

## AMENDMENTS SUBMITTED

AFRICAN GROWTH AND  
OPPORTUNITY ACT

## BINGAMAN AMENDMENT NO. 2431

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill (H.R. 434) to authorize a new trade and investment policy for sub-Saharan Africa; as follows:

At the appropriate place, insert the following new section:

**SEC. \_\_\_\_ REPORT.**

(a) IN GENERAL.—Not later than 9 months after the date of enactment of this section, the Comptroller General of the United States shall submit a report to Congress regarding the efficiency and effectiveness of Federal and State coordination of unemployment and retraining activities associated with the following programs and legislation:

(1) trade adjustment assistance (including NAFTA trade adjustment assistance) provided for under title II of the Trade Act of 1974;

(2) the Job Training Partnership Act;

(3) the Workforce Investment Act; and

(4) unemployment insurance.

(b) PERIOD COVERED.—The report shall cover the activities involved in the programs and legislation listed in subsection (a) from January 1, 1994 to December 31, 1999.

(c) DATA AND RECOMMENDATIONS.—The report shall at a minimum include specific data and recommendations regarding—

(1) the compatibility of program requirements related to the employment and retraining of dislocated workers in the United States, with particular emphasis on the trade adjustment assistance programs provided for under title II of the Trade Act of 1974;

(2) the compatibility of application procedures related to the employment and retraining of dislocated workers in the United States;

(3) the capacity of these programs to assist workers negatively impacted by foreign trade and the transfer of production to other countries, measured in terms of employment and wages;

(4) the capacity of these programs to assist secondary workers negatively impacted by foreign trade and the transfer of production to other countries, measured in terms of employment and wages;

(5) how the impact of foreign trade and the transfer of production to other countries would have changed the number of beneficiaries covered under the trade adjustment assistance program if the trade adjustment assistance program covered secondary workers in the United States; and

(6) the effectiveness of the programs described in subsection (a) in achieving reemployment of United States workers and maintaining wage levels of United States workers who have been dislocated as a result of foreign trade and the transfer of production to other countries.

TORRICELLI AMENDMENTS NOS.  
2432-2446

(Ordered to lie on the table.)

Mr. TORRICELLI submitted 15 amendments intended to be proposed by him to the bill, H.R. 434, supra; as follows:

## AMENDMENT No. 2432

At the end of the amendment, add the following new subsection:

( ) EXCEPTION.—This section shall not apply to Cuba until the President reports to Congress that the Government of Cuba—

(1) has held free and fair elections conducted under internationally recognized observers;

(2) has permitted opposition parties ample time to organize and campaign for such elections, and has permitted full access to the media to all candidates in the elections;

(3) is showing respect for the basic civil liberties and human rights of the citizens of Cuba;

(4) is moving toward establishing a free market economic system; and

(5) has committed itself to constitutional change that would ensure regular free and fair elections.

## AMENDMENT No. 2433

At the end of the amendment, add the following new section:

SEC. \_\_\_\_ (a) TREATMENT OF SALES IF CUBA IS ON THE LIST OF TERRORIST STATES.—At any time during which Cuba has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), commercial sales of food and medicine to Cuba shall only be made pursuant to a specific license for each transaction issued by the United States Government.

(b) PREVENTION OF TORTURE AND PROLIFERATION OF CHEMICAL OR BIOLOGICAL WEAPONS.—Nothing in subsection (a) shall be construed as authorizing the sale or transfer of equipment, medicines, or medical supplies that could be used for purposes of torture or human rights abuses or in the development of chemical or biological weapons.

(c) DONATION OF FOOD AND HUMANITARIAN ASSISTANCE TO THE CUBAN PEOPLE.—

(1) IN GENERAL.—Of the amounts available under this Act (including agricultural commodities), under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance), or chapter 4 of part II of that Act (relating to the economic support fund) in any fiscal year, up to \$25,000,000 may be made available each fiscal year to carry out activities under section 109(a) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039(a)) or to provide humanitarian assistance through independent nongovernmental organizations to victims of political repression in Cuba.

(2) SAFEGUARDS ON ASSISTANCE.—(A) Funds made available under paragraph (1) shall be subject to notification of the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1).

(B) Assistance may not be provided under this section if any assistance is likely to be or is found to have been diverted to the Cuban government, to any coercive organization affiliated with the Cuban government, or to any organization that has violated any law or regulation of the United States regarding exports to or financial transactions with Cuba.

## AMENDMENT No. 2434

At the appropriate place, insert the following:

**SEC. \_\_\_\_ LICENSING REQUIREMENT FOR COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.**

The export of any medicine, medical device, or agricultural commodity sold under contract to any country the government of which the Secretary of States determines under section 6(j) of the Export Administra-

tion Act of 1979 has repeatedly provided support for acts of international terrorism shall be made pursuant to a specific license.

## AMENDMENT No. 2435

At the appropriate place in the bill, insert the following:

SEC. \_\_\_\_ The commercial export of agricultural commodities or medicine to a country the government of which on June 1, 1999, had been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) shall only be made—

(1) pursuant to a specific license for each transaction issued by the United States Government;

(2) to nongovernmental organizations or entities, or parastatal organizations, if such organizations or entities are not associated in any way with a coercive body of a government; and

(3) subject to notification of the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1).

## AMENDMENT No. 2436

At the end of the amendment, add the following new section:

**SEC. \_\_\_\_ LIMITATION ON COMMERCIAL SALES OF FOOD AND MEDICINE.**

(a) TREATMENT OF SALES IF COUNTRY IS ON THE LIST OF TERRORIST STATES.—At any time during which a country has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), commercial sales of food and medicine to such country shall only be made pursuant to a specific license for each transaction issued by the United States Government.

(b) PREVENTION OF TORTURE AND PROLIFERATION OF CHEMICAL OR BIOLOGICAL WEAPONS.—Nothing in subsection (a) shall be construed as authorizing the sale or transfer of equipment, medicines, or medical supplies that could be used for purposes of torture or human rights abuses or in the development of chemical or biological weapons.

## AMENDMENT No. 2437

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing financing or United States Government credit for commercial transactions with \_\_\_\_\_, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

## AMENDMENT No. 2438

At the appropriate place in the bill, insert the following:

SEC. \_\_\_\_ Nothing in this Act shall be construed as authorizing commercial exports or other transactions with any country that on June 1, 1999, was determined by the Secretary of State to have been a country the government of which had repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

## AMENDMENT No. 2439

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing any commercial sale that is otherwise prohibited by law to any country that on June 20, 1999, had been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**AMENDMENT No. 2440**

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing financing or United States Government credit for commercial transactions with Sudan, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**AMENDMENT No. 2441**

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing financing or United States Government credit for commercial transactions with Libya, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**AMENDMENT No. 2442**

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing financing or United States Government credit for commercial transactions with North Korea, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**AMENDMENT No. 2443**

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing financing or United States Government credit for commercial transactions with Iran, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**AMENDMENT No. 2444**

At the appropriate place in the bill, insert the following:

**SEC. \_\_\_\_.** (a) Nothing in this Act shall be construed as authorizing commercial transactions with Cuba, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**AMENDMENT No. 2445**

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing financing or United States Government credit for commercial transactions with Syria, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**AMENDMENT No. 2446**

At an appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION RELATING TO COUNTRY SUPPORTIVE OF INTERNATIONAL TERRORISM.**

Nothing in this Act shall be construed as authorizing financing or United States Government credit for commercial transactions with Iraq, which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

**ROTH AMENDMENT No. 2447**

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2354 submitted by Mr. LEVIN to the bill, H.R. 434, supra; as follows:

Strike all text on lines 1 through 4 and at the appropriate place in the bill insert the following:

**SEC. . PROHIBITION ON IMPORTS MADE WITH CHILD LABOR.**

Consistent with the requirements of section 307 of the Tariff Act of 1930, as amended by this Act, none of the benefits provided by the amendments made by this Act shall be made available to any imports that are made with forced or indentured child labor.

**ROTH AMENDMENT No. 2448**

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2373 submitted by Mr. COVERDELL to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 2 through page 2, line 3 and at the appropriate place in the bill insert the following:

**SEC. . COOPERATION WITH EFFORTS TO COMBAT MONEY LAUNDERING.**

In determining a country's eligibility for the beneficial trade preferences provided for under this Act, the President shall consider whether such country has taken steps to prevent its financial system from being used to circumvent the criminal laws of the United States relating to money laundering and other illegal financial activities.

**ROTH AMENDMENT No. 2449**

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2378 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on line 1 through 10 and at the appropriate place in the bill insert the following:

**SEC. . LABOR CONDITIONS IN BENEFICIARY COUNTRIES.**

Within one year after the date of enactment of this Act, the President shall report to Congress regarding whether the labor-re-

lated conditions in this Act have been effective in encouraging beneficiary countries to take steps to afford internationally recognized worker rights to workers in such beneficiary countries.

**ROTH AMENDMENT No. 2450**

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2379 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on lines 1 through 11 and at the appropriate place in the bill insert the following:

**SEC. . LABOR CONDITIONS IN BENEFICIARY COUNTRIES.**

Within one year after the date of enactment of this Act, the President shall report to Congress regarding whether the labor-related conditions in this Act have been effective in encouraging beneficiary countries to take steps to afford internationally recognized worker rights to workers in such beneficiary countries.

**ROTH AMENDMENT No. 2451**

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 10 and at the appropriate place in the bill insert the following:

**SEC. . LABOR CONDITIONS IN BENEFICIARY COUNTRIES.**

Within one year after the date of enactment of this Act, the President shall report to Congress regarding whether the labor-related conditions in this Act have been effective in encouraging beneficiary countries to take steps to afford internationally recognized worker rights to workers in such beneficiary countries.

**ROTH AMENDMENT No. 2452**

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2381 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 3 through page 2, line 5 and at the appropriate place in the bill insert the following:

**SEC. . LABOR CONDITIONS IN BENEFICIARY COUNTRIES.**

Within one year after the date of enactment of this Act, the President shall report to Congress regarding whether the labor-related conditions in this Act have been effective in encouraging beneficiary countries to take steps to afford internationally recognized worker rights to workers in such beneficiary countries.

**SEC. . ENVIRONMENTAL COOPERATION WITH BENEFICIARY COUNTRIES.**

With respect to any of the countries eligible for benefits under this Act, the President may, at his discretion, direct the Administrator of the Environmental Protection Agency to prepare a report identifying what actions should be taken on a bilateral or multilateral basis to assist such beneficiary country in taking the steps necessary to improve environmental conditions in that country.

**ROTH AMENDMENT No. 2453**

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to

amendment No. 2382 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on lines 4 through 9 and at the appropriate place in the bill insert the following:

The benefits provided by this Act and the amendments made by this Act shall terminate immediately if:

(a) the Bureau of Labor Statistics determines that United States textile and apparel industries have lost 50,000 or more jobs at any time during the first 24 months after the date of enactment of this Act; and,

(b) the International Trade Commission determines that such job losses are directly attributable to the benefits provided by this Act and are not attributable to any other cause.

#### ROTH AMENDMENT NO. 2454

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2383 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on lines 4 through 9 and at the appropriate place in the bill insert the following:

#### SEC. . TERMINATION OF BENEFITS IF DOMESTIC INDUSTRY SUFFERS.

The benefits provided by this Act and the amendments made by this Act shall terminate immediately if:

(a) the Bureau of Labor Statistics determines that United States textile and apparel industries have lost 50,000 or more jobs at any time during the first 24 months after the date of enactment of this Act; and

(b) the International Trade Commission determines that such job losses are directly attributable to increased trade resulting from the benefits provided by this Act and are not attributable to any other cause.

#### ROTH AMENDMENT NO. 2455

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2384 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on lines 1 through 10 and at the appropriate place in the bill insert the following:

#### SEC. . ENVIRONMENTAL COOPERATION WITH BENEFICIARY COUNTRIES.

With respect to any of the countries eligible for benefits under this Act, the President may, at his discretion, direct the Administrator of the Environmental Protection Agency to prepare a report identifying what actions should be taken on a bilateral or multilateral basis to assist such beneficiary country in taking the steps necessary to improve environmental conditions in that country.

#### ROTH AMENDMENT NO. 2456

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2385 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through line 12 and at the appropriate place in the bill insert the following:

#### SEC. . ENVIRONMENTAL COOPERATION WITH BENEFICIARY COUNTRIES.

With respect to any of the countries eligible for benefits under this Act, the President

may, at his discretion, direct the Administrator of the Environmental Protection Agency to prepare a report identifying what actions should be taken on a bilateral or multilateral basis to assist such beneficiary country in taking the steps necessary to improve environmental conditions in that country.

#### ROTH AMENDMENT NO. 2457

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2386 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 11 and at the appropriate place in the bill insert the following:

#### SEC. . ENVIRONMENTAL COOPERATION WITH BENEFICIARY COUNTRIES.

With respect to any of the countries eligible for benefits under this Act, the President may, at his discretion, direct the Administrator of the Environmental Protection Agency to prepare a report identifying what actions should be taken on a bilateral or multilateral basis to assist such beneficiary country in taking the steps necessary to improve environmental conditions in that country.

#### ROTH AMENDMENT NO. 2458

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2387 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 2 and at the appropriate place in the bill insert the following:

#### SEC. . ELIMINATION OF MARKET BARRIERS IN BENEFICIARY COUNTRIES.

The President shall take any action he deems necessary under his existing authority to eliminate any trade barriers that, in his view, unduly restrict the access of United States goods, services or investments to the market of a country to which benefits are conferred under this Act.

#### ROTH AMENDMENT NO. 2459

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2388 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 13 and at the appropriate place on the bill insert the following:

#### SEC. . MINIMUM WAGE REQUIREMENT.

(a) Subject to the requirements of subsection (b), the benefits provided by this Act and the amendments made by this Act shall not be available to any country unless the President determines that:

(1) The country has established by law a requirement that employees in that country who are compensated on an hourly basis be compensated at a rate of not less than \$1 per hour; and

(2) the goods imported from that country that are eligible for such benefits are produced in accordance with that law.

(b) The requirements of subsection (a) shall not apply in those instances where the beneficiary country has an unemployment rate that exceeds five percent.

#### ROTH AMENDMENT NO. 2460

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2389 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 3 and at the appropriate place in the bill insert the following:

#### SEC. . MINIMUM WAGE REQUIREMENT.

(a) Subject to the requirements of subsection (b), the benefits provided by this Act and the amendments made by this Act shall not be available to any country unless the President determines that:

(1) The Country has established by law a requirement that employees in that country who are compensated on an hourly basis be compensated at a rate of not less than \$1 per hour; and

(2) the goods imported from that country that are eligible for such benefits are produced in accordance with that law.

(b) The requirements of subsection (a) shall not apply in those instances where the beneficiary country has an unemployment rate that exceeds five percent.

#### ROTH AMENDMENT NO. 2461

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2390 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 10 through page 2, line 9 and at the appropriate place in the bill insert the following:

(d) PROHIBITION ON IMPORTS MADE WITH CHILD LABOR.—Consistent with the requirements of section 307 of the Tariff Act of 1930, as amended by this Act, none of the benefits provided by the amendments made by this Act shall be made available to any imports that are made with forced or indentured child labor.

#### ROTH AMENDMENT NO. 2462

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2391 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on line 2 through line 11 and at the appropriate place in the bill insert the following:

#### SEC. . PROHIBITION ON IMPORTS MADE WITH CHILD LABOR.

Consistent with the requirements of section 307 of the Tariff Act of 1930, as amended by this Act, none of the benefits provided by the amendments made by this Act shall be made available to any imports that are made with forced or indentured child labor.

#### ROTH AMENDMENT NO. 2463

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2403 submitted by Mr. HARKIN to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 6 and at the appropriate place in the bill insert the following:

#### SEC. . ELIMINATION OF THE WORST FORMS OF CHILD LABOR.

In determining a country's eligibility for the benefits under this Act, the President shall consider whether such country has taken or is taking steps to comply with the

standards regarding child labor established by the ILO Convention (No. 182) for the Elimination of the Worst Forms of Child Labor.

#### ROTH AMENDMENT NO. 2464

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2404 submitted by Mr. HARKIN to the bill, H.R. 434, supra; as follows:

Strike all text on lines 1 through 10 and at the appropriate place in the bill insert the following:

#### SEC. . ELIMINATION OF THE WORST FORMS OF CHILD LABOR.

In determining a country's eligibility for the benefits under this Act, the President shall consider whether such country has taken or is taking steps to comply with the standards regarding child labor established by the ILO Convention (No. 182) for the Elimination of the Worst Forms of Child Labor.

#### ROTH AMENDMENT NO. 2465

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2405 submitted by Mr. FEINGOLD to the bill, H.R. 434, supra; as follows:

Make the following modifications to the text:

Page 2, on line 13, strike "section 4" and replace with "section 104".

Page 4, strike text from top of page to the last unnumbered line.

Page 4, line 19, redesignate paragraph as paragraph "(C)".

Page 4, line 25, strike "section 4" and replace with "section 104".

Page 5, line 8, replace "section 105" with "section 115".

Page 7, line 5, strike "section 4" and replace with "section 104".

Page 7, line 20, strike "505A" and replace with "506B".

Page 9, strike all text on that page and replace with the following:

"(1) the country adopts an efficient visa system to guard against unlawful transshipment of textile and apparel goods and the use of counterfeit documents; and (2) the country enacts legislation or promulgates regulations that would permit United States Customs Service verification teams to have the access necessary to investigate thoroughly allegations of transshipment through such country.

Page 14, strike line 22 through page 20, line 22.

#### ROTH AMENDMENT NO. 2466

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2406 proposed by Mr. FEINGOLD to the bill, H.R. 434, supra; as follows:

Make the following modifications to the text:

Page 4, strike text from top of page (line 6) through line 10.

Page 4, on line 25, strike "section 4" and replace with "section 104".

Page 5, on line 8, replace "section 105" with "section 115".

Page 7, strike lines 1 through 7.

#### ROTH AMENDMENT NO. 2467

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2416 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on lines 4 through line 9 and at the appropriate place in the bill insert the following:

The benefits provided by this Act and the amendments made by this Act shall terminate immediately if:

(a) The Bureau of Labor Statistics determines that United States textile and apparel industries have lost 50,000 or more jobs at any time during the first 24 months after the date of enactment of this Act; and,

(b) the International Trade Commission determines that such job losses are directly attributable to increased trade resulting from the benefits provided by this Act and are not attributable to any other cause.

#### ROTH AMENDMENT NO. 2468

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2417 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on line 1 through line 12 and at the appropriate place in the bill insert the following:

#### SEC. . ENVIRONMENTAL COOPERATION WITH BENEFICIARY COUNTRIES.

With respect to any of the countries eligible for benefits under this Act, the President may, at his discretion, direct the Administrator of the Environmental Protection Agency to prepare a report identifying what actions should be taken on a bilateral or multilateral basis to assist such beneficiary country in taking the steps necessary to improve environmental conditions in that country.

#### ROTH AMENDMENT NO. 2469

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2418 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 2 and at the appropriate place in the bill insert the following:

#### SEC. . ELIMINATION OF MARKET BARRIERS IN BENEFICIARY COUNTRIES.

The President shall take any action he deems necessary under his existing authority to eliminate any trade barriers that, in his view, unduly restrict the access of United States goods, services or investments to the market of a country to which benefits are conferred under this Act.

#### ROTH AMENDMENT NO. 2470

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2419 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 1 through page 2, line 5 and at the appropriate place in the bill insert the following:

#### SEC. . LABOR CONDITIONS IN BENEFICIARY COUNTRIES.

Within one year after the date of enactment of this Act, the President shall report to Congress regarding whether the labor-related conditions in this Act have been effective

in encouraging beneficiary countries to take steps to afford internationally recognized worker rights to workers in such beneficiary countries.

#### SEC. . ENVIRONMENTAL COOPERATION WITH BENEFICIARY COUNTRIES.

With respect to any of the countries eligible for benefits under this Act, the President may, at his discretion, direct the Administrator of the Environmental Protection Agency to prepare a report identifying what actions should be taken on a bilateral or multilateral basis to assist such beneficiary country in taking the steps necessary to improve environmental conditions in that country.

#### ROTH AMENDMENT NO. 2471

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2421 submitted by Mr. HOLLINGS to the bill, H.R. 434, supra; as follows:

Strike all text on page 1, line 3 through page 2, line 3 and at the appropriate place in the bill insert the following:

(a) Subject to the requirements of subsection (b), the benefits provided by this Act and the amendments made by this Act shall not be available to any country unless the President determines that:

(1) the country has established by law a requirement that employees in that country who are compensated on an hourly basis be compensated at a rate of not less than \$1 per hour; and,

(2) the goods imported from that country that are eligible for such benefits are produced in accordance with that law.

(b) The requirements of subsection (a) shall not apply in those instances where the beneficiary country has an unemployment rate that exceeds 5 percent.

#### ROTH AMENDMENT NO. 2472

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2430 submitted by Ms. LANDRIEU to the bill, H.R. 434, supra; as follows:

Strike text on page 2, line 1, beginning with "more than 5 times" and continuing through the end of the text on line 4, and replace with the following: "at a level where inclusion of that country would undermine the policy objectives set forth in section 103 of Title I of this Act."

#### HOLLINGS AMENDMENTS NOS. 2473-2474

(Ordered to lie on the table.)

Mr. HOLLINGS submitted two amendments intended to be proposed by him to the bill, H.R. 434, supra; as follows:

#### AMENDMENT NO. 2473

At the appropriate place insert the following:

#### SEC. —. RECIPROCAL TRADE AGREEMENTS REQUIRED.

The benefits provided by the amendments made by this Act shall not be available to any country until the President has negotiated, obtained, and implemented an agreement with the country providing tariff concessions for the importation of United States-made goods that reduce any such import tariffs to rates identical to the tariff rates applied by the United States to that country.

## AMENDMENT NO. 2474

Strike all after the first word and insert the following:

**SEC. . RECIPROCAL TRADE AGREEMENTS REQUIRED.**

The benefits provided by the amendments made by this Act shall not be available to any country until the President has negotiated, obtained, and implemented an agreement with the country providing tariff concessions for the importation of United States-made goods that reduce any such import tariffs to rates identical to the tariff rates applied by the United States to that country.

## ROTH AMENDMENT NO. 2475

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2428 proposed by Mr. FEINGOLD to the bill, H.R. 434, supra; as follows:

Make the following modifications to the text:

Page 3, strike lines 5 through 18.

Page 3, redesignate section "(E)" as section "(C)".

Page 7, strike lines 18 through page 8, line 7, and replace with the following text:

"(1) the country adopts an efficient visa system to guard against unlawful transshipments of textile and apparel goods and the use of counterfeit documents; and

"(2) the country enacts legislation or promulgates regulations that would permit United States Customs verification teams to have the access necessary to investigate thoroughly allegations of transshipments through such country."

Page 9, strike line 25 through page 18, line 7, and replace with the following text:

"(c) PENALTIES FOR TRANSSHIPMENTS.—

"(1) PENALTIES FOR EXPORTERS.—If the President determines, based on sufficient evidence, that an exporter has engaged in transshipment with respect to textile or apparel products from a beneficiary sub-Saharan African country, then the President shall deny all benefits under this section and section 506A of the Trade Act of 1974 to such exporter, any successor of such exporter, and any other entity owned or operated by the principal of the exporter for a period of 2 years.

"(2) TRANSSHIPMENT DESCRIBED.—Transshipment within the meaning of this subparagraph has occurred when preferential treatment for a textile or apparel article under subsection (a) has been claimed on the basis of material false information concerning the country of origin, manufacture, processing, or assembly of the article of any of its components. For purposes of this clause, false information is material if disclosure of the true information would mean or would have meant that the article is or was ineligible for preferential treatment under subsection (a).

"(d) TECHNICAL ASSISTANCE.—The Customs Service shall provide technical assistance to the beneficiary sub-Saharan African countries for the implementation of the requirements set forth in subsection (a)(1) and (2).

"(e) MONITORING AND REPORTS TO CONGRESS.—The Customs Service shall monitor and the Commissioner of Customs shall submit to Congress, not later than March 31 of each year, a report on the effectiveness of the anti-circumvention systems described in this section and on measures taken by countries in sub-Saharan Africa which export textile or apparel to the United States to prevent circumvention as described in article 5 of the Agreement on Textiles and Clothing.

"(f) SAFEGUARD.—The President shall have the authority to impose appropriate remedies, including restrictions on or the removal of quota-free and duty-free treatment provided under this section, in the event that textile and apparel articles from a beneficiary sub-Saharan African country are being imported in such increased quantities as to cause serious damage, or actual threat thereof, to the domestic industry producing like or directly competitive articles. The President shall exercise his authority under this subsection consistent with the Agreement on Textiles and Clothing.

"(g) DEFINITIONS.—In this section:

"(1) AGREEMENT ON TEXTILES AND CLOTHING.—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)).

"(2) BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY, ETC.—The terms 'beneficiary sub-Saharan African countries' and 'beneficiary sub-Saharan African countries' have the same meaning as such terms have under section 506A(c) of the Trade Act of 1974.

"(3) CUSTOMS SERVICE.—The term 'Customs Service' means the United States Customs Service."

## ROTH AMENDMENT NO. 2476

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to amendment No. 2427 submitted by Mr. FEINGOLD to the bill, H.R. 434, supra; as follows:

Make the following modifications to the text:

Page 1, strike text beginning on line 3 through page 23, line 11, and replace with the following:

**"SEC. 111. ELIGIBILITY FOR CERTAIN BENEFITS.**

"(a) IN GENERAL.—Title V of the Trade Act of 1974 is amended by inserting after section 506 the following new section:

**"SEC. 506A. DESIGNATION OF SUB-SAHARAN AFRICAN COUNTRIES FOR CERTAIN BENEFITS.**

"(a) AUTHORITY TO DESIGNATE.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, the President is authorized to designate a country listed in section 4 of the African Growth and Opportunity Act as a beneficiary sub-Saharan African country eligible for the benefits described in subsection (b), if the President determines that the country—

"(A) has established, or is making continual progress toward establishing—

"(i) a market-based economy, where private property rights are protected and the principles of an open, rules-based trading system are observed;

"(ii) a democratic society, where the rule of law, political freedom, participatory democracy, and the right to due process and a fair trial are observed;

"(iii) an open trading system through the elimination of barriers to United States trade and investment and the resolution of bilateral trade and investment disputes; and

"(iv) economic policies to reduce poverty, increase the availability of health care and educational opportunities, expand physical infrastructure, and promote the establishment of private enterprise;

"(B) does not engage in gross violations of internationally recognized human rights or provide support for acts of international terrorism and cooperates in international efforts to eliminate human rights violations and terrorist activities; and

"(C) subject to the authority granted to the President under section 502 (a), (d), and

(e), otherwise satisfies the eligibility criteria set forth in section 502.

"(2) MONITORING AND REVIEW OF CERTAIN COUNTRIES.—The President shall monitor and review the progress of each country listed in section 4 of the African Growth and Opportunity Act in meeting the requirements described in paragraph (1) in order to determine the current or potential eligibility of each country to be designated as a beneficiary sub-Saharan African country for purposes of subsection (a). The President shall include the reasons for the President's determinations in the annual report required by section 105 of the African Growth and Opportunity Act.

"(3) CONTINUING COMPLIANCE.—If the President determines that a beneficiary sub-Saharan African country is not making continual progress in meeting the requirements described in paragraph (1), the President shall terminate the designation of that country as a beneficiary sub-Saharan African country for purposes of this section, effective on January 1 of the year following the year in which such determination is made.

"(b) PREFERENTIAL TARIFF TREATMENT FOR CERTAIN ARTICLES.—

"(1) IN GENERAL.—The President may provide duty-free treatment for any article described in section 503(b)(1) (B) through (G) (except for textile luggage) that is the growth, product, or manufacture of a beneficiary sub-Saharan African country described in subsection (a), if, after receiving the advice of the International Trade Commission in accordance with section 503(e), the President determines that such article is not import-sensitive in the context of imports from beneficiary sub-Saharan African countries.

"(2) RULES OF ORIGIN.—The duty-free treatment provided under paragraph (1) shall apply to any article described in that paragraph that meets the requirements of section 503(a)(2), except that—

"(A) if the cost or value of materials produced in the customs territory of the United States is included with respect to that article, an amount not to exceed 15 percent of the appraised value of the article at the time it is entered that is attributed to such United States cost or value may be applied toward determining the percentage referred to in subparagraph (A) of section 503(a)(2); and

"(B) the cost or value of the materials included with respect to that article that are produced in one or more beneficiary sub-Saharan African countries shall be applied in determining such percentage.

"(c) BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES, ETC.—For purposes of this title, the terms 'beneficiary sub-Saharan African country' and 'beneficiary sub-Saharan African countries' mean a country or countries listed in section 104 of the African Growth and Opportunity Act that the President has determined is eligible under subsection (a) of this section."

(b) WAIVER OF COMPETITIVE NEED LIMITATION.—Section 503(c)(2)(D) of the Trade Act of 1974 (19 U.S.C. 2463(c)(2)(D)) is amended to read as follows:

(D) LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRIES AND BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES.—Subparagraph (A) shall not apply to any least-developed beneficiary developing country or any beneficiary sub-Saharan African country."

(c) 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.**

"In the case of a country listed in section 4 of the African Growth and Opportunity Act that is a beneficiary developing country,

duty-free treatment provided under this title shall remain in effect through September 30, 2006.”

(d) CLERICAL AMENDMENTS.—The table of contents for title V of the Trade Act of 1974 is amended—

(1) by inserting after the item relating to section 505 the following new item: “505A. Termination of benefits for sub-Saharan African countries.”; and

(2) by inserting after the item relating to section 506 the following new item: “506A. Designation of sub-Saharan African countries for certain benefits.”

(e) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 1999.

#### SEC. 112. TREATMENT OF CERTAIN TEXTILES AND APPAREL.

(a) PREFERENTIAL TREATMENT.—Notwithstanding any other provision of law, textile and apparel articles described in subsection (b) (including textile luggage) imported from a beneficiary sub-Saharan African country, described in section 506A(c) of the Trade Act of 1974, shall enter the United States free of duty and free of any quantitative limitations, if—

(1) the country adopts an efficient visa system to guard against unlawful transshipment of textile and apparel goods and the use of counterfeit documents; and

(2) the country enacts legislation or promulgates regulations that would permit United States customs verification teams to have the access necessary to investigate thoroughly allegations of transshipment through such country.

(b) PRODUCTS COVERED.—The preferential treatment described in subsection (a) shall apply only to the following textile and apparel products:

(1) APPAREL ARTICLES ASSEMBLED IN BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES.—Apparel articles assembled in one or more beneficiary sub-Saharan African countries from fabrics wholly formed and cut in the United States, from yarns wholly formed in the United States that are—

(A) entered under subheading 9802.00.80 of the Harmonized Tariff Schedule of the United States; or

(B) entered under chapter 61 or 62 of the Harmonized Tariff Schedule of the United States, if, after such assembly, the articles would have qualified for entry under subheading 9802.00.80 of the Harmonized Tariff Schedule of the United States but for the fact that the articles were subjected to stone-washing, enzyme-washing, acid washing, perma-pressing, oven-baking, bleaching, garment-dyeing, or other similar processes.

(2) APPAREL ARTICLES CUT AND ASSEMBLED IN BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES.—Apparel articles cut in one or more beneficiary sub-Saharan African countries from fabric wholly formed in the United States from yarns wholly formed in the United States, if such articles are assembled in one or more beneficiary sub-Saharan African countries with thread formed in the United States.

(3) HANDLOOMED, HANDMADE, AND FOLKLORE ARTICLES.—A handloomed, handmade, or folklore article of a beneficiary sub-Saharan African country or countries that is certified as such by the competent authority of such beneficiary country or countries. For purposes of this paragraph, the President, after consultation with the beneficiary sub-Saharan African country or countries concerned, shall determine which, if any, particular textile and apparel goods of the country (or countries) shall be treated as being handloomed, handmade, or folklore goods.

(c) PENALTIES FOR TRANSSHIPMENTS.—

(1) PENALTIES FOR EXPORTERS.—If the President determines, based on sufficient

evidence, that an exporter has engaged in transshipment with respect to textile or apparel products from a beneficiary sub-Saharan African country, then the President shall deny all benefits under this section and section 506A of the Trade Act of 1974 to such exporter, any successor of such exporter, and any other entity owned or operated by the principal of the exporter for a period of 2 years.

(2) TRANSSHIPMENT DESCRIBED.—Transshipment within the meaning of this subparagraph has occurred when preferential treatment for a textile or apparel article under subsection (a) has been claimed on the basis of material false information concerning the country of origin, manufacture, processing, or assembly of the article or any of its components. For purposes of this clause, false information is material if disclosure of the true information would mean or would have meant that the article is or was ineligible for preferential treatment under subsection (a).

(d) TECHNICAL ASSISTANCE.—The Customs Service shall provide technical assistance to the beneficiary sub-Saharan African countries for the implementation of the requirements set forth in subsection (a)(1) and (2).

(e) MONITORING AND REPORTS TO CONGRESS.—The Customs Service shall monitor and the Commissioner of Customs shall submit to Congress not later than March 31 of each year, a report on the effectiveness of the anti-circumvention system described in this section and on measures taken by countries in sub-Saharan Africa which export textiles or apparel to the United States to prevent circumvention as described in article 5 of the Agreement on Textiles and Clothing.

(f) SAFEGUARD.—The President shall have the authority to impose appropriate remedies, including restrictions on or the removal of quota-free and duty-free treatment provided under this section, in the event that textile and apparel articles from a beneficiary sub-Saharan African country are being imported in such increased quantities as to cause serious damage, or actual threat thereof, to the domestic industry producing like or directly competitive articles. The President shall exercise his authority under this subsection consistent with the Agreement on Textile and Clothing.

(g) DEFINITIONS.—In this section:

(1) AGREEMENT ON TEXTILES AND CLOTHING.—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)).

(2) BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY, ETC.—The terms “beneficiary sub-Saharan African country” and “beneficiary sub-Saharan African countries” have the same meaning as such terms have under section 506A(c) of the Trade Act of 1974.

(3) CUSTOMS SERVICE.—The term “Customs Service” means the United States Customs Service.

(h) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 1999 and shall remain in effect through September 30, 2006.

Page 23, line 12, redesignate section 114 as section 113.

Page 25, after line 8, insert the following text:

#### “SEC. 114. UNITED STATES-SUB-SAHARAN AFRICA FREE TRADE AREA.

“(a) IN GENERAL.—The President shall examine the feasibility of negotiating a free trade agreement (or agreements) with interested sub-Saharan African countries.

“(b) REPORT TO CONGRESS.—Not later than 12 months after the date of enactment of this Act, the President shall submit a report to the Committee on Finance of the Senate and

the Committee on Ways and Means of the House of Representatives regarding the President’s conclusions on the feasibility of negotiating such agreement (or agreements). If the President determines that the negotiation of any such free trade agreement is feasible, the President shall provide a detailed plan for such negotiation that outlines the objectives, timing, any potential benefits to the United States and sub-Saharan Africa, and the likely economic impact of any such agreement.”.

#### KERRY AMENDMENT NO. 2477

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, H.R. 434, supra; as follows:

At the appropriate place, insert:

#### SEC. —. CREDIT FOR MEDICAL RESEARCH RELATED TO DEVELOPING VACCINES AGAINST WIDESPREAD DISEASES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits) is amended by adding at the end the following new section:

#### “SEC. 45D. CREDIT FOR MEDICAL RESEARCH RELATED TO DEVELOPING VACCINES AGAINST WIDESPREAD DISEASES.

“(a) GENERAL RULE.—For purposes of section 38, the vaccine research credit determined under this section for the taxable year is an amount equal to 30 percent of the qualified vaccine research expenses for the taxable year.

“(b) QUALIFIED VACCINE RESEARCH EXPENSES.—For purposes of this section—

“(1) QUALIFIED VACCINE RESEARCH EXPENSES.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term ‘qualified vaccine research expenses’ means the amounts which are paid or incurred by the taxpayer during the taxable year which would be described in subsection (b) of section 41 if such subsection were applied with the modifications set forth in subparagraph (B).

“(B) MODIFICATIONS.—For purposes of subparagraph (A), subsection (b) of section 41 shall be applied—

“(i) by substituting ‘vaccine research’ for ‘qualified research’ each place it appears in paragraphs (2) and (3) of such subsection, and

“(ii) by substituting ‘75 percent’ for ‘65 percent’ in paragraph (3)(A) of such subsection.

“(C) EXCLUSION FOR AMOUNTS FUNDED BY GRANTS, ETC.—The term ‘qualified vaccine research expenses’ shall not include any amount to the extent such amount is funded by any grant, contract, or otherwise by another person (or any governmental entity).

“(2) VACCINE RESEARCH.—The term ‘vaccine research’ means research to develop vaccines and microbicides for—

“(A) malaria,

“(B) tuberculosis, or

“(C) HIV.

“(c) COORDINATION WITH CREDIT FOR INCREASING RESEARCH EXPENDITURES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), any qualified vaccine research expenses for a taxable year to which an election under this section applies shall not be taken into account for purposes of determining the credit allowable under section 41 for such taxable year.

“(2) EXPENSES INCLUDED IN DETERMINING BASE PERIOD RESEARCH EXPENSES.—Any qualified vaccine research expenses for any taxable year which are qualified research expenses (within the meaning of section 41(b)) shall be taken into account in determining base period research expenses for purposes of applying section 41 to subsequent taxable years.

“(d) SPECIAL RULES.—

“(1) LIMITATIONS ON FOREIGN TESTING.—No credit shall be allowed under this section with respect to any vaccine research (other than human clinical testing) conducted outside the United States by any entity which is not registered with the Secretary.

“(2) CERTAIN RULES MADE APPLICABLE.—Rules similar to the rules of paragraphs (1) and (2) of section 41(f) shall apply for purposes of this section.

“(3) ELECTION.—This section (other than subsection (e)) shall apply to any taxpayer for any taxable year only if such taxpayer elects to have this section apply for such taxable year.

“(e) SHAREHOLDER EQUITY INVESTMENT CREDIT IN LIEU OF RESEARCH CREDIT.—

“(1) IN GENERAL.—For purposes of section 38, the vaccine research credit determined under this section for the taxable year shall include an amount equal to 20 percent of the amount paid by the taxpayer to acquire qualified research stock in a corporation if—

“(A) the amount received by the corporation for such stock is used within 18 months after the amount is received to pay qualified vaccine research expenses of the corporation for which a credit would (but for subparagraph (B) and subsection (d)(3)) be determined under this section, and

“(B) the corporation waives its right to the credit determined under this section for the qualified vaccine research expenses which are paid with such amount.

“(2) QUALIFIED RESEARCH STOCK.—For purposes of paragraph (1), the term ‘qualified research stock’ means any stock in a C corporation—

“(A) which is originally issued after the date of the enactment of the Lifesaving Vaccine Technology Act of 1999,

“(B) which is acquired by the taxpayer at its original issue (directly or through an underwriter) in exchange for money or other property (not including stock), and

“(C) as of the date of issuance, such corporation meets the gross assets tests of subparagraphs (A) and (B) of section 1202(d)(1).

“(f) TERMINATION.—This section shall not apply to any amount paid or incurred after December 31, 2000.”

(b) INCLUSION IN GENERAL BUSINESS CREDIT.—

(1) IN GENERAL.—Section 38(b) (relating to current year business credit) is amended by striking “plus” at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting “, plus”, and by adding at the end the following new paragraph:

“(13) the vaccine research credit determined under section 45D.”

(2) TRANSITION RULE.—Section 39(d) (relating to transitional rules) is amended by adding at the end the following new paragraph:

“(9) NO CARRYBACK OF SECTION 45D CREDIT BEFORE ENACTMENT.—No portion of the unused business credit for any taxable year which is attributable to the vaccine research credit determined under section 45D may be carried back to a taxable year ending before the date of the enactment of section 45D.”

(c) DENIAL OF DOUBLE BENEFIT.—Section 280C (relating to certain expenses for which credits are allowable) is amended by adding at the end the following new subsection:

“(d) CREDIT FOR QUALIFIED VACCINE RESEARCH EXPENSES.—

“(1) IN GENERAL.—No deduction shall be allowed for that portion of the qualified vaccine research expenses (as defined in section 45D(b)) otherwise allowable as a deduction for the taxable year which is equal to the amount of the credit determined for such taxable year under section 45D(a).

“(2) CERTAIN RULES TO APPLY.—Rules similar to the rules of paragraphs (2), (3), and (4)

of subsection (c) shall apply for purposes of this subsection.”

(d) DEDUCTION FOR UNUSED PORTION OF CREDIT.—Section 196(c) (defining qualified business credits) is amended by striking “and” at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting “, and”, and by adding at the end the following new paragraph:

“(9) the vaccine research credit determined under section 45D(a) (other than such credit determined under the rules of section 280C(d)(2)).”

(e) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

“Sec. 45D. Credit for medical research related to developing vaccines against widespread diseases.”

(f) EFFECTIVE DATE.—Except as provided in subsection (k), the amendments made by this section shall apply to amounts paid or incurred after December 31, 1999, in taxable years ending after such date.

(g) DISTRIBUTION OF VACCINES DEVELOPED USING CREDIT.—It is the sense of Congress that if a tax credit is allowed under section 45D of the Internal Revenue Code of 1986 (as added by subsection (a)) to any corporation or shareholder of a corporation by reason of vaccine research expenses incurred by the corporation in the development of a vaccine, such corporation should certify to the Secretary of the Treasury that, within 1 year after that vaccine is first licensed, such corporation will establish a good faith plan to maximize international access to high quality and affordable vaccines.

(h) STUDY.—The Secretary of the Treasury, in consultation with the Institute of Medicine, shall conduct a study of the effectiveness of the credit under section 45D of the Internal Revenue Code of 1986 (as so added) in stimulating vaccine research. Not later than the date which is 4 years after the date of the enactment of this Act, the Secretary shall submit to the Congress the results of such study together with any recommendations the Secretary may have to improve the effectiveness of such credit in stimulating vaccine research.

(i) ACCELERATION OF INTRODUCTION OF PRIORITY VACCINES.—It is the sense of Congress that the President and Federal agencies (including the Department of State, the Department of Health and Human Services, and the Department of the Treasury) should work together in vigorous support of the creation and funding of a multi-lateral, international effort, such as a vaccine purchase fund, to accelerate the introduction of vaccines to which the tax credit under section 45D of the Internal Revenue Code of 1986 (as so added) applies and of other priority vaccines into the poorest countries in the world.

(j) FLEXIBLE PRICING.—It is the sense of Congress that flexible or differential pricing for vaccines, providing lowered prices for the poorest countries, is one of several valid strategies to accelerate the introduction of vaccines in developing countries.

(k) EXTENSION OF INTERNAL REVENUE SERVICE USER FEES.—

(1) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

“SEC. 7527. INTERNAL REVENUE SERVICE USER FEES.

“(a) GENERAL RULE.—The Secretary shall establish a program requiring the payment of user fees for—

“(1) requests to the Internal Revenue Service for ruling letters, opinion letters, and determination letters, and

“(2) other similar requests.

“(b) PROGRAM CRITERIA.—

“(1) IN GENERAL.—The fees charged under the program required by subsection (a)—

“(A) shall vary according to categories (or subcategories) established by the Secretary,

“(B) shall be determined after taking into account the average time for (and difficulty of) complying with requests in each category (and subcategory), and

“(C) shall be payable in advance.

“(2) EXEMPTIONS, ETC.—The Secretary shall provide for such exemptions (and reduced fees) under such program as the Secretary determines to be appropriate.

“(3) AVERAGE FEE REQUIREMENT.—The average fee charged under the program required by subsection (a) shall not be less than the amount determined under the following table:

Category:	Average Fee:
Employee plan ruling and opinion ..	\$250
Exempt organization ruling .....	\$350
Employee plan determination .....	\$300
Exempt organization determination .....	\$275
Chief counsel ruling .....	\$200.

“(c) TERMINATION.—No fee shall be imposed under this section with respect to requests made after September 30, 2009.”

(2) CONFORMING AMENDMENTS.—

(A) The table of sections for chapter 77 is amended by adding at the end the following new item:

“Sec. 7527. Internal Revenue Service user fees.”

(B) Section 10511 of the Revenue Act of 1987 is repealed.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to requests made after the date of the enactment of this Act.

## BANKRUPTCY REFORM ACT OF 1999

### THURMOND AMENDMENT NO. 2478

(Ordered to lie on the table.)

Mr. THURMOND submitted an amendment intended to be proposed by him to the bill (S. 625) to amend title 11, United States Code, and for other purposes, as follows:

On page 124, insert between lines 14 and 15 the following:

#### SEC. 322. EXCLUSIVE JURISDICTION IN MATTERS INVOLVING BANKRUPTCY PROFESSIONALS.

Section 1334 of title 28, United States Code, is amended—

(1) in subsection (b) by striking “Notwithstanding” and inserting “Except as provided in subsection (e)(2), and notwithstanding”; and

(2) amending subsection (e) to read as follows:

“(e) The district court in which a case under title 11 is commenced or is pending shall have exclusive jurisdiction—

“(1) of all the property, wherever located, of the debtor as of the commencement of such case, and of property of the estate; and

“(2) over all matters relating to that case concerning the employment and compensation of professional persons arising out of or related to their employment and performance or nonperformance of the duties undertaken in connection with their employment.”

## AFRICAN GROWTH AND OPPORTUNITY ACT

### BINGAMAN AMENDMENT NO. 2479

(Ordered to lie on the table.)