

**SENATE RESOLUTION 219—RECOGNIZING AND HONORING WALTER JERRY PAYTON AND EXPRESSING THE CONDOLENCES OF THE SENATE TO HIS FAMILY ON HIS DEATH**

Mr. FITZGERALD (for himself, Mr. DURBIN, Mr. LOTT, Mr. COCHRAN, and Mr. HELMS) submitted the following resolution; which was considered and agreed to:

**S. RES. 219**

Whereas Walter Payton was a hero, a leader, and a role model both on and off the field;

Whereas for 13 years, Walter Payton thrilled Chicago Bears' fans as the National Football League's (NFL's) all-time leading rusher—and as one of the greatest running backs ever to play the game—culminating with his induction into the Professional Football Hall of Fame;

Whereas after retiring from professional football in 1987, Payton continued to touch the lives of both his fellow Chicagoans and citizens of his native state of Mississippi, as a businessman and a community leader;

Whereas Walter Payton was born 1954 to Mrs. Alyne Payton and the late Mr. Edward Payton, and his historic career began as a star running back at Columbia High School in his native hometown of Columbia, Mississippi, which he called "a child's paradise." He went on to choose Jackson State University over 100 college offers, and to set nine university football records, eventually scoring more points than any other football player in the history of the National Collegiate Athletic Association;

Whereas the first choice in the 1975 NFL draft, Payton—or "Sweetness"—as he was known to his fans—became the NFL's all-time leader in running and combined net yards and scored 110 touchdowns during his career with the Bears;

Whereas Walter Payton made the Pro Bowl nine times and was named the league's Most Valuable Player twice, in 1977 and 1985;

Whereas in 1977, Payton rushed for a career-high, 1,852 yards and carried the Bears to the playoffs for the first time since 1963;

Whereas Payton broke Jim Brown's long-standing record in 1984 to become the league's all-time leading rusher, and finished his career with a record 16,726 total rushing yards;

Whereas in 1985-86, Walter Payton led the Bears to an unforgettable 15-1 season and Super Bowl victory—the first and only Super Bowl win in Bears' history;

Whereas Payton was inducted into the Pro Football Hall of Fame in 1993, and was selected this year as the Greatest All-Time NFL Player by more than 200 players from the NFL Draft Class of 1999;

Whereas Walter Payton matched his accomplishments on the football field with his selfless actions off the field on behalf of those in need. He excelled academically as well as athletically, earning a degree in special education from Jackson State University in just three and one half years, and going on to undertake additional graduate study. Payton worked throughout his adult life to improve the lives of others through personal involvement with many charitable organizations. He was particularly active in working with children facing physical, mental, or economic challenges. In 1988, he established the Halas/Payton Foundation, which continues his legacy of community involvement to help educate Chicago's youth;

Whereas Walter Payton was a dedicated man of faith and principle, who, as a lifelong Baptist, was known for his deep rever-

ence for God; and, as a gracious and selfless citizen, was a devoted father with sterling personal integrity and a warm sense of humor. Walter Payton will always be remembered as a true gentleman with a heart full of genuine and active concern for others;

Whereas Walter Payton was truly an American hero in every sense of the term;

Whereas the members of the Senate extend our deepest sympathies to Walter Payton's family and the host of friends that he had across the country; and

Whereas Walter Payton died tragically on November 1, 1999, at age 45, but his legacy will live in our hearts and minds forever: Now, therefore, be it

*Resolved*, That the Senate—

(1) hereby recognizes and honors Walter Jerry Payton (A) as one of the greatest football players of all time; and (B) for his many contributions to the Nation, especially to children, throughout his lifetime; and

(2) extends its deepest condolences to Walter Payton's wife, Connie; his two children, Jarrett and Brittney; his mother, Alyne; his brother, Eddie; his sister, Pam; and other members of his family.

**AMENDMENTS SUBMITTED**

**THE AFRICAN GROWTH AND OPPORTUNITY ACT**

**ROTH AMENDMENT NO. 2505**

Mr. ROTH proposed an amendment to amendment No. 2325 proposed by him to the bill (H.R. 434) to authorize a new trade and investment policy for sub-Saharan Africa; as follows:

On page 10, strike lines 3 through 12, and insert the following:

"(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;

"(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; and

"(v) a system to combat corruption and bribery, such as signing the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions;

On page 17, line 6, strike "2 years" and insert "5 years".

On page 36, beginning on line 3, strike all through page 41, line 21, and insert the following:

"(B) CBTEA BENEFICIARY COUNTRY.—The term 'CBTEA beneficiary country' means any 'beneficiary country', as defined by section 212(a)(1)(A) of this title, which the President designates as a CBTEA beneficiary country, taking into account the following criteria:

"(i) Whether a beneficiary country has demonstrated a commitment to—

"(I) undertake its obligations under the WTO on or ahead of schedule;

"(II) participate in negotiations toward the completion of the FTAA or a comparable trade agreement; and

"(III) undertake other steps necessary for that country to become a party to the FTAA or a comparable trade agreement.

"(ii) The extent to which the country follows accepted rules of international trade provided for under the agreements listed in section 101(d) of the Uruguay Round Agreements Act.

"(iii) The extent to which the country provides protection of intellectual property rights—

"(I) in accordance with standards established in the Agreement on Trade-Related Aspects of Intellectual Property Rights described in section 101(d)(15) of the Uruguay Round Agreements Act;

"(II) in accordance with standards established in chapter 17 of the NAFTA; and

"(III) by granting the holders of copyrights the ability to control the importation and sale of products that embody copyrighted works, extending the period set forth in Article 1711(6) of NAFTA for protecting test data for agricultural chemicals to 10 years, protecting trademarks regardless of their subsequent designation as geographic indications, and providing enforcement against the importation of infringing products at the border.

"(iv) The extent to which the country provides protections to investors and investments of the United States substantially equivalent to those set forth in chapter 11 of the NAFTA.

"(v) The extent to which the country provides the United States and other WTO members nondiscriminatory, equitable, and reasonable market access with respect to the products for which benefits are provided under paragraphs (2) and (3), and in other relevant product sectors as determined by the President.

"(vi) The extent to which the country provides internationally recognized worker rights, including—

"(I) the right of association,

"(II) the right to organize and bargain collectively,

"(III) prohibition on the use of any form of coerced or compulsory labor,

"(IV) a minimum age for the employment of children, and

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

"(vii) Whether the country has met the counter-narcotics certification criteria set forth in section 490 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j) for eligibility for United States assistance.

"(viii) The extent to which the country becomes a party to and implements the Inter-American Convention Against Corruption, and becomes party to a convention regarding the extradition of its nationals.

"(ix) The extent to which the country—

"(I) supports the multilateral and regional objectives of the United States with respect to government procurement, including the negotiation of government procurement provisions as part of the FTAA and conclusion of a WTO transparency agreement as provided in the declaration of the WTO Ministerial Conference held in Singapore on December 9 through 13, 1996; and

"(II) applies transparent and competitive procedures in government procurement equivalent to those contained in the WTO Agreement on Government Procurement (described in section 101(d)(17) of the Uruguay Round Agreements Act).

"(x) The extent to which the country follows the rules on customs valuation set forth in the WTO Agreement on Implementation of Article VII of the GATT 1994 (described in section 101(d)(8) of the Uruguay Round Agreements Act).

"(xi) The extent to which the country affords to products of the United States which the President determines to be of commercial importance to the United States with respect to such country, and on a nondiscriminatory basis to like products of other WTO members, tariff treatment that is no less favorable than the most favorable tariff treatment provided by the country to any other country pursuant to any free trade agreement to which such country is a party, other than the Central American Common Market

or the Caribbean Community and Common Market.

On page 22, between lines 5 and 6, insert the following new section:

**SEC. 116. ACCESS TO HIV/AIDS PHARMACEUTICALS AND MEDICAL TECHNOLOGIES.**

(a) FINDINGS.—Congress finds that—

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

(2) there is critical need for effective incentives to develop new pharmaceuticals, vaccines, and therapies to combat the HIV/AIDS crisis, especially effective global standards for protecting pharmaceutical and medical innovation;

(3) the overriding priority for responding to the crisis on HIV/AIDS in sub-Saharan Africa should be the development of the infrastructure necessary to deliver adequate health care services, and of public education to prevent transmission and infection, rather than legal standards issues; and

(4) 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) LIMITATION ON USE OF FUNDS.—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 revision of any intellectual property or competition law or policy that regulates HIV/AIDS pharmaceuticals or medical technologies of a beneficiary sub-Saharan African country if the law or policy promotes access to HIV/AIDS pharmaceuticals or medical technologies and the law or policy of the country provides adequate and effective intellectual property protection consistent with the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act.

At the end, insert the following new title:

**TITLE VI—OTHER TRADE PROVISIONS**

**SEC. 601. NORMAL TRADE RELATIONS FOR ALBANIA.**

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

(1) Albania has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974.

(2) Since its emergence from communism, Albania has made progress toward democratic rule and the creation of a free-market economy.

(3) Albania has concluded a bilateral investment treaty with the United States.

(4) Albania has demonstrated a strong desire to build a friendly relationship with the United States and has been very cooperative with NATO and the international community during and after the Kosova crisis.

(5) The extension of unconditional normal trade relations treatment to the products of Albania will enable the United States to avail itself of all rights under the World Trade Organization with respect to Albania when that country becomes a member of the World Trade Organization.

(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO ALBANIA.—

(1) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(A) determine that such title should no longer apply to Albania; and

(B) after making a determination under subparagraph (A) with respect to Albania, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(2) TERMINATION OF APPLICATION OF TITLE IV.—On or after the effective date of the extension under paragraph (1)(B) of nondiscriminatory treatment to the products of Albania, title IV of the Trade Act of 1974 shall cease to apply to that country.

**SEC. 602. NORMAL TRADE RELATIONS FOR KYRGYZSTAN.**

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

(1) Kyrgyzstan has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974.

(2) Since its independence from the Soviet Union in 1991, Kyrgyzstan has made great progress toward democratic rule and toward creating a free-market economic system.

(3) Kyrgyzstan concluded a bilateral investment treaty with the United States in 1994.

(4) Kyrgyzstan has demonstrated a strong desire to build a friendly and cooperative relationship with the United States.

(5) The extension of unconditional normal trade relations treatment to the products of Kyrgyzstan will enable the United States to avail itself of all rights under the World Trade Organization with respect to Kyrgyzstan.

(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO KYRGYZSTAN.—

(1) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(A) determine that such title should no longer apply to Kyrgyzstan; and

(B) after making a determination under subparagraph (A) with respect to Kyrgyzstan, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(2) TERMINATION OF APPLICATION OF TITLE IV.—On or after the effective date of the extension under paragraph (1)(B) of nondiscriminatory treatment to the products of Kyrgyzstan, title IV of the Trade Act of 1974 shall cease to apply to that country.

**SEC. 603. REPORT ON EMPLOYMENT AND TRADE ADJUSTMENT ASSISTANCE.**

(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 employment 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 the programs in addressing foreign trade and the transfer of production to other countries on workers in the United States measured in terms of loss of employment and wages;

(4) the capacity of the programs in addressing foreign trade and the transfer of production to other countries on secondary workers in the United States measured in terms of loss 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.

**SEC. 604. TRADE ADJUSTMENT ASSISTANCE.**

(a) CERTIFICATION OF ELIGIBILITY FOR WORKERS REQUIRED FOR DECOMMISSIONING OR CLOSURE OF FACILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law or any decision by the Secretary of Labor denying certification or eligibility for certification for adjustment assistance under title II of the Trade Act of 1974, a qualified worker described in paragraph (2) shall be certified by the Secretary as eligible to apply for adjustment assistance under such title II.

(2) QUALIFIED WORKER.—For purposes of this subsection, a “qualified worker” means a worker who—

(A) was determined to be covered under Trade Adjustment Assistance Certification TA-W-28,438; and

(B) was necessary for the decommissioning or closure of a nuclear power facility.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act.

**SEC. 605. REPORT ON DEBT RELIEF.**

The President shall, not later than 180 days after the date of enactment of this Act, submit to Congress a report on the President's recommendations for bilateral debt relief for sub-Saharan African countries, the President's recommendations for new loan, credit, and guarantee programs and procedures for such countries, and the President's assessment of how debt relief will affect the ability of each such country to participate fully in the international trading system.

**SEC. 606. HIV/AIDS EFFECT ON THE SUB-SAHARAN AFRICAN WORKFORCE.**

In selecting issues of common interest to the United States-Sub-Saharan African Trade and Economic Cooperation Forum, the President shall instruct the United States delegates to the Forum to promote a review by the Forum of the HIV/AIDS epidemic in each sub-Saharan African country and the effect of the HIV/AIDS epidemic on human and social development in each country.

**SEC. 607. GOODS MADE WITH FORCED OR INDENTURED CHILD LABOR.**

(a) IN GENERAL.—Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended by adding at the end the following new sentence:

"For purposes of this section, the term 'forced labor or/and indentured labor' includes forced or indentured child labor."

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on the date of enactment of this Act.

#### **SEC. 608. RELIQUIDATION OF CERTAIN NUCLEAR FUEL ASSEMBLIES.**

(a) **IN GENERAL.**—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Secretary of the Treasury not later than 90 days after the date of enactment of this Act, the Secretary shall—

(1) reliquidate as free of duty the entries listed in subsection (b); and

(2) refund any duties paid with respect to such entries as shown on Customs Service Collection Receipt Number 527006753.

(b) **ENTRIES.**—The entries referred to in subsection (a) are as follows:

Entry number	Date of entry
062-2320014-5 .....	January 16, 1996
062-2320085-5 .....	February 13, 1996
839-4030989-7 .....	January 25, 1996
839-4031053-1 .....	December 2, 1996
839-4031591-0 .....	January 21, 1997.

#### **SEC. 609. SENSE OF THE SENATE REGARDING FAIR ACCESS TO JAPANESE TELECOMMUNICATIONS FACILITIES AND SERVICES.**

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The United States has a deep and sustained interest in the promotion of deregulation, competition, and regulatory reform in Japan.

(2) New and bold measures by the Government of Japan regarding regulatory reform will help remove the regulatory and structural impediments to the effective functioning of market forces in the Japanese economy.

(3) Regulatory reform will increase the efficient allocation of resources in Japan, which is critical to returning Japan to a long-term growth path powered by domestic demand.

(4) Regulatory reform will not only improve market access for United States business and other foreign firms, but will also enhance consumer choice and economic prosperity in Japan.

(5) A sustained recovery of the Japanese economy is vital to a sustained recovery of Asian economies.

(6) The Japanese economy must serve as one of the main engines of growth for Asia and for the global economy.

(7) The Governments of the United States and Japan reconfirmed the critical importance of deregulation, competition, and regulatory reform when the two governments established the Enhanced Initiative on Deregulation and Competition Policy in 1997.

(8) Telecommunications is a critical sector requiring reform in Japan, where the market is hampered by a history of laws, regulations, and monopolistic practices that do not meet the needs of a competitive market.

(9) As the result of Japan's laws, regulations, and monopolistic practices, Japanese consumers and Japanese industry have been denied the broad benefits of innovative telecommunications services, cutting edge technology, and lower prices that competition would bring to the market.

(10) Japan's significant lag in developing broadband and Internet services, and Japan's lag in the entire area of electronic commerce, is a direct result of a noncompetitive telecommunications regulatory structure.

(11) Japan's lag in developing broadband and Internet services is evidenced by the following:

(A) Japan has only 17,000,000 Internet users, while the United States has 80,000,000 Internet users.

(B) Japan hosts fewer than 2,000,000 websites, while the United States hosts over 30,000,000 websites.

(C) Electronic commerce in Japan is valued at less than \$1,000,000,000, while in the United States electronic commerce is valued at over \$30,000,000,000.

(D) 19 percent of Japan's schools are connected to the Internet, while in the United States 89 percent of schools are connected.

(12) Leading edge foreign telecommunications companies, because of their high level of technology and innovation, are the key to building the necessary telecommunications infrastructure in Japan, which will only be able to serve Japanese consumers and industry if there is a fundamental change in Japan's regulatory approach to telecommunications.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) the appropriate officials in the executive branch should implement vigorously the call for Japan to undertake a major regulatory reform in the telecommunications sector, the so-called "Telecommunications Big Bang";

(2) a "Telecommunications Big Bang" must address fundamental legislative and regulatory issues within a strictly defined timeframe;

(3) the new telecommunications regulatory framework should put competition first in order to encourage new and innovative businesses to enter the telecommunications market in Japan;

(4) the Government of Japan should ensure that Nippon Telegraph and Telephone Corporation (NTT) and its affiliates (the NTT Group) are prevented from using their dominant position in the wired and wireless market in an anticompetitive manner; and

(5) the Government of Japan should take credible steps to ensure that competitive carriers have reasonable, cost-based, and nondiscriminatory access to the rights-of-way, facilities, and services controlled by NTT, the NTT Group, other utilities, and the Government of Japan, including—

(A) access to interconnection at market-based rates;

(B) unrestricted access to unbundled elements of the network belonging to NTT and the NTT Group; and

(C) access to public roads for the installation of facilities.

#### **SEC. 610. REPORTS TO THE FINANCE AND WAYS AND MEANS COMMITTEES.**

(a) **REPORTS REGARDING INITIATIVES TO UPDATE THE INTERNATIONAL MONETARY FUND.**—Section 607 of the Foreign Operations, Export Financing, and Related Appropriations Act, 1999 (as contained in section 101(d) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999) (Public Law 105-277; 112 Stat. 2681-224), relating to international financial programs and reform, is amended—

(1) by inserting "Finance," after "Foreign Relations,"; and

(2) by inserting " , Ways and Means," before "and Banking and Financial Services".

(b) **REPORTS ON FINANCIAL STABILIZATION PROGRAMS.**—Section 1704(b) of the International Financial Institutions Act (22 U.S.C. 262r-3(b)) is amended to read as follows:

"(b) **TIMING.**—Not later than March 15, 1999, and semiannually thereafter, the Secretary of the Treasury shall submit to the Committees on Banking and Financial Services, Ways and Means, and International Relations of the House of Representatives and the Committees on Finance, Foreign Relations, and Banking, Housing, and Urban Affairs of the Senate a report on the matters described in subsection (a)."

(c) **ANNUAL REPORT ON THE STATE OF THE INTERNATIONAL FINANCIAL SYSTEM, IMF RE-**

**FORM, AND COMPLIANCE WITH IMF AGREEMENTS.**—Section 1705(a) of the International Financial Institutions Act (22 U.S.C. 262r-4(a)) is amended by striking "Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate" and inserting "Committees on Banking and Financial Services and on Ways and Means of the House of Representatives and the Committees on Finance and on Foreign Relations of the Senate".

(d) **AUDITS OF THE IMF.**—Section 1706(a) of the International Financial Institutions Act (22 U.S.C. 262r-5(a)) is amended by striking "Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate" and inserting "Committees on Banking and Financial Services and on Ways and Means of the House of Representatives and the Committees on Finance and on Foreign Relations of the Senate".

(e) **REPORT ON PROTECTION OF BORDERS AGAINST DRUG TRAFFIC.**—Section 629 of the Treasury and General Government Appropriations Act, 1999 (as contained in section 101(h) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999) (Public Law 105-277; 112 Stat. 2681-522), relating to general provisions, is amended by adding at the end the following new paragraph:

"(3) For purposes of paragraph (1), the term 'appropriate congressional committees' includes the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives."

#### **SEC. 611. CLARIFICATION OF SECTION 334 OF THE URUGUAY ROUND AGREEMENTS ACT.**

(a) **IN GENERAL.**—Section 334(b)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3592(b)(2)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) in the matter preceding clause (i) (as redesignated), by striking "Notwithstanding paragraph (1)(D)" and inserting "(A) Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (B) and (C)"; and

(3) by adding at the end the following:

"(B) Notwithstanding paragraph (1)(C), fabric classified under the HTS as of silk, cotton, man-made fiber, or vegetable fiber shall be considered to originate in, and be the growth, product, or manufacture of, the country, territory, or possession in which the fabric is both dyed and printed when accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing."

"(C) Notwithstanding paragraph (1)(D), goods classified under HTS heading 6117.10, 6213.00, 6214.00, 6302.22, 6302.29, 6302.52, 6302.53, 6302.59, 6302.92, 6302.93, 6302.99, 6303.92, 6303.99, 6304.19, 6304.93, 6304.99, 9404.90.85, or 9404.90.95, except for goods classified under such headings as of cotton or of wool or consisting of fiber blends containing 16 percent or more by weight of cotton, shall be considered to originate in, and be the growth, product, or manufacture of, the country, territory, or possession in which the fabric is both dyed and printed when accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing."

(b) **EFFECTIVE DATE.**—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the date of enactment of this Act.

**SEC. 612. CHIEF AGRICULTURAL NEGOTIATOR.**

(a) **ESTABLISHMENT OF A POSITION.**—There is established the position of Chief Agricultural Negotiator in the Office of the United States Trade Representative. The Chief Agricultural Negotiator shall be appointed by the President, with the rank of Ambassador, by and with the advice and consent of the Senate.

(b) **FUNCTIONS.**—The primary function of the Chief Agricultural Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to United States agricultural products and services. The Chief Agricultural Negotiator shall be a vigorous advocate on behalf of United States agricultural interests. The Chief Agricultural Negotiator shall perform such other functions as the United States Trade Representative may direct.

(c) **COMPENSATION.**—The Chief Agricultural Negotiator shall be paid at the highest rate of basic pay payable to a member of the Senior Executive Service.

**SEC. 613. REVISION OF RETALIATION LIST OR OTHER REMEDIAL ACTION.**

Section 306(b)(2) of the Trade Act of 1974 (19 U.S.C. 2416(b)(2)) is amended—

(1) by striking “If the” and inserting the following:

“(A) FAILURE TO IMPLEMENT RECOMMENDATION.—If the”; and

(2) by adding at the end the following:

“(B) REVISION OF RETALIATION LIST AND ACTION.—

“(i) **IN GENERAL.**—Except as provided in clause (ii), in the event that the United States initiates a retaliation list or takes any other action described in section 301(c)(1) (A) or (B) against the goods of a foreign country or countries because of the failure of such country or countries to implement the recommendation made pursuant to a dispute settlement proceeding under the World Trade Organization, the Trade Representative shall periodically revise the list or action to affect other goods of the country or countries that have failed to implement the recommendation.

“(ii) **EXCEPTION.**—The Trade Representative is not required to revise the retaliation list or the action described in clause (i) with respect to a country, if—

“(I) the Trade Representative determines that implementation of a recommendation made pursuant to a dispute settlement proceeding described in clause (i) by the country is imminent; or

“(II) the Trade Representative together with the petitioner involved in the initial investigation under this chapter (or if no petition was filed, the affected United States industry) agree that it is unnecessary to revise the retaliation list.

“(C) **SCHEDULE FOR REVISING LIST OR ACTION.**—The Trade Representative shall, 120 days after the date the retaliation list or other section 301(a) action is first taken, and every 180 days thereafter, review the list or action taken and revise, in whole or in part, the list or action to affect other goods of the subject country or countries.

“(D) **STANDARDS FOR REVISING LIST OR ACTION.**—In revising any list or action against a country or countries under this subsection, the Trade Representative shall act in a manner that is most likely to result in the country or countries implementing the recommendations adopted in the dispute settlement proceeding or in achieving a mutually satisfactory solution to the issue that gave rise to the dispute settlement proceeding. The Trade Representative shall consult with the petitioner, if any, involved in the initial investigation under this chapter.

“(E) **RETALIATION LIST.**—The term ‘retaliation list’ means the list of products of a foreign country or countries that have failed to

comply with the report of the panel or Appellate Body of the WTO and with respect to which the Trade Representative is imposing duties above the level that would otherwise be imposed under the Harmonized Tariff Schedule of the United States.”.

**SEC. 614. SENSE OF CONGRESS REGARDING COMPREHENSIVE DEBT RELIEF FOR THE WORLD'S POOREST COUNTRIES.**

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

(1) The burden of external debt has become a major impediment to economic growth and poverty reduction in many of the world's poorest countries.

(2) Until recently, the United States Government and other official creditors sought to address this problem by rescheduling loans and in some cases providing limited debt reduction.

(3) Despite such efforts, the cumulative debt of many of the world's poorest countries continued to grow beyond their capacity to repay.

(4) In 1997, the Group of Seven, the World Bank, and the International Monetary Fund adopted the Heavily Indebted Poor Countries Initiative (HIPC), a commitment by the international community that all multilateral and bilateral creditors, acting in a coordinated and concerted fashion, would reduce poor country debt to a sustainable level.

(5) The HIPC Initiative is currently undergoing reforms to address concerns raised about country conditionality, the amount of debt forgiven, and the allocation of savings realized through the debt forgiveness program to ensure that the Initiative accomplishes the goals of economic growth and poverty alleviation in the world's poorest countries.

(6) Recently, the President requested Congress to provide additional resources for bilateral debt forgiveness and additional United States contributions to the HIPC Trust Fund.

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

(1) Congress and the President should work together, without undue delay and in concert with the international community, to make comprehensive debt relief available to the world's poorest countries in a manner that promotes economic growth and poverty alleviation;

(2) this program of bilateral and multilateral debt relief should be designed to strengthen and expand the private sector, encourage increased trade and investment, support the development of free markets, and promote broad-scale economic growth in beneficiary countries;

(3) this program of debt relief should also support the adoption of policies to alleviate poverty and to ensure that benefits are shared widely among the population, such as through initiatives to advance education, improve health, combat AIDS, and promote clean water and environmental protection;

(4) these debt relief agreements should be designed and implemented in a transparent manner and with the broad participation of the citizenry of the debtor country and should ensure that country circumstances are adequately taken into account;

(5) no country should receive the benefits of debt relief if that country does not cooperate with the United States on terrorism or narcotics enforcement, is a gross violator of the human rights of its citizens, or is engaged in conflict or spends excessively on its military; and

(6) in order to prevent adverse impact on a key industry in many developing countries, the International Monetary Fund must mobilize its own resources for providing debt relief to eligible countries without allowing

gold to reach the open market, or otherwise adversely affecting the market price of gold.

**SEC. 615. REPORT ON TRADE ADJUSTMENT ASSISTANCE FOR AGRICULTURAL COMMODITY PRODUCERS.**

(a) **IN GENERAL.**—Not later than 4 months after the date of enactment of this Act, the Secretary of Labor, in consultation with the Secretary of Agriculture and the Secretary of Commerce, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that—

(1) examines the applicability to agricultural commodity producers of trade adjustment assistance programs established under title II of the Trade Act of 1974; and

(2) sets forth recommendations to improve the operation of those programs as the programs apply to agricultural commodity producers or to establish a new trade adjustment assistance program for agricultural commodity producers.

(b) **CONTENTS.**—In preparing the report required by subsection (a), the Secretary of Labor shall—

(1) assess the degree to which the existing trade adjustment assistance programs address the adverse effects on agricultural commodity producers due to price suppression caused by increased imports of like or directly competitive agricultural commodities; and

(2) examine the effectiveness of the program benefits authorized under subchapter B of chapter 2 and chapter 3 of title II of the Trade Act of 1974 in remedying the adverse effects, including price suppression, caused by increased imports of like or directly competitive agricultural commodities.

(c) **DEFINITIONS.**—In this section:

(1) **AGRICULTURAL COMMODITY.**—The term “agricultural commodity” means any agricultural commodity, including livestock, fish or harvested seafood in its raw or natural state.

(2) **AGRICULTURAL COMMODITY PRODUCER.**—The term “agricultural commodity producer” means any person who is engaged in the production and sale of an agricultural commodity in the United States and who owns or shares the ownership and risk of loss of the agricultural commodity.

**SEC. 616. STUDY ON IMPROVING AFRICAN AGRICULTURAL PRACTICES.**

(a) **IN GENERAL.**—The United States Department of Agriculture, in consultation with American Land Grant Colleges and Universities and not-for-profit international organizations, is authorized to conduct a two-year study on ways to improve the flow of American farming techniques and practices to African farmers. The study conducted by the Department of Agriculture shall include an examination of ways of improving or utilizing—

(1) knowledge of insect and sanitation procedures;

(2) modern farming and soil conservation techniques;

(3) modern farming equipment (including maintaining the equipment);

(4) marketing crop yields to prospective purchasers; and

(5) crop maximization practices.

The study shall be submitted to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives not later than September 30, 2001.

(b) **LAND GRANT COLLEGES AND NOT-FOR-PROFIT INSTITUTIONS.**—The Department of Agriculture is encouraged to consult with American Land Grant Colleges and not-for-profit international organizations that have firsthand knowledge of current African farming practices.

(c) **AUTHORIZATION OF FUNDING.**—There is authorized to be appropriated \$2,000,000 to conduct the study described in subsection (a).

#### SEC. 617. 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. 618. SENSE OF THE SENATE REGARDING EFFORTS TO COMBAT DESERTIFICATION IN AFRICA AND OTHER NATIONS.

(a) **FINDINGS.**—Congress finds that—

(1) desertification affects approximately one-sixth of the world's population and one-quarter of the total land area;

(2) over 1,000,000 hectares of Africa are affected by desertification;

(3) dryland degradation is an underlying cause of recurrent famine in Africa;

(4) the United Nations Environment Programme estimates that desertification costs the world \$42,000,000,000 a year, not including incalculable costs in human suffering; and

(5) the United States can strengthen its partnerships throughout Africa and other nations affected by desertification, help alleviate social and economic crises caused by misuse of natural resources, and reduce dependence on foreign aid, by taking a leading role to combat desertification.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that the United States should expeditiously work with the international community, particularly Africa and other nations affected by desertification, to—

(1) strengthen international cooperation to combat desertification;

(2) promote the development of national and regional strategies to address desertification and increase public awareness of this serious problem and its effects;

(3) develop and implement national action programs that identify the causes of desertification and measures to address it; and

(4) recognize the essential role of local governments and nongovernmental organizations in developing and implementing measures to address desertification.

#### SEC. 619. REPORT ON WORLD TRADE ORGANIZATION MINISTERIAL.

(a) **SENSE OF CONGRESS.**—Congress recognizes the importance of the new round of international trade negotiations that will be launched at the World Trade Organization (WTO) Ministerial Conference in Seattle, Washington, from November 30 to December 3, 1999.

(b) **REPORT.**—Not later than February 3, 2000, the United States Trade Representative shall submit a report to Congress regarding discussions on the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (the Anti-dumping Agreement) and the Agreement on Subsidies and Countervailing Measures during the Seattle Ministerial Conference. The report shall include a complete description of such discussions, including proposals made to renegotiate those agreements, the member government making the proposal, and the United States Trade Representative's response to the proposal, with a description as to how the response achieves United States trade goals.

#### SEC. 620. MARKING OF IMPORTED JEWELRY.

(a) **MARKING REQUIREMENT.**—Not later than the date that is 1 year after the date of enactment of this Act, the Secretary of the Treasury shall prescribe and implement regulations that require that all jewelry described in subsection (b) that enters the customs territory of the United States have the English name of the country of origin indelibly marked in a conspicuous place on such jewelry by cutting, die-sinking, engraving, stamping, or some other permanent method to the same extent as such marking is required for Native American-style jewelry under section 134.43 of title 19, Code of Federal Regulations, as in effect on October 1, 1998.

(b) **JEWELRY.**—The jewelry described in this subsection means any article described in heading 7117 of the Harmonized Tariff Schedule of the United States.

(c) **DEFINITION.**—As used in this section, the term “enters the customs territory of the United States” means enters, or is withdrawn from warehouse for consumption, in the customs territory of the United States.

#### SEC. 621. SENSE OF THE SENATE REGARDING TARIFF INVERSIONS.

It is the sense of the Senate that United States trade policy should, while taking into account the conditions of United States producers, especially those currently facing tariff phase-outs negotiated under prior trade agreements, place a priority on the elimination or amelioration of tariff inversions, including those applicable to wool fabric, that undermine the competitiveness of United States consuming industries.

### THE HEALTHCARE RESEARCH AND QUALITY ACT OF 1999

#### FRIST (AND OTHERS) AMENDMENT NO. 2506

Mr. GRAMM (for Mr. FRIST (for himself, Mr. JEFFORDS, and Mr. KENNEDY)) proposed an amendment to the bill (S. 580) to amend title IX of the Public Health Service Act to revise and extend the Agency for Healthcare Policy and Research; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Healthcare Research and Quality Act of 1999”.

#### SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

(a) **IN GENERAL.**—Title IX of the Public Health Service Act (42 U.S.C. 299 et seq.) is amended to read as follows:

#### “TITLE IX—AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

#### “PART A—ESTABLISHMENT AND GENERAL DUTIES

#### “SEC. 901. MISSION AND DUTIES.

“(a) **IN GENERAL.**—There is established within the Public Health Service an agency to be known as the Agency for Healthcare Research and Quality, which shall be headed by a director appointed by the Secretary. The Secretary shall carry out this title acting through the Director.

“(b) **MISSION.**—The purpose of the Agency is to enhance the quality, appropriateness, and effectiveness of health services, and access to such services, through the establishment of a broad base of scientific research and through the promotion of improvements in clinical and health system practices, including the prevention of diseases and other health conditions. The Agency shall promote health care quality improvement by conducting and supporting—

“(1) research that develops and presents scientific evidence regarding all aspects of health care, including—

“(A) the development and assessment of methods for enhancing patient participation in their own care and for facilitating shared patient-physician decision-making;

“(B) the outcomes, effectiveness, and cost-effectiveness of health care practices, including preventive measures and long-term care;

“(C) existing and innovative technologies;

“(D) the costs and utilization of, and access to health care;

“(E) the ways in which health care services are organized, delivered, and financed and the interaction and impact of these factors on the quality of patient care;

“(F) methods for measuring quality and strategies for improving quality; and

“(G) ways in which patients, consumers, purchasers, and practitioners acquire new information about best practices and health benefits, the determinants and impact of their use of this information;

“(2) the synthesis and dissemination of available scientific evidence for use by patients, consumers, practitioners, providers, purchasers, policy makers, and educators; and

“(3) initiatives to advance private and public efforts to improve health care quality.

“(c) **REQUIREMENTS WITH RESPECT TO RURAL AND INNER-CITY AREAS AND PRIORITY POPULATIONS.**—

“(1) **RESEARCH, EVALUATIONS AND DEMONSTRATION PROJECTS.**—In carrying out this title, the Director shall conduct and support research and evaluations, and support demonstration projects, with respect to—

“(A) the delivery of health care in inner-city areas, and in rural areas (including frontier areas); and

“(B) health care for priority populations, which shall include—

“(i) low-income groups;

“(ii) minority groups;

“(iii) women;

“(iv) children;

“(v) the elderly; and

“(vi) individuals with special health care needs, including individuals with disabilities and individuals who need chronic care or end-of-life health care.

“(2) **PROCESS TO ENSURE APPROPRIATE RESEARCH.**—The Director shall establish a process to ensure that the requirements of paragraph (1) are reflected in the overall portfolio of research conducted and supported by the Agency.