. Termination of benefits for sub-Saharan African countries.”.

(f) **EFFECTIVE DATE.**—The amendments made by this section take effect on the date that is 30 days after the date enactment of this Act.

SEC. 203. ADDITIONAL ENFORCEMENT.

A citizen of the United States shall have a cause of action in the United States district court in the district in which the citizen resides or in any other appropriate district to seek compliance with the standards set forth under subparagraphs (A) through (G) of section 201(b)(1), section 201(c), and section 201(d) of this Act with respect to any sub-Saharan African country, including a cause of action in an appropriate United States district court for other appropriate equitable relief. In addition to any other relief sought in such an action, a citizen may seek three times the value of any damages caused by the failure of a country or company to comply. The amount of damages described in the preceding sentence shall be paid by the business enterprise (or business enterprises) the operations or conduct of which is responsible for the failure to meet the standards set forth under subparagraphs (A) through (G) of section 201(b)(1), section 201(c), and section 201(d) of this Act.

TITLE III—DEVELOPMENT ASSISTANCE FOR SUB-SAHARAN AFRICAN COUNTRIES**SEC. 301. FINDINGS.**

(a) **IN GENERAL.**—Congress makes the following findings:

(1) In addition to drought and famine, the HIV/AIDS epidemic has caused countless deaths and untold suffering among the people of sub-Saharan Africa.

(2) The Food and Agricultural Organization estimates that 543,000,000 people, representing nearly 40 percent of the population of sub-Saharan Africa, are chronically undernourished.

(b) **AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961.**—Section 496(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(a)(1)) is amended by striking “drought and famine” and inserting “drought, famine, and the HIV/AIDS epidemic”.

SEC. 302. PRIVATE AND VOLUNTARY ORGANIZATIONS.

Section 496(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(e)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

“(2) **CAPACITY BUILDING.**—In addition to assistance provided under subsection (h), the United States Agency for International Development shall provide capacity building assistance through participatory planning to private and voluntary organizations that are involved in providing assistance for sub-Saharan Africa under this chapter.”.

SEC. 303. TYPES OF ASSISTANCE.

Section 496(h) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(h)) is amended by adding at the end the following:

“(4) **PROHIBITION ON MILITARY ASSISTANCE.**—Assistance under this section—

“(A) may not include military training or weapons; and

“(B) may not be obligated or expended for military training or the procurement of weapons.”.

SEC. 304. CRITICAL SECTORAL PRIORITIES.

(a) **AGRICULTURE, FOOD SECURITY AND NATURAL RESOURCES.**—Section 496(i)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(i)(1)) is amended—

(1) in the heading, to read as follows:

“(1) **AGRICULTURE, FOOD SECURITY AND NATURAL RESOURCES.**—”;

(2) in subparagraph (A)—

(A) in the heading, to read as follows:

“(A) **AGRICULTURE AND FOOD SECURITY.**—”;

(B) in the first sentence—

(i) by striking “agricultural production in ways” and inserting “food security by promoting agriculture policies”; and

(ii) by striking “, especially food production,”; and

(3) in subparagraph (B), in the matter preceding clause (i), by striking “agricultural production” and inserting “food security and sustainable resource use”.

(b) **HEALTH.**—Section 496(i)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(i)(2)) is amended by striking “(including displaced children)” and inserting “(including displaced children and improving HIV/AIDS prevention and treatment programs)”.

(c) **VOLUNTARY FAMILY PLANNING SERVICES.**—Section 496(i)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(i)(3)) is amended by adding at the end before the period the following: “and access to prenatal healthcare”.

(d) **EDUCATION.**—Section 496(i)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(i)(4)) is amended by adding at the end before the period the following: “and vocational education, with particular emphasis on primary education and vocational education for women”.

(e) **INCOME-GENERATING OPPORTUNITIES.**—Section 496(i)(5) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(i)(5)) is amended—

(1) by striking “labor-intensive”; and

(2) by adding at the end before the period the following: “, including development of manufacturing and processing industries and microcredit projects”.

SEC. 305. REPORTING REQUIREMENTS.

Section 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2293) is amended by adding at the end the following:

“(p) **REPORTING REQUIREMENTS.**—The Administrator of the United States Agency for International Development shall, on a semi-annual basis, prepare and submit to Congress a report containing—

“(1) a description of how, and the extent to which, the Agency has consulted with nongovernmental organizations in sub-Saharan Africa regarding the use of amounts made available for sub-Saharan African countries under this chapter;

“(2) the extent to which the provision of such amounts has been successful in increasing food security and access to health and education services among the people of sub-Saharan Africa;

“(3) the extent to which the provision of such amounts has been successful in capacity building among local nongovernmental organizations; and

“(4) a description of how, and the extent to which, the provision of such amounts has furthered the goals of sustainable economic and agricultural development, gender equity, environmental protection, and respect for workers’ rights in sub-Saharan Africa.”.

SEC. 306. SEPARATE ACCOUNT FOR DEVELOPMENT FUND FOR AFRICA.

Amounts appropriated to the Development Fund for Africa shall be appropriated to a separate account under the heading “Development Fund for Africa” and not to the account under the heading “Development Assistance”.

TITLE IV—SUB-SAHARAN AFRICA EQUITY AND INFRASTRUCTURE FUNDS**SEC. 401. SUB-SAHARAN AFRICA EQUITY AND INFRASTRUCTURE FUNDS.**

(a) **INITIATION OF FUNDS.**—Not later than 12 months after the date of enactment of this Act, the Overseas Private Investment Corporation shall exercise the authorities it has to initiate 1 or more equity funds in support of projects in the countries in sub-Saharan Africa, in addition to any existing equity fund for sub-Saharan Africa established by the Corporation before the date of enactment of this Act.

(b) **STRUCTURE AND TYPES OF FUNDS.**—

(1) **STRUCTURE.**—Each fund initiated under subsection (a) shall 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 shall 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.**—One or more of the funds, with combined assets of up to \$500,000,000, shall be used in support of infrastructure projects in countries of sub-Saharan Africa, including basic health services (including AIDS prevention and treatment), hospitals, potable water, sanitation, schools, electrification of rural areas, and publicly-accessible transportation in sub-Saharan African countries.

(c) **ADDITIONAL REQUIREMENTS.**—The Corporation shall ensure that—

(1) not less than 70 percent of trade financing and investment insurance provided through the equity funds established under subsection (a), and through any existing equity fund for sub-Saharan Africa established by the Corporation before the date of enactment of this Act, are allocated to small, women- and minority-owned businesses—

(A) of which not less than 60 percent of the ownership is comprised of citizens of sub-Saharan African countries and 40 percent of the ownership is comprised of citizens of the United States; and

(B) that have assets of not more than \$1,000,000; and

(2) not less than 50 percent of the funds allocated to energy projects are used for renewal or alternative energy projects.

TITLE V—OVERSEAS PRIVATE INVESTMENT CORPORATION AND EXPORT-IMPORT BANK INITIATIVES**SEC. 501. OVERSEAS PRIVATE INVESTMENT CORPORATION INITIATIVES.**

Section 233 of the Foreign Assistance Act of 1961 (22 U.S.C. 2193) is amended by adding at the end the following:

“(e) **ADVISORY COMMITTEE.**—

“(1) **ESTABLISHMENT.**—The President shall establish an advisory committee to work with and assist the Board in developing and implementing policies, programs, and financial instruments with respect to sub-Saharan

Africa, including with respect to equity and infrastructure funds established under title IV of the HOPE for Africa Act of 1999.

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The advisory committee established under paragraph (1) shall consist of 15 members appointed by the President, of which 7 members shall be employees of the United States Government and 8 members shall be representatives of the private sector, including a representative from—

“(i) a not-for-profit public interest organization;

“(ii) an organization with expertise in development issues;

“(iii) an organization with expertise in human rights issues;

“(iv) an organization with expertise in environmental issues; and

“(v) an organization with expertise in international labor rights.

“(B) TERMS.—Each member of the advisory committee shall be appointed for a term of 2 years.

“(C) COMPENSATION OF MEMBERS.—

“(i) PRIVATE SECTOR.—Members of the advisory committee who are representatives of the private sector shall not receive compensation by reason of their service on the advisory committee.

“(ii) OFFICERS AND EMPLOYEES OF GOVERNMENT.—Members of the advisory committee who are officers or employees of the Federal Government may not receive additional pay, allowances, or benefits by reason of their service on the advisory committee.

“(3) MEETINGS.—

“(A) OPEN TO PUBLIC.—Meetings of the advisory committee shall be open to the public.

“(B) ADVANCE NOTICE.—The advisory committee shall provide advance notice in the Federal Register of any meeting of the committee, shall provide notice of all proposals or projects to be considered by the committee at the meeting, and shall solicit written comments from the public relating to such proposals or projects.

“(C) DECISIONS.—Any decision of the advisory committee relating to a proposal or project shall be published in the Federal Register with an explanation of the extent to which the committee considered public comments received with respect to the proposal or project, if any.

“(4) ENVIRONMENTAL IMPACT ASSESSMENTS.—The Corporation shall complete and release to the public the environmental impact assessments in compliance with the National Environmental Policy Act with respect to any proposal or project not later than 120 days before the advisory committee, or the Board, considers such proposal or project, whichever occurs earlier.”.

SEC. 502. EXPORT-IMPORT BANK INITIATIVE.

Section 2(b)(9) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)) is amended to read as follows:

“(9) For purposes of the funds allocated by the Bank for projects in countries in sub-Saharan Africa (as defined in section 6 of the HOPE for Africa Act of 1999):

“(A) The President shall establish an advisory committee to work with and assist the Board in developing and implementing policies, programs, and financial instruments with respect to such countries.

“(B) The advisory committee established under subparagraph (A) shall consist of 15 members, appointed by the President, of which 7 members shall be employees of the United States Government and 8 members shall be representatives of the private sector, including a representative from—

“(i) a not-for-profit public interest organization;

“(ii) an organization with expertise in development issues;

“(iii) an organization with expertise in human rights;

“(iv) an organization with expertise in environmental issues; and

“(v) an organization with expertise in international labor rights.

“(C) Each member of the advisory committee shall serve for a term of 2 years.

“(D)(i) Members of the advisory committee who are representatives of the private sector shall not receive compensation by reason of their service on the advisory committee.

“(ii) Members of the advisory committee who are officers or employees of the Federal Government may not receive additional pay, allowances, or benefits by reason of their service on the advisory committee.

“(E) Meetings of the advisory committee shall be open to the public.

“(F) The advisory committee shall give timely advance notice of each meeting of the advisory committee, including a description of any matters to be considered at the meeting, shall establish a public docket, shall solicit written comments in advance on each proposal, and shall make each decision in writing with an explanation of disposition of the public comments.

“(G) The Bank shall complete and release to the public an environmental impact assessment in compliance with the National Environmental Policy Act with respect to a proposal or project with potential environmental effects, not later than 120 days before the advisory committee, or the Board, considers the proposal or project, whichever occurs earlier.

“(H) Section 14(a)(2) of the Federal Advisory Committee Act shall not apply to the advisory committee.”.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. ANTICORRUPTION EFFORTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Corruption and bribery of public officials is a major problem in many African countries and represents a serious threat to the development of a functioning domestic private sector, to United States business and trade interests, and to prospects for democracy and good governance in African countries.

(2) Of the 17 countries in sub-Saharan Africa rated by the international watchdog group, Transparency International, as part of the 1998 Corruption Perception Index, 13 ranked in the bottom half.

(3) The Organization for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, which has been signed by all 29 members of the OECD plus Argentina, Brazil, Bulgaria, Chile, and the Slovak Republic and which entered into force on February 15, 1999, represents a significant step in the elimination of bribery and corruption in international commerce.

(4) As a party to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, the United States should encourage the highest standards possible with respect to bribery and corruption.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should encourage at every opportunity the accession of sub-Saharan African countries, as defined in section 6, to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

SEC. 602. REQUIREMENTS RELATING TO SUB-SAHARAN AFRICAN INTELLECTUAL PROPERTY AND COMPETITION LAW.

(a) FINDINGS.—Congress finds that—

(1) since the onset of the worldwide HIV/AIDS epidemic, approximately 34,000,000 peo-

ple living in sub-Saharan Africa have been infected with the disease;

(2) of those infected, approximately 11,500,000 have died; and

(3) the deaths represent 83 percent of the total HIV/AIDS-related deaths worldwide.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the interest of the United States to take all necessary steps to prevent further spread of infectious disease, particularly HIV/AIDS; and

(2) individual countries should have the ability to determine the availability of pharmaceuticals and health care for their citizens in general, and particularly with respect to the HIV/AIDS epidemic.

(c) LIMITATIONS ON FUNDING.—Funds appropriated or otherwise made available to any department or agency of the United States may not be obligated or expended to seek, through negotiation or otherwise, the revocation or revisions of any sub-Saharan African intellectual property or competition law or policy that is designed to promote access to pharmaceuticals or other medical technologies if the law or policy, as the case may be, complies with the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act.

SEC. 603. EXPANSION OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE IN SUB-SAHARAN AFRICA.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States and Foreign Commercial Service (in this section referred to as the “Commercial Service”) plays an important role in helping United States businesses identify export opportunities and develop reliable sources of information on commercial prospects in foreign countries.

(2) During the 1980’s, the presence of the Commercial Service in sub-Saharan Africa consisted of 14 professionals providing services in 8 countries. By early 1997, that presence had been reduced by one-half to 7, in only 4 countries.

(3) Since 1997, the Department of Commerce has slowly begun to increase the presence of the Commercial Service in sub-Saharan Africa, adding 5 full-time officers to established posts.

(4) Although the Commercial Service Officers in these countries have regional responsibilities, this kind of coverage does not adequately service the needs of United States businesses attempting to do business in sub-Saharan Africa.

(5) Because market information is not widely available in many sub-Saharan African countries, the presence of additional Commercial Service Officers and resources can play a significant role in assisting United States businesses in markets in those countries.

(b) APPOINTMENTS.—Subject to the availability of appropriations, by not later than December 31, 2000, the Secretary of Commerce, acting through the Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, shall take steps to ensure that—

(1) at least 20 full-time Commercial Service employees are stationed in sub-Saharan Africa; and

(2) full-time Commercial Service employees are stationed in not less than 10 different sub-Saharan African countries.

(c) REPORTS TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and each year thereafter for 5 years, the Secretary of Commerce, in consultation with the Secretary of State, shall report to Congress on actions taken to carry out subsection (b). Each report shall specify—

(1) in what countries full-time Commercial Service Officers are stationed, and the number of such officers placed in each such country; and

(2) the effectiveness of the presence of the additional Commercial Service Officers in increasing United States exports to sub-Saharan African countries.

TITLE VII—OFFSET

SEC. 701. PRIVATE SECTOR FUNDING FOR RESEARCH AND DEVELOPMENT BY NASA RELATING TO AIRCRAFT PERFORMANCE.

The Administrator of the National Aeronautics and Space Administration may not carry out research and development activities relating to the performance of aircraft (including supersonic aircraft and subsonic aircraft) unless the Administrator receives payment in full for such activities from the private sector.

By Mr. FRIST (for himself, Mr. BREAUX, Mr. MCCAIN, Mr. HOLLINGS, and Mr. ROCKEFELLER):

S. 1639. A bill to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service and Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002; to the Committee on Commerce, Science, and Transportation.

EARTH, WIND, AND FIRE AUTHORIZATION ACT OF 1999

• Mr. FRIST. Mr. President, I rise today to introduce the Earth, Wind, and Fire Authorization Act of 1999. This legislation would authorize three public safety entities: the National Earthquake Hazard Reduction Program (NEHRP), the National Weather Service and related agencies of the national Oceanic and Atmospheric Administration, and the U.S. Fire Administration for fiscal years (FY) 2000, 2001, and 2002. Each of these entities have important science and technology safety programs which serve as a powerful example of the types of research that Federal Government should be investing its scarce resources in—the safety and protection of the American public.

Weather forecasts are an indispensable element of our everyday lives. As Hurricane Floyd ravaged the eastern coast of the United States last week, millions of Americans from the southern tip of Florida to the ports of Boston tuned into their local weather channels to obtain the latest information from the National Weather Service (NWS). They evaluated the very safety of their homes, possessions, and loved ones based upon televised data. Numerous organizations including schools, public transportation, and local businesses were also captivated by NWS forecasts to determine the potential of Hurricane Floyd to threaten the safety of its citizens.

The Earth, Wind, and Fire Authorization Act of 1999 authorizes the NWS at \$617.9 million in FY 2000, \$651.9 million for FY 2001, and \$687.7 million for FY 2002. Atmospheric Research is authorized at \$173.3 million in FY 2000, \$182.8 million in FY 2001, and \$192.8 million in FY 2002. And the National Environ-

mental Satellite, Data, and Information Service (NESDIS) is authorized at \$103 million for FY 2000, \$108.8 million for FY 2001, and \$114.7 million for FY 2002. NESDIS provides for the procurement, launch, and operation of the polar orbiting and geostationary environmental satellites, as well as the management of NOAA's environmental data collections.

Also in the news today is the recent earthquake in Taiwan. The tremendous loss of lives and property has been beyond our comprehension. I am pleased to authorize a federal research program that targets these natural disasters. NEHRP combines research, planning, and response activities conducted within each of the four specified agencies; Federal Emergency Management Agency (FEMA), U.S. Geological Survey (USGS), National Science Foundation (NSF), and National Institute of Standards and Technology (NIST). The ultimate goal of this multi-agency program is to protect lives and property.

The NEHRP is authorized at the following levels (\$ millions):

	FY2000	FY2001	FY2002
FEMA	19.8	20.9	22.0
USGS	46.1	48.6	51.3
NSF	29.9	31.5	33.3
NIST	2.2	2.2	2.4

The mission of the U.S. Fire Administration is to enhance the nation's fire prevention and control activities, and thereby significantly reduce the nation's loss of life from fire while also achieving a reduction in property loss and nonfatal injury due to fire.

The bill, which authorizes the Fire Administration for \$46.1 million in fiscal year 2000, \$47.6 million for fiscal year 2001, and \$49 million for fiscal year 2002, provides for collection, analysis, and dissemination of fire incidence and loss data; development and dissemination of public fire education materials; development and dissemination of better hazardous materials response information for first respondents; and support for research and development for fire safety technologies.

With this authorization, our local and state firefighters will continue to have access to the training from the National Fire Academy necessary to allow them to better perform their jobs of saving lives and protecting property.

The authorization levels detailed above in each independent programs are based upon an overall 5.5 percent increase for research programs for FY 2001 and 2002 over the President's FY 2000 budget request to be consistent with the Federal Research Investment Act.

Mr. President, there are some additional concerns that the committee will continue to address as we proceed to move this legislation. They include the proper role of the NWS and the commercial weather service industry, and several employee-related concerns.●

Mr. HOLLINGS. Mr. President, I join my colleague Senator FRIST in intro-

ducing this bill to authorize the atmospheric programs of the National Oceanic and Atmospheric Administration (NOAA), the U.S. Fire Administration, and the National Earthquake Hazards Reduction Program (NEHRP) through FY 2002. These agencies are doing important work to protect public safety through prediction, education, and mitigation efforts.

This bill authorizes the "dry" side of NOAA, the Fire Administration, and NEHRP at the President's requested level for FY 2000. The Senate-passed Commerce, Justice, State Appropriations bill provided additional monies for the Weather Service and atmospheric research within NOAA, and Senator FRIST has agreed to revise this authorization bill during the Commerce Committee's consideration to reflect this additional support.

As many of you know, I have been trying to put the "O" back in NOAA for years, so it is interesting to be co-sponsoring a bill which authorizes only the "dry" side of NOAA. My support for the "wet" programs of NOAA has not waned. Senator FRIST, Senator BREAUX, and I have also been working with Senators KERRY and SNOWE to craft a bill which will authorize all of the programs of NOAA.

NOAA is doing some important work. We need only look at their superior warnings during and after Hurricane Floyd to see that the National Weather Service directly impacts the lives of Americans every day. Every weather report heard on the Weather Channel, CNN, and local affiliates was based on information provided by NOAA. The agency worked with emergency managers, the private sector, and the public to make sure that its predictions and warnings were heard and could save lives and property.

NOAA's atmospheric scientists are also at work to help us understand what our weather might be like not just next week but also next year or in the next decade. NOAA is trying to understand long-term climate change, as well as seasonal patterns like El Niño and La Niña. Meanwhile, NOAA's satellite operations keep our eyes in the sky in working order and help us understand and predict the path of large systems like hurricanes.

I especially appreciate the hard work that the Weather Service has undertaken in its modernization. While this is still a work in progress, NOAA has improved warning times and accuracy while undertaking a difficult streamlining process. I wonder if Congress may have asked NOAA to do too much with too little and am glad that the Weather Service has been able to fulfill its important mandate even where we might have cut too close to the bone.

Mr. President, while I hope each of us are benefitting from the forecasts and warnings of the Weather Service, I hope that far fewer of us have to interact with this nation's fire service. The United States has over 2 million fires annually. Each one can devastate a

family or business. I should know. This August I lost my home in Charleston, South Carolina. The statistics—approximately 4500 deaths, 30,000 civilian injuries, more than \$8 billion in direct property losses, and more than \$50 billion in costs to taxpayers each year—do not tell the whole story. A fire can take away a lifetime of things that have true value only to the person who has suffered the loss. The tragic thing is that most of these fires are preventable.

The bill would authorize the United States Fire Administration which provides invaluable services—such as training, data, arson assistance, and research of better safety equipment and clothing—to the more than 1.2 million paid and volunteer firefighters throughout the nation. I hope the Fire Administration will work quickly to resolve the outstanding recommendations of the Blue Ribbon Panel so that they can once again focus on reducing losses from fire and meet new challenges like medical emergencies, hazardous spills, and even acts of terrorism. The Strategic Plan called for in Section 302 of the bill should lay out a road map for this process.

Finally, the bill would authorize the programs of the NEHRP. While most people only think of California as having earthquakes, all or parts of 39 states—populated by more than 70 million people—have been classified as having major or moderate seismic risk. In 1886, an earthquake leveled my hometown of Charleston. Estimates of the strength of the Charleston quake range from 7.0 to 7.6 on the Richter Scale. Of particular interest and concern about east coast quakes is that there is no known geological origin for them. This fact underscores the possibility of unpredictable seismic activity in the United States.

What we do know though is that the loss of life and property from earthquakes can be considerable. That is what NEHRP is here for. It is a Federal interagency program—with participation from the Federal Emergency Management Agency, the U.S. Geological Service, the National Science Foundation, and the National Institute of Standards and Technology—designed to help minimize the loss of life and property caused by earthquakes. It supports scientific research on the origins of earthquakes, and funds engineering research to make buildings and other structures more seismically resistant. NEHRP also disseminates this technical information to the states and helps states and localities prepare for earthquakes. NEHRP focuses on helping states prepare for earthquakes, in contrast to Federal disaster response programs that help states after a major event.

Mr. President, in conclusion the public safety programs authorized in this bill—the Weather Service, fire safety, and earthquake preparedness—protect the lives and property of every American citizen. Protecting public safety is

one of the first and most important functions of government, and I am hopeful that my colleagues will join me in supporting these programs and this bill.

By Mr. WELLSTONE:

S. 1640. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to protect pension benefits of employees in defined benefit plans and to direct the Secretary of the Treasury to enforce the age discrimination requirements of the Internal Revenue Code of 1986 with respect to amendments resulting in defined benefit plans becoming cash balance plans; to the Committee on Finance.

PENSION BENEFITS PROTECTION AND PRESERVATION ACT OF 1999

• Mr. WELLSTONE. Mr. President, I rise to introduce the Pension Benefits Protection and Preservation Act of 1999, a bill that will protect the hard earned pensions of millions of American workers.

Mr. President, this legislation is long past due because big companies across America have been deserting their traditional defined benefit pension plan which promised a fair retirement to their long-time workers in favor of new “cash-balance plans” which promise less to loyal employees and more to CEO’s who are already receiving record salaries, stock options and benefits. It is simply unfair for companies to discriminate against the very workers who have made those companies so successful.

Older employees who have been forced into these cash-balance plans are finding their eventual pensions cut by 20-50 percent, and sometimes even more. This conversion technique is saving corporate America billions of dollars, but it is older workers who are paying the price. The technical and actuarial issues of cash-balance conversions may be complex, but what is simple is that Congress must act now to put transition safeguards in place to protect the retirement security of the American worker.

Earlier this week, the Health, Education, Labor, and Pensions Committee heard testimony from long-time IBM employees who were shocked on July 1, 1999, to find that the accrued balance in their pension plans had been slashed up to 50 percent overnight. Why? Because IBM decided to join the corporate conversion parade and convert its defined benefit pension plan that had promised a secure retirement to IBM employees into a plan that left trusted employees both insecure and embittered. IBM employees, including those in my state of Minnesota, used their knowledge of the Internet to organize, to communicate and to ultimately win major, but not fully adequate, concessions from IBM. But most employees of most companies don’t have that kind of on-line sophistication. And no employees should have to rely on protests in order to preserve what they have already earned.

That is why I am introducing this legislation. The Pension Benefits Protection and Preservation Act of 1999 offers a comprehensive approach to the difficulties of employees faced with cash-balance conversions. This measure will ensure fair treatment of American workers by requiring disclosure, pension plan choice, elimination of the “wear-away” of pension benefits, and enforcement of the Age Discrimination and Employment Act.

Workers have a right to know how much of a pension they will receive when an employer unilaterally changes its pension plan. My bill required a detailed disclosure at least 45 days before a plan conversion becomes effective, if that conversion significantly reduces the pension benefits of employees. This gives employees adequate time to compare the benefits they would receive under the old plan with those of the new.

That time to compare plans is critical because my bill penalizes employers who significantly reduce employee pension benefit unless employees are able to knowledgeably choose between old and new plans. Employers who do significantly reduce benefits and fail to allow choice will be liable for an excise tax equal in amount to 50 percent of the surplus in the pension fund of the company. What the threat of this penalty does is to direct pension monies where they belong—into the retirement benefits that employees receive, not into shareholder pockets or stock options of highly paid CEO’s.

The Pension Benefits Protection and Preservation Act of 1999 also eliminates the “wearing-away” of employee’s accrued pension benefits by preventing company pension plans from giving participating employees an opening account balance in their “new” plan that is lower than their already accrued pension benefits to date under the old plan. Under my bill, companies will no longer be able to engage in that tactic; instead, they will be required to continue to pay into workers’ pension accounts without regard to the amount of pension benefits workers have accrued under their old plan.

Finally, the bill directs the Secretary of the Treasury to enforce the existing pension age discrimination law enacted in 1986.

Mr. President, 25 years ago this month ERISA, the Employee Retirement Security Act, was enacted. Congress passed ERISA to put an end to broken pension promises and to protect working men and women. Twenty-five years later what we see instead is ERISA neither adequate—nor adequately enforced—enough to protect workers’ pensions.

Pension funds belong to the workers, not the employer, and we must put in place a strong safety net to prevent those funds from being raided in the guise of being improved. That is why I am introducing the Pension Benefits Protection and Preservation Act of 1999 today, and that is why I am asking my

colleagues to join me in supporting this legislation.●

By Mrs. FEINSTEIN:

S. 1641. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code, of 1986 to require that group and individual health insurance coverage and group health plans provide coverage of cancer screening; to the Committee on Health, Education, Labor and Pensions.

CANCER SCREENING COVERAGE ACT OF 1999

● Mrs. FEINSTEIN. Mr. President, today I am introducing a bill to require health insurance plans to cover screening tests for cancer. The bill requires plans to cover screening tests that are currently available and for which there is broad consensus on their value. To address future changes in scientific knowledge and medical practice, the bill allows the Secretary to change the requirements upon the Secretary's initiative or upon petition by a private individual or group. This bill is a companion to H.R. 1285, introduced by Representatives CAROLYN B. MALONEY and SUE KELLY.

A major way to reduce the number of cancer-related deaths and increase survival is to increase screening rates. The American Cancer Society predicts that the annual cancer death rate this year—563,100 Americans—will equal five Boeing 747 jumbo jets crashing every day for a year. Because early detection can save lives, requiring plans to cover detection tests can decrease the number of people who die each year from cancer.

To put cancer deaths in perspective, the number of Americans that die each year from cancer exceeds the total number of Americans lost to all wars that we have fought in this century. The American Cancer Society estimates that over 1 million new cancer cases will be diagnosed in the United States this year, including 132,500 in California.

Despite our increasing understanding of cancer, unless we act with urgency, the cost to the United States is likely to become unmanageable in the next 10–20 years. The incidence rate of cancer in 2010 is estimated to increase by 29 percent for new cases, and cancer deaths are estimated to increase by 25 percent. Cancer will surpass heart disease as the leading fatal disease in the U.S. by 2010. With our aging U.S. population, unless we act now to change current cancer incidence and death rates, according to the September 1998 report from the Cancer March Research Task Force, we can expect over 2.0 million new cancer cases and 1.0 million deaths per year by 2025. Listen to these startling statistics:

One out of every four deaths in the U.S. is caused by cancer.

This year approximately 563,100 Americans are expected to die of cancer—more than 1,500 people a day.

There have been approximately five million cancer deaths since 1990.

Approximately 12 million new cancer cases have been diagnosed since 1990.

The National Cancer Institute estimates that approximately 8.2 million Americans alive today have a history of cancer.

One out of every two men, one out of every three women will be diagnosed with cancer at some point in their lifetime.

Too many Americans die each year from cancer. The tragedy is that we have tools available which can prevent much unnecessary suffering and death. Early detection—finding cancer early before it has spread—gives a person the best chance of being treated successfully. Early screening for breast, cervical, prostate, and colorectal cancer can increase survival rates. Having insurance coverage for cancer screenings is a major way of encouraging people to get examinations and tests.

Screening examinations, if given on an appropriate schedule by a health care professional, have proven their value. Screening-accessible cancers, such as cancers of the breast, tongue, mouth, colon, rectum, cervix, prostate, testis, and skin, account for approximately half of all new cancer cases. The five-year relative survival rate for these cancers is about 81 percent. According to the American Cancer Society, if all Americans participated in regular cancer screening, this rate could increase to more than 95 percent. For example, people can have colon cancer long before they know it. They may not have any symptoms. Patients diagnosed by a colon cancer screening have a 90 percent chance of survival while patients not diagnosed until symptoms are apparent only have a 8 percent chance of survival.

Finding cancers in their early stages can mean that treatment is less expensive. Treatment of breast, lung, and prostate cancers account for over half of annual medical costs, which by National Institutes of Health estimates is \$37 billion annually.

A colon cancer screening costs approximately \$125–\$300.00. If a patient is not diagnosed with colon cancer until symptoms are apparent, care during the remaining 4–5 years of life can cost up to \$100,000. Similarly, the initial average cost of treating rectal cancer that is detected early is about \$5,700. This is approximately 75 percent less than the estimated \$30,000–\$40,000 it costs to treat rectal cancer that is further along in its development.

The cost of lost productivity due to cancer is \$11 billion annually, while the cost of lost productivity due to premature death is \$59 billion annually. We can't afford not to screen.

Insurance coverage is a major determinant in whether people obtain preventive screenings. In short, when screenings are covered by plans, people are more likely to get them. In California, screening rates for cervical and breast cancer are lower for uninsured women, who are less likely to have had a recent screening and more likely to

have gone longer without being screened than women with coverage.

According to a University of California-Los Angeles Center for Health Policy Research study from February 1998, in California women ages 18–64, 63 percent of uninsured women had not had a Pap test during 1997 versus 40 percent of insured women. Additionally, approximately 67 percent of uninsured Californian women ages 30–64 had not had a clinical breast examination during 1997, compared to 40 percent for insured women in the same age group.

In 1997, Congress added cancer screening coverage under Medicare for certain cancers, such as breast and cervical. Medicare beneficiaries now receive cancer screenings without having to pay out-of-pocket for such tests. Americans under the age of 65 who are privately insured deserve the same health care. Under Medicaid, preventive services are optional benefit. States can choose to cover them or not so coverage varies state to state.

All Americans deserve access to cancer screening, regardless of whether one has health insurance because they are an employee of the Department of Defense, a Medicare beneficiary, or a veteran. Certainly individuals who have private health insurance through their employers—56 percent of Californians have private health insurance—should be guaranteed access to life-saving and life-prolonging cancer screenings. Offering coverage for cancer screening simply makes good sense.

The bill requires plans to cover screenings according to current guidelines:

Annual mammograms for women ages 40 and over and for women under 40 who are at high risk of developing breast cancer.

Annual clinical breast exams for women ages 40 and over and for women between the ages of 20 and 40 who are at high risk of developing breast cancer.

Clinical breast exams every three years for women who are between the ages of 20 and 40 and are not at high risk for developing breast cancer.

Annual pap tests and pelvic examinations for women ages 18 and over or women who are under the age of 18 and are or have been sexually active.

Screening procedures for men and women ages 50 and over or under age 50 and at high risk for developing colorectal cancer, including annual screening fecal-occult blood test and screening flexible sigmoidoscopy every 4 years.

Men and women at high risk for colorectal cancer (in any age group) may receive a screening colonoscopy every 2 years.

Annual digital rectal examination and/or annual prostate-specific blood test for men ages 50 and over or males who are at high risk.

The bill authorizes the Secretary of Health and Human Services to modify coverage requirements to reflect changes in medical practice or new scientific knowledge, based both on the

Secretary's own initiative or upon petition of an individual or organization.

Cancer touches virtually every American in some way. The Comprehensive Cancer Screening Act can be one way to alleviate the fear and reality of cancer felt by millions of Americans. We all want to believe that when a family member is diagnosed with cancer, he or she will get care of the highest quality and that their medical team will conquer this disease. Early detection, while it does not prevent cancer from occurring, can stop cancer before it spreads, extend life, reduce treatment costs, and improve the quality of life for cancer patients. By requiring private health plans to cover cancer screening as a preventive measure, my bill is cost effective and could ease the cancer burden felt by America due to lost productivity related to cancer deaths and illness.

It is long past due for this Congress to send a strong message to insurance companies. Cancer screening is an important prevention measure and should be covered under all insurance plans. America cannot afford not to screen.●

ADDITIONAL COSPONSORS

S. 172

At the request of Mr. MOYNIHAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 172, a bill to reduce acid deposition under the Clean Air Act, and for other purposes.

S. 505

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 505, a bill to give gifted and talented students the opportunity to develop their capabilities.

S. 956

At the request of Ms. SNOWE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 956, a bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss.

S. 1036

At the request of Mr. KOHL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1036, a bill to amend parts A and D of title IV of the Social Security Act to give States the option to pass through directly to a family receiving assistance under the temporary assistance to needy families program all child support collected by the State and the option to disregard any child support that the family receives in determining a family's eligibility for, or amount of, assistance under that program.

S. 1074

At the request of Mr. TORRICELLI, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 1074, a bill to amend the Social Security Act to waive the 24-month waiting period for medicare coverage of individuals with amyotrophic lateral

sclerosis (ALS), and to provide medicare coverage of drugs and biologicals used for the treatment of ALS or for the alleviation of symptoms relating to ALS.

S. 1317

At the request of Mr. AKAKA, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1317, a bill to reauthorize the Welfare-To-Work program to provide additional resources and flexibility to improve the administration of the program.

S. 1455

At the request of Mr. ABRAHAM, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1455, a bill to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes.

S. 1498

At the request of Mr. BURNS, the names of the Senator from Alaska (Mr. STEVENS), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 1498, a bill to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.

S. 1563

At the request of Mr. ABRAHAM, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1563, a bill to establish the Immigration Affairs Agency within the Department of Justice, and for other purposes.

S. 1594

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1594, a bill to amend the Small Business Act and Small Business Investment Act of 1958.

S. 1624

At the request of Mr. WARNER, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1624, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel NORFOLK.

SENATE RESOLUTION 87

At the request of Mr. DURBIN, the names of the Senator from Colorado (Mr. CAMPBELL) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of Senate Resolution 87, a resolution commemorating the 60th Anniversary of the International Visitors Program

AMENDMENT NO. 1751

At the request of Mr. CLELAND the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of amendment No. 1751 intended to be proposed to H.R. 2684, a bill making appropriations for the Departments of Veterans Affairs and Housing and

Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1755

At the request of Mr. KERRY the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of amendment No. 1755 intended to be proposed to H.R. 2684, a bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1756

At the request of Mr. KERRY the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of amendment No. 1756 proposed to H.R. 2684, a bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes. At the request of Mr. BINGAMAN his name was added as a cosponsor of amendment No. 1756 proposed to H.R. 2684, supra.

AMENDMENT NO. 1761

At the request of Mr. BINGAMAN his name was added as a cosponsor of Amendment No. 1761 proposed to H.R. 2684, a bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1789

At the request of Mr. JEFFORDS his name was added as a cosponsor of Amendment No. 1789 proposed to H.R. 2684, a bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

SENATE RESOLUTION 185—RECOGNIZING AND COMMENDING THE PERSONNEL OF EGLIN AIR FORCE BASE, FLORIDA, FOR THEIR PARTICIPATION AND EFFORTS IN SUPPORT OF THE NORTH ATLANTIC TREATY ORGANIZATION'S (NATO) OPERATION ALLIED FORCE IN THE BALKAN REGION

Mr. GRAHAM submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 185

Whereas the personnel of the Air Armament Center at Eglin Air Force Base, Florida, developed and provided many of the munitions, technical orders, expertise, and support equipment utilized by NATO during the Operation Allied Force air campaign;