The Conferees also note that NASA, in coordination with the DOT, is investigating technology that would facilitate remote screening of small aircraft prior to takeoff.

Such a general aviation remote screening system (GARSS) could be installed on a vehicle or mobile platform, or in a fixed facility alongside a taxiway, and would provide a pre-takeoff alert if suspicious objects or materials were detected aboard an aircraft.

The Conferees urge that the development and implementation of GARSS be pursued.

59. FUNDING FOR GENERAL AVIATION AIRPORTS

Senate bill

No provision.

House bill

Section 113(b): In FY 2002, allows non-primary airports within Class B airspace to seek AIP money for any purpose, including operational costs.

Conference substitute

Modified House position.

60. CONFORMING AMENDMENT TO IRS CODE

Senate bill

No provision.

House bill

Section 113(e): Amends Code to cross-reference this Security Act so that the money authorized by this Act out of the Trust Fund can be spent.

Conference substitute

The Conference Report amends the IRS code to cross-reference this legislation to provide for the authorization of spending from the Trust Fund.

61. TECHNICAL CORRECTIONS

Senate bill

No provision.

House bill

Section 114: Makes technical corrections to the Air Transportation Safety and System Stabilization Act.

Conference substitute

The Conference Report makes technical corrections to the Air Transportation Safety and System Stabilization Act.

62. ALCOHOL AND DRUG TESTING

Senate bill

No provision.

House bill

Section 115: Amends existing law to account for the transfer of functions from the FAA to the TSA

Conference substitute

The Conference Report amends existing law to transfer alcohol and drug testing functions from the FAA to the TSA.

63. CONFORMING AMENDMENTS

Senate bill

No provision.

House bill

Section 116: Amends existing law to account for the transfer of functions from the FAA to the TSA.

Conference substitute

The Conference Report amends existing law to account for the transfer of functions from the FAA to the TSA.

64. SAVINGS PROVISION

Senate bill

No provision.

House bill

Section 117: Ensures a smooth transfer from the FAA to the TSA.

Conference substitute

The Conference Report

House provision.

65. BUDGET SUBMISSIONS

Senate bill

No provision.

House bill

Section 118: Requires the President's budget submissions starting in 2003 to list the TSA budget separately.

Conference substitute

The Conference Report

House provision.

66. AIR AMBULANCES

Senate bill

No provision.

House bill

Section 114: Amends the Airline Stabilization Act to modify the method for distributing compensation to air ambulances.

Conference substitute

The Conference Report amends the Airline Stabilization Act to allow for a modified system of providing compensation to air tour operators and air ambulances to better address their needs after industry wide losses. It is the Conferees' position that the Stabilization Act's section 103 compensation formula language, ''revenue ton miles or any other auditable measure'' should be broadly construed and should not restrict compensation exclusively to revenue ton miles reported on previously filed DOT Form 41s. If Air, Crew, Maintenance, Insurance lessors can provide accurate and auditable records of their revenue-ton-miles during the relevant time period, then they should be eligible for compensation based under the Stabilization Act.

67. PASSENGERS WHO BOUGHT TICKETS ON BANKRUPT AIRLINES

Senate bill

No provision.

House bill

Section 123: Other airlines must honor these tickets to the extent practicable.

Conference substitute

The Conferees direct the air carriers, to the extent practicable, to honor the tickets of passengers purchased by airlines that file for bankruptcy, if the purchaser requests the use of his or her ticket within 60 days of the suspended or canceled flight, for the first 18 months after enactment of this legislation.

68. FLIGHT SERVICE STATION EMPLOYEES

Senate bill

No provision.

House bill

Section 123(a): Sense of Congress that FAA should continue negotiating in good faith with these employees.

Conference substitute

The Conference Report offers the Sense of Congress that FAA should continue negotiating in good faith with flight service station employees.

69. WAR RISK INSURANCE

Senate bill

No provision.

House bill

Section 123(b): Sense of Congress that vendors agents and subcontractors of general aviation aircraft should get war risk insurance.

Conference substitute

The Conference Report offers the Sense of Congress on the availability of war risk insurance to vendors, agents, and subcontractors of air carriers for all their domestic operations.

70. ANIMALS

Senate bill

No provision.

House bill

Section 123(c): Sense of Congress that airlines that transport mail should carry animals that the Postal Service allows to be mailed.

Conference substitute

The Conference Report offers the Sense of the House that airlines that transport mail should carry animals that the U.S. Postal Service permits to be sent in the mail.

71. CARRY-ON BAGGAGE

Senate bill

Report on carry-on baggage.

House bill

No provision.

Conference substitute

The Conference Report offers the Sense of the Congress that the FAA should continue its current restrictions on carry-on baggage of 1 bag plus 1 personal item. A backpack should be considered a personal item.

72. USPS MAIL POLICY IN ALASKA

Senate bill

No provision.

House bill

No provision.

Conference substitute

The Conferees encourage the Congress to pass legislation quickly to restructure the United States Postal Service's process of tendering non-priority bypass mail with the State of Alaska. Restructuring this program to direct more carriers to convert to 121 passenger operators will improve the safety of air transportation in Alaska and enhance the security of passengers.

73. VICTIMS COMPENSATION

Senate bill

No provision.

House bill

Title II:

Conference substitute

The Conference substitute extends the liability limitations of the Air Transportation Stabilization Act to aircraft manufacturers, State port authorities, owners and operators of airports, and persons with property interests in the World Trade Center.

These provisions limit liability under the Act to the maximum level of their insurance coverage.

Any person with a property interest in the World Trade Center, as a condition to receiving liability protection under the Act, is required to satisfy all contractual obligations to rebuild or assist in the rebuilding of the World Trade Center.

The Conference substitute also limits the liability for all claims arising from the terrorist-related attacks of September 11, 2001, brought against the City of New York to the greater of the City's insurance coverage or $350,000,000.

This limitation on damages against the City of New York, however, does not apply to any non-government or private entity that is contracted with the City.

The Conference substitute also excludes entities primarily engaged in the business of airport security from its limitation on liability.

DON YOUNG,
THOMAS PETRI,
JOHN J. DUNCAN, Jr.,
JOHN L. MICA,
VERNON J. EHLERS,
JAMES L. OBERSTAR,
WILLIAM O. LIPINSKI,
PETER DEFAZIO,
Managers on the Part of the House.

ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
JOHN D. ROCKEFELLER IV,
JOHN F. KERRY,
JOHN BREAUX,
BYRON L. DORGAN,
RON WYDEN,
JOHN MCCAIN,
TRENT LOTT,
KAY BAILEY HUTCHISON,
OLYMPIA SNOWE,
Managers on the Part of the Senate.

ANDEAN TRADE PROMOTION AND DRUG ERADICATION ACT

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 289, I call up the

bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to House Resolution 289, the bill is considered read for amendment.

The text of H.R. 3009 is as follows:

H.R. 3009

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Andean Trade Promotion and Drug Eradication Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since the Andean Trade Preference Act was enacted in 1991, it has had a positive impact on United States trade with Bolivia, Colombia, Ecuador, and Peru. Two-way trade has doubled, with the United States serving as the leading source of imports and leading export market for each of the Andean beneficiary countries. This has resulted in increased jobs and expanded export opportunities in both the United States and the Andean region.

(2) The Andean Trade Preference Act has been a key element in the United States counternarcotics strategy in the Andean region, promoting export diversification and broad-based economic development that provides sustainable economic alternatives to drug-crop production, strengthening the legitimate economies of Andean countries and creating viable alternatives to illicit trade in coca.

(3) Notwithstanding the success of the Andean Trade Preference Act, the Andean region remains threatened by political and economic instability and fragility, vulnerable to the consequences of the drug war and fierce global competition for its legitimate trade.

(4) The continuing instability in the Andean region poses a threat to the security interests of the United States and the world. This problem has been partially addressed through foreign aid, such as Plan Colombia, enacted by Congress in 2000. However, foreign aid alone is not sufficient. Enhancement of legitimate trade with the United States provides an alternative means for reviving and stabilizing the economies in the Andean region.

(5) The Andean Trade Preference Act constitutes a tangible commitment by the United States to the promotion of prosperity, stability, and democracy in the beneficiary countries.

(6) Renewal and enhancement of the Andean Trade Preference Act will bolster the confidence of domestic private enterprise and foreign investors in the economic prospects of the region, ensuring that legitimate private enterprise can be the engine of economic development and political stability in the region.

(7) Each of the Andean beneficiary countries is committed to conclude negotiation of a Free Trade Area of the Americas by the year 2005, as a means of enhancing the economic security of the region.

(8) Temporarily enhancing trade benefits for Andean beneficiary countries will promote the growth of free enterprise and economic opportunity in these countries and serve the security interests of the United States, the region, and the world.

SEC. 3. ARTICLES ELIGIBLE FOR PREFERENTIAL TREATMENT.

(a) ELIGIBILITY OF CERTAIN ARTICLES.—Section 204 of the Andean Trade Preference Act (19 U.S.C. 3203) is amended—

(1) by striking subsection (c) and redesignating subsections (d) through (g) as subsections (c) through (f), respectively; and

(2) by amending subsection (b) to read as follows:

''(b) EXCEPTIONS AND SPECIAL RULES.—

''(1) CERTAIN ARTICLES THAT ARE NOT IMPORT-SENSITIVE.—The President may proclaim duty-free treatment under this title for any of the following articles only if the article is the product of an ATPEA beneficiary country and only if the President determines that the article is not import-sensitive in the context of imports from ATPEA beneficiary countries:

''(A) Footwear not designated at the time of the effective date of this Act as eligible for the purpose of the generalized system of preferences under title V of the Trade Act of 1974.

''(B) Petroleum, or any product derived from petroleum, provided for in headings 2709 and 2710 of the HTS.

''(C) Watches and watch parts (including cases, bracelets and straps), of whatever type including, but not limited to, mechanical, quartz digital or quartz analog, if such watches or watch parts contain any material which is the product of any country with respect to which HTS column 2 rates of duty apply.

''(D) Sugars, syrups, and molasses classified in subheadings 1701.11.03, 1701.12.02, 1701.99.02, 1702.90.32, 1806.10.42, and 2106.90.12 of the HTS.

''(E) Handbags, luggage, flat goods, work gloves, and leather wearing apparel that—

''(i) are the product of an ATPEA beneficiary country; and

''(ii) were not designated on August 5, 1983, as eligible articles for purposes of the generalized system of preferences under title V of the Trade Act of 1974.

''(2) EXCLUSIONS.—Duty-free treatment under this title may not be extended to—

''(A) textiles; or

''(B) rum and tafia classified in subheading 2208.40.00 of the HTS.

''(3) APPAREL ARTICLES.—

''(A) IN GENERAL.—Apparel articles that are imported directly into the customs territory of the United States from an ATPEA beneficiary country shall enter the United States free of duty and free of any quantitative restrictions, limitations, or consultation levels, but only if such articles are described in subparagraph (B).

''(B) COVERED ARTICLES.—The apparel articles referred to in subparagraph (A) are the following:

''(i) APPAREL ARTICLES ASSEMBLED FROM PRODUCTS OF THE UNITED STATES AND ATPEA BENEFICIARY COUNTRIES OR PRODUCTS NOT AVAILABLE IN COMMERCIAL QUANTITIES.—Apparel articles sewn or otherwise assembled in 1 or more ATPEA beneficiary countries exclusively from any one or any combination of the following:

''(I) Fabrics or fabric components formed, or components knit-to-shape, in the United States (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are formed in the United States).

''(II) Fabrics or fabric components formed, or components knit-to-shape, in 1 or more ATPEA beneficiary countries, from yarns formed in 1 or more ATPEA beneficiary countries, if such fabrics (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are formed in 1 or more ATPEA beneficiary countries) are in chief weight of llama, or alpaca.

''(III) Fabrics or yarns, without regard to where they are formed, if such fabrics or yarns are classifiable under headings of the HTS from which a change in tariff classification is allowed under the applicable rules for the good under General Note 12(t) of the HTS (except for goods classifiable under heading 6212.10 of the HTS), without regard to whether the components of such yarns or fabrics determine the tariff classification of the apparel article, except that if such yarns or fabrics are used to produce knit-to-shape components, the components must be knit-to-shape in the United States or in 1 or more ATPEA beneficiary countries.

''(ii) ADDITIONAL FABRICS.—At the request of any interested party, the President is authorized to proclaim additional fabrics and yarns as eligible for preferential treatment under clause (i)(III) if—

''(I) the President determines that such fabrics or yarns cannot be supplied by the domestic industry in commercial quantities in a timely manner;

''(II) the President has obtained advice regarding the proposed action from the appropriate advisory committee established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) and the United States International Trade Commission;

''(III) within 60 days after the request, the President has submitted a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that sets forth the action proposed to be proclaimed and the reasons for such action, and the advice obtained under subclause (II);

''(IV) a period of 60 calendar days, beginning with the first day on which the President has met the requirements of subclause (III), has expired; and

''(V) the President has consulted with such committees regarding the proposed action during the period referred to in subclause (III).

''(iii) APPAREL ARTICLES ASSEMBLED IN 1 OR MORE ATPEA BENEFICIARY COUNTRIES FROM REGIONAL FABRICS OR REGIONAL COMPONENTS.—(I) Subject to the limitation set forth in subclause (II), apparel articles sewn or otherwise assembled in 1 or more ATPEA beneficiary countries from fabrics or from fabric components formed or from components knit-to-shape, in 1 or more ATPEA beneficiary countries, from yarns formed in the United States or in 1 or more ATPEA beneficiary countries (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are formed in 1 or more ATPEA beneficiary countries), whether or not the apparel articles are also made from any of the fabrics, fabric components formed, or components knit-to-shape described in clause (i).

''(II) The preferential treatment referred to in subclause (I) shall be extended in the 1-year period beginning December 1, 2001, and in each of the 5 succeeding 1-year periods, to imports of apparel articles in an amount not to exceed the applicable percentage of the aggregate square meter equivalents of all apparel articles imported into the United States in the preceding 12-month period for which data are available.

''(III) For purposes of subclause (II), the term 'applicable percentage' means 3 percent for the 1-year period beginning December 1, 2001, increased in each of the 5 succeeding 1-year periods by equal increments, so that for the period beginning December 1, 2005, the applicable percentage does not exceed 6 percent.

''(iv) HANDLOOMED, HANDMADE, AND FOLKLORE ARTICLES.—A handloomed, handmade, or folklore article of an ATPEA beneficiary

country identified under subparagraph (C) that is certified as such by the competent authority of such beneficiary country.

''(v) SPECIAL RULES.—

''(I) EXCEPTION FOR FINDINGS AND TRIMMINGS.—An article otherwise eligible for preferential treatment under this paragraph shall not be ineligible for such treatment because the article contains findings or trimmings of foreign origin, if such findings and trimmings do not exceed 25 percent of the cost of the components of the assembled product. Examples of findings and trimmings are sewing thread, hooks and eyes, snaps, buttons, 'bow buds', decorative lace, trim, elastic strips, zippers, including zipper tapes and labels, and other similar products.

''(II) CERTAIN INTERLINING.—(aa) An article otherwise eligible for preferential treatment under this paragraph shall not be ineligible for such treatment because the article contains certain interlinings of foreign origin, if the value of such interlinings (and any findings and trimmings) does not exceed 25 percent of the cost of the components of the assembled article.

''(bb) Interlinings eligible for the treatment described in division (aa) include only a chest type plate, 'hymo' piece, or 'sleeve header', of woven or weft-inserted warp knit construction and of coarse animal hair or man-made filaments.

''(cc) The treatment described in this subclause shall terminate if the President makes a determination that United States manufacturers are producing such interlinings in the United States in commercial quantities.

''(III) DE MINIMIS RULE.—An article that would otherwise be ineligible for preferential treatment under this subparagraph because the article contains fibers or yarns not wholly formed in the United States or in one or more ATPEA beneficiary countries shall not be ineligible for such treatment if the total weight of all such fibers or yarns is not more than 7 percent of the total weight of the good.

''(C) HANDLOOMED, HANDMADE, AND FOLKLORE ARTICLES.—For purposes of subparagraph (B)(iv), the President shall consult with representatives of the ATPEA beneficiary countries concerned for the purpose of identifying particular textile and apparel goods that are mutually agreed upon as being handloomed, handmade, or folklore goods of a kind described in section 2.3(a), (b), or (c) of the Annex or Appendix 3.1.B.11 of the Annex.

''(D) PENALTIES FOR TRANSSHIPMENT.—

''(i) PENALTIES FOR EXPORTERS.—If the President determines, based on sufficient evidence, that an exporter has engaged in transshipment with respect to apparel articles from an ATPEA beneficiary country, then the President shall deny all benefits under this title to such exporter, and any successor of such exporter, for a period of 2 years.

''(ii) PENALTIES FOR COUNTRIES.—Whenever the President finds, based on sufficient evidence, that transshipment has occurred, the President shall request that the ATPEA beneficiary country or countries through whose territory the transshipment has occurred take all necessary and appropriate actions to prevent such transshipment. If the President determines that a country is not taking such actions, the President shall reduce the quantities of apparel articles that may be imported into the United States from such country by the quantity of the transshipped articles multiplied by 3, to the extent consistent with the obligations of the United States under the WTO.

''(iii) TRANSSHIPMENT DESCRIBED.—Transshipment within the meaning of this subparagraph has occurred when preferential treatment under subparagraph (A) has been claimed for an apparel article 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 subparagraph (A).

''(E) BILATERAL EMERGENCY ACTIONS.—

''(i) IN GENERAL.—The President may take bilateral emergency tariff actions of a kind described in section 4 of the Annex with respect to any apparel article imported from an ATPEA beneficiary country if the application of tariff treatment under subparagraph (A) to such article results in conditions that would be cause for the taking of such actions under such section 4 with respect to a like article described in the same 8-digit subheading of the HTS that is imported from Mexico.

''(ii) RULES RELATING TO BILATERAL EMERGENCY ACTION.—For purposes of applying bilateral emergency action under this subparagraph—

''(I) the requirements of paragraph (5) of section 4 of the Annex (relating to providing compensation) shall not apply;

''(II) the term 'transition period' in section 4 of the Annex shall mean the period ending December 31, 2006; and

''(III) the requirements to consult specified in section 4 of the Annex shall be treated as satisfied if the President requests consultations with the ATPEA beneficiary country in question and the country does not agree to consult within the time period specified under section 4.

''(4) CUSTOMS PROCEDURES.—

''(A) IN GENERAL.—

''(i) REGULATIONS.—Any importer that claims preferential treatment under paragraph (1) or (3) shall comply with customs procedures similar in all material respects to the requirements of Article 502(1) of the NAFTA as implemented pursuant to United States law, in accordance with regulations promulgated by the Secretary of the Treasury.

''(ii) DETERMINATION.—

''(I) IN GENERAL.—In order to qualify for the preferential treatment under paragraph (1) or (3) and for a Certificate of Origin to be valid with respect to any article for which such treatment is claimed, there shall be in effect a determination by the President that each country described in subclause (II)—

''(aa) has implemented and follows; or

''(bb) is making substantial progress toward implementing and following,

procedures and requirements similar in all material respects to the relevant procedures and requirements under chapter 5 of the NAFTA.

''(II) COUNTRY DESCRIBED.—A country is described in this subclause if it is an ATPEA beneficiary country—

''(aa) from which the article is exported; or

''(bb) in which materials used in the production of the article originate or in which the article or such materials undergo production that contributes to a claim that the article is eligible for preferential treatment under paragraph (1) or (3).

''(B) CERTIFICATE OF ORIGIN.—The Certificate of Origin that otherwise would be required pursuant to the provisions of subparagraph (A) shall not be required in the case of an article imported under paragraph (1) or (3) if such Certificate of Origin would not be required under Article 503 of the NAFTA (as implemented pursuant to United States law), if the article were imported from Mexico.

''(5) DEFINITIONS.—In this subsection—

''(A) ANNEX.—The term 'the Annex' means Annex 300-B of the NAFTA.

''(B) ATPEA BENEFICIARY COUNTRY.—The term 'ATPEA beneficiary country' means any 'beneficiary country', as defined in section 203(a)(1) of this title, which the President designates as an ATPEA beneficiary country, taking into account the criteria contained in subsections (b) and (c) of section 203 and other appropriate criteria, including the following:

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

''(I) undertake its obligations under the WTO, including those agreements listed in section 101(d) of the Uruguay Round Agreements Act, on or ahead of schedule; and

''(II) participate in negotiations toward the completion of the FTAA or another free trade agreement.

''(ii) The extent to which the country provides protection of intellectual property rights consistent with or greater than the protection afforded under the Agreement on Trade-Related Aspects of Intellectual Property Rights described in section 101(d)(15) of the Uruguay Round Agreements Act.

''(iii) 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) a prohibition on the use of any form of forced 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;

''(iv) Whether the country has implemented its commitments to eliminate the worst forms of child labor, as defined in section 507(6) of the Trade Act of 1974.

''(v) The extent to which 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.

''(vi) The extent to which the country has taken steps to become a party to and implements the Inter-American Convention Against Corruption.

''(vii) The extent to which the country—

''(I) applies transparent, nondiscriminatory, and competitive procedures in government procurement equivalent to those contained in the Agreement on Government Procurement described in section 101(d)(17) of the Uruguay Round Agreements Act; and

''(II) contributes to efforts in international fora to develop and implement international rules in transparency in government procurement.

''(C) NAFTA.—The term 'NAFTA' means the North American Free Trade Agreement entered into between the United States, Mexico, and Canada on December 17, 1992.

''(D) WTO.—The term 'WTO' has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).''.

(b) CONFORMING AMENDMENTS.—(1) Section 202 of the Andean Trade Preference Act (19 U.S.C. 3201) is amended by inserting ''(or other preferential treatment)'' after ''treatment''.

(2) Section 204(a) of the Andean Trade Preference Act (19 U.S.C. 3203(a)) is amended—

(A) in paragraph (1), by inserting ''(or otherwise provided for)'' after ''eligibility''; and

(B) in paragraph (2), by striking ''subsection (a)'' and inserting ''paragraph (1)''.

SEC. 4. TERMINATION OF PREFERENTIAL TREATMENT.

Section 208 of the Andean Trade Preference Act (19 U.S.C. 3206) is amended to read as follows:

"SEC. 208. TERMINATION OF PREFERENTIAL TREATMENT.

''No duty-free treatment or other preferential treatment extended to beneficiary countries under this title shall remain in effect after December 31, 2006.''.

SEC. 5. TRADE BENEFITS UNDER THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT.

Section 213(b)(2)(A) of the Carribean Basin Economic Recovery Act (19 U.S.C. 2703(b)(2)(A)) is amended as follows:

(1) Clause (i) is amended by striking the matter preceding subclause (I) and inserting the following:

''(i) APPAREL ARTICLES ASSEMBLED IN ONE OR MORE CBTPA BENEFICIARY COUNTRIES.—Apparel articles sewn or otherwise assembled in one or more CBTPA beneficiary countries from fabrics wholly formed and cut, or from components knit-to-shape, in the United States from yarns wholly formed in the United States, (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed and cut in the United States) that are—''.

(2) Clause (ii) is amended to read as follows:

''(ii) APPAREL ARTICLES CUT AND ASSEMBLED IN ONE OR MORE CBTPA BENEFICIARY COUNTRIES.—Apparel articles cut in one or more CBTPA beneficiary countries from fabric wholly formed in the United States, or from components knit-to-shape in the United States, from yarns wholly formed in the United States (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed in the United States), if such articles are sewn or otherwise assembled in one or more such countries with thread formed in the United States.''.

SEC. 6. TRADE BENEFITS UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT.

Section 112(b) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)) is amended as follows:

(1) Paragraph (1) is amended—

(A) by amending the heading to read as follows:

''(1) APPAREL ARTICLES ASSEMBLED IN ONE OR MORE BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES.—''; and

(B) by amending the matter preceding subparagraph (A) to read as follows: ''Apparel articles sewn or otherwise assembled in one or more beneficiary sub-Saharan African countries from fabrics wholly formed and cut, or from components knit-to-shape, in the United States from yarns wholly formed in the United States, (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed and cut in the United States) that are—''.

(2) Paragraph (2) is amended to read as follows:

''(2) APPAREL ARTICLES CUT AND ASSEMBLED IN ONE OR MORE 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, or from components knit-to-shape in the United States, from yarns wholly formed in the United States, (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed in the United States) if such articles are sewn or otherwise assembled in one or more such countries with thread formed in the United States.''.

(3) Paragraph (3) is amended—

(A) in the matter preceding subparagraph (A), by inserting '', or components knit-to-shape,'' after ''from fabric wholly formed'';

(B) in subparagraph (A)(ii)—

(i) by striking ''1.5'' and inserting ''3''; and

(ii) by striking ''3.5'' and inserting ''7''; and

(C) in subparagraph (B), by amending clause (i) to read as follows:

''(i) IN GENERAL.—Subject to subparagraph (A), preferential treatment under this paragraph shall be extended through September 30, 2004, for apparel articles wholly assembled or knit-to-shape and wholly assembled in one or more lesser developed beneficiary sub-Saharan African countries regardless of the country of origin of the fabric or the yarn used to make such articles.''.

The SPEAKER pro tempore. Pursuant to House Resolution 289, the amendment printed in the bill is adopted.

The text of H.R. 3009, as amended, is as follows:

H.R. 3009

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Andean Trade Promotion and Drug Eradication Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since the Andean Trade Preference Act was enacted in 1991, it has had a positive impact on United States trade with Bolivia, Colombia, Ecuador, and Peru. Two-way trade has doubled, with the United States serving as the leading source of imports and leading export market for each of the Andean beneficiary countries. This has resulted in increased jobs and expanded export opportunities in both the United States and the Andean region.

(2) The Andean Trade Preference Act has been a key element in the United States counter-narcotics strategy in the Andean region, promoting export diversification and broad-based economic development that provides sustainable economic alternatives to drug-crop production, strengthening the legitimate economies of Andean countries and creating viable alternatives to illicit trade in coca.

(3) Notwithstanding the success of the Andean Trade Preference Act, the Andean region remains threatened by political and economic instability and fragility, vulnerable to the consequences of the drug war and fierce global competition for its legitimate trade.

(4) The continuing instability in the Andean region poses a threat to the security interests of the United States and the world. This problem has been partially addressed through foreign aid, such as Plan Colombia, enacted by Congress in 2000. However, foreign aid alone is not sufficient. Enhancement of legitimate trade with the United States provides an alternative means for reviving and stabilizing the economies in the Andean region.

(5) The Andean Trade Preference Act constitutes a tangible commitment by the United States to the promotion of prosperity, stability, and democracy in the beneficiary countries.

(6) Renewal and enhancement of the Andean Trade Preference Act will bolster the confidence of domestic private enterprise and foreign investors in the economic prospects of the region, ensuring that legitimate private enterprise can be the engine of economic development and political stability in the region.

(7) Each of the Andean beneficiary countries is committed to conclude negotiation of a Free Trade Area of the Americas by the year 2005, as a means of enhancing the economic security of the region.

(8) Temporarily enhancing trade benefits for Andean beneficiary countries will promote the growth of free enterprise and economic opportunity in these countries and serve the security interests of the United States, the region, and the world.

SEC. 3. ARTICLES ELIGIBLE FOR PREFERENTIAL TREATMENT.

(a) ELIGIBILITY OF CERTAIN ARTICLES.—Section 204 of the Andean Trade Preference Act (19 U.S.C. 3203) is amended—

(1) by striking subsection (c) and redesignating subsections (d) through (g) as subsections (c) through (f), respectively; and

(2) by amending subsection (b) to read as follows:

''(b) EXCEPTIONS AND SPECIAL RULES.—

''(1) CERTAIN ARTICLES THAT ARE NOT IMPORT-SENSITIVE.—The President may proclaim duty-free treatment under this title for any article described in subparagraph (A), (B), (C), or (D) that is the growth, product, or manufacture of an ATPDEA beneficiary country and that meets the requirements of this section, if the President determines that such article is not import-sensitive in the context of imports from ATPDEA beneficiary countries:

''(A) Footwear not designated at the time of the effective date of this Act as eligible for the purpose of the generalized system of preferences under title V of the Trade Act of 1974.

''(B) Petroleum, or any product derived from petroleum, provided for in headings 2709 and 2710 of the HTS.

''(C) Watches and watch parts (including cases, bracelets and straps), of whatever type including, but not limited to, mechanical, quartz digital or quartz analog, if such watches or watch parts contain any material which is the product of any country with respect to which HTS column 2 rates of duty apply.

''(D) Handbags, luggage, flat goods, work gloves, and leather wearing apparel that were not designated on August 5, 1983, as eligible articles for purposes of the generalized system of preferences under title V of the Trade Act of 1974.

''(2) EXCLUSIONS.—Subject to paragraph (3), duty-free treatment under this title may not be extended to—

''(A) textiles and apparel articles which were not eligible articles for purposes of this title on January 1, 1994, as this title was in effect on that date;

''(B) rum and tafia classified in subheading 2208.40 of the HTS; or

''(C) sugars, syrups, and sugar-containing products subject to over-quota duty rates under applicable tariff-rate quotas.

''(3) APPAREL ARTICLES.—

''(A) IN GENERAL.—Apparel articles that are imported directly into the customs territory of the United States from an ATPDEA beneficiary country shall enter the United States free of duty and free of any quantitative restrictions, limitations, or consultation levels, but only if such articles are described in subparagraph (B).

''(B) COVERED ARTICLES.—The apparel articles referred to in subparagraph (A) are the following:

''(i) APPAREL ARTICLES ASSEMBLED FROM PRODUCTS OF THE UNITED STATES AND ATPDEA BENEFICIARY COUNTRIES OR PRODUCTS NOT AVAILABLE IN COMMERCIAL QUANTITIES.—Apparel articles sewn or otherwise assembled in 1 or more ATPDEA beneficiary countries, or the United States, or both, exclusively from any one or any combination of the following:

''(I) Fabrics or fabric components formed, or components knit-to-shape, in the United States, from yarns formed in the United States or 1 or more ATPDEA beneficiary countries (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are formed in the United States).

''(II) Fabrics or fabric components formed or components knit-to-shape, in 1 or more ATPDEA beneficiary countries, from yarns formed in 1 or more ATPDEA beneficiary countries, if such fabrics (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are formed in 1 or more ATPDEA beneficiary countries) or components are in chief weight of llama or alpaca.

''(III) Fabrics or yarn that is not formed in the United States or in one or more ATPDEA beneficiary countries, to the extent that apparel articles of such fabrics or yarn would be eligible

for preferential treatment, without regard to the source of the fabrics or yarn, under Annex 401 of the NAFTA.

''(ii) ADDITIONAL FABRICS.—At the request of any interested party, the President is authorized to proclaim additional fabrics and yarns as eligible for preferential treatment under clause (i)(III) if—

''(I) the President determines that such fabrics or yarns cannot be supplied by the domestic industry in commercial quantities in a timely manner;

''(II) the President has obtained advice regarding the proposed action from the appropriate advisory committee established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) and the United States International Trade Commission;

''(III) within 60 days after the request, the President has submitted a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that sets forth the action proposed to be proclaimed and the reasons for such action, and the advice obtained under subclause (II);

''(IV) a period of 60 calendar days, beginning with the first day on which the President has met the requirements of subclause (III), has expired; and

''(V) the President has consulted with such committees regarding the proposed action during the period referred to in subclause (III).

''(iii) APPAREL ARTICLES ASSEMBLED IN 1 OR MORE ATPDEA BENEFICIARY COUNTRIES FROM REGIONAL FABRICS OR REGIONAL COMPONENTS.—(I) Subject to the limitation set forth in subclause (II), apparel articles sewn or otherwise assembled in 1 or more ATPDEA beneficiary countries from fabrics or from fabric components formed or from components knit-to-shape, in 1 or more ATPDEA beneficiary countries, from yarns formed in the United States or 1 or more ATPDEA beneficiary countries (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are formed in 1 or more ATPDEA beneficiary countries), whether or not the apparel articles are also made from any of the fabrics, fabric components formed, or components knit-to-shape described in clause (i).

''(II) The preferential treatment referred to in subclause (I) shall be extended in the 1-year period beginning December 1, 2001, and in each of the 5 succeeding 1-year periods, to imports of apparel articles in an amount not to exceed the applicable percentage of the aggregate square meter equivalents of all apparel articles imported into the United States in the preceding 12-month period for which data are available.

''(III) For purposes of subclause (II), the term 'applicable percentage' means 3 percent for the 1-year period beginning December 1, 2001, increased in each of the 5 succeeding 1-year periods by equal increments, so that for the period beginning December 1, 2005, the applicable percentage does not exceed 6 percent.

''(iv) HANDLOOMED, HANDMADE, AND FOLKLORE ARTICLES.—A handloomed, handmade, or folklore article of an ATPDEA beneficiary country identified under subparagraph (C) that is certified as such by the competent authority of such beneficiary country.

''(v) SPECIAL RULES.—

''(I) EXCEPTION FOR FINDINGS AND TRIMMINGS.—An article otherwise eligible for preferential treatment under this paragraph shall not be ineligible for such treatment because the article contains findings or trimmings of foreign origin, if such findings and trimmings do not exceed 25 percent of the cost of the components of the assembled product. Examples of findings and trimmings are sewing thread, hooks and eyes, snaps, buttons, 'bow buds', decorative lace, trim, elastic strips, zippers, including zipper tapes and labels, and other similar products.

''(II) CERTAIN INTERLINING.—(aa) An article otherwise eligible for preferential treatment under this paragraph shall not be ineligible for such treatment because the article contains certain interlinings of foreign origin, if the value of such interlinings (and any findings and trimmings) does not exceed 25 percent of the cost of the components of the assembled article.

''(bb) Interlinings eligible for the treatment described in division (aa) include only a chest type plate, 'hymo' piece, or 'sleeve header', of woven or weft-inserted warp knit construction and of coarse animal hair or man-made filaments.

''(cc) The treatment described in this subclause shall terminate if the President makes a determination that United States manufacturers are producing such interlinings in the United States in commercial quantities.

''(III) DE MINIMIS RULE.—An article that would otherwise be ineligible for preferential treatment under this subparagraph because the article contains fibers or yarns not wholly formed in the United States or in one or more ATPDEA beneficiary countries shall not be ineligible for such treatment if the total weight of all such fibers or yarns is not more than 7 percent of the total weight of the good.

''(C) HANDLOOMED, HANDMADE, AND FOLKLORE ARTICLES.—For purposes of subparagraph (B)(iv), the President shall consult with representatives of the ATPDEA beneficiary countries concerned for the purpose of identifying particular textile and apparel goods that are mutually agreed upon as being handloomed, handmade, or folklore goods of a kind described in section 2.3(a), (b), or (c) of the Annex or Appendix 3.1.B.11 of the Annex.

''(D) PENALTIES FOR TRANSSHIPMENT.—

''(i) PENALTIES FOR EXPORTERS.—If the President determines, based on sufficient evidence, that an exporter has engaged in transshipment with respect to apparel articles from an ATPDEA beneficiary country, then the President shall deny all benefits under this title to such exporter, and any successor of such exporter, for a period of 2 years.

''(ii) PENALTIES FOR COUNTRIES.—Whenever the President finds, based on sufficient evidence, that transshipment has occurred, the President shall request that the ATPDEA beneficiary country or countries through whose territory the transshipment has occurred take all necessary and appropriate actions to prevent such transshipment. If the President determines that a country is not taking such actions, the President shall reduce the quantities of apparel articles that may be imported into the United States from such country by the quantity of the transshipped articles multiplied by 3, to the extent consistent with the obligations of the United States under the WTO.

''(iii) TRANSSHIPMENT DESCRIBED.—Transshipment within the meaning of this subparagraph has occurred when preferential treatment under subparagraph (A) has been claimed for an apparel article 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 subparagraph (A).

''(E) BILATERAL EMERGENCY ACTIONS.—

''(i) IN GENERAL.—The President may take bilateral emergency tariff actions of a kind described in section 4 of the Annex with respect to any apparel article imported from an ATPDEA beneficiary country if the application of tariff treatment under subparagraph (A) to such article results in conditions that would be cause for the taking of such actions under such section 4 with respect to a like article described in the same 8-digit subheading of the HTS that is imported from Mexico.

''(ii) RULES RELATING TO BILATERAL EMERGENCY ACTION.—For purposes of applying bilateral emergency action under this subparagraph—

''(I) the requirements of paragraph (5) of section 4 of the Annex (relating to providing compensation) shall not apply;

''(II) the term 'transition period' in section 4 of the Annex shall mean the period ending December 31, 2006; and

''(III) the requirements to consult specified in section 4 of the Annex shall be treated as satisfied if the President requests consultations with the ATPDEA beneficiary country in question and the country does not agree to consult within the time period specified under section 4.

''(4) CUSTOMS PROCEDURES.—

''(A) IN GENERAL.—

''(i) REGULATIONS.—Any importer that claims preferential treatment under paragraph (1) or (3) shall comply with customs procedures similar in all material respects to the requirements of Article 502(1) of the NAFTA as implemented pursuant to United States law, in accordance with regulations promulgated by the Secretary of the Treasury.

''(ii) DETERMINATION.—

''(I) IN GENERAL.—In order to qualify for the preferential treatment under paragraph (1) or (3) and for a Certificate of Origin to be valid with respect to any article for which such treatment is claimed, there shall be in effect a determination by the President that each country described in subclause (II)—

''(aa) has implemented and follows; or

''(bb) is making substantial progress toward implementing and following,

procedures and requirements similar in all material respects to the relevant procedures and requirements under chapter 5 of the NAFTA.

''(II) COUNTRY DESCRIBED.—A country is described in this subclause if it is an ATPDEA beneficiary country—

''(aa) from which the article is exported; or

''(bb) in which materials used in the production of the article originate or in which the article or such materials undergo production that contributes to a claim that the article is eligible for preferential treatment under paragraph (1) or (3).

''(B) CERTIFICATE OF ORIGIN.—The Certificate of Origin that otherwise would be required pursuant to the provisions of subparagraph (A) shall not be required in the case of an article imported under paragraph (1) or (3) if such Certificate of Origin would not be required under Article 503 of the NAFTA (as implemented pursuant to United States law), if the article were imported from Mexico.

''(5) DEFINITIONS.—In this subsection—

''(A) ANNEX.—The term 'the Annex' means Annex 300-B of the NAFTA.

''(B) ATPDEA BENEFICIARY COUNTRY.—The term 'ATPDEA beneficiary country' means any 'beneficiary country', as defined in section 203(a)(1) of this title, which the President designates as an ATPDEA beneficiary country, taking into account the criteria contained in subsections (c) and (d) of section 203 and other appropriate criteria, including the following:

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

''(I) undertake its obligations under the WTO, including those agreements listed in section 101(d) of the Uruguay Round Agreements Act, on or ahead of schedule; and

''(II) participate in negotiations toward the completion of the FTAA or another free trade agreement.

''(ii) The extent to which the country provides protection of intellectual property rights consistent with or greater than the protection afforded under the Agreement on Trade-Related Aspects of Intellectual Property Rights described in section 101(d)(15) of the Uruguay Round Agreements Act.

''(iii) 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) a prohibition on the use of any form of forced 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;

''(iv) Whether the country has implemented its commitments to eliminate the worst forms of child labor, as defined in section 507(6) of the Trade Act of 1974.

''(v) The extent to which the country has met the counternarcotics 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.

''(vi) The extent to which the country has taken steps to become a party to and implements the Inter-American Convention Against Corruption.

''(vii) The extent to which the country—

''(I) applies transparent, nondiscriminatory, and competitive procedures in government procurement equivalent to those contained in the Agreement on Government Procurement described in section 101(d)(17) of the Uruguay Round Agreements Act; and

''(II) contributes to efforts in international fora to develop and implement international rules in transparency in government procurement.

''(C) NAFTA.—The term 'NAFTA' means the North American Free Trade Agreement entered into between the United States, Mexico, and Canada on December 17, 1992.

''(D) WTO.—The term 'WTO' has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

''(E) ATPDEA.—The term 'ATPDEA' means the Andean Trade Promotion and Drug Eradication Act.''.

(b) DETERMINATION REGARDING RETENTION OF DESIGNATION.—Section 203(e)(1) of the Andean Trade Preference Act (19 U.S.C. 3202(e)(1)) is amended—

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

(2) by inserting ''(A)'' after ''(1)''; and

(3) by adding at the end the following:

''(B) The President may, after the requirements of paragraph (2) have been met—

''(i) withdraw or suspend the designation of any country as an ATPDEA beneficiary country, or

''(ii) withdraw, suspend, or limit the application of preferential treatment under section 204(b)(1) or (3) to any article of any country,

if, after such designation, the President determines that, as a result of changed circumstances, the performance of such country is not satisfactory under the criteria set forth in section 204(b)(5)(B).''.

(c) CONFORMING AMENDMENTS.—(1) Section 202 of the Andean Trade Preference Act (19 U.S.C. 3201) is amended by inserting ''(or other preferential treatment)'' after ''treatment''.

(2) Section 204(a) of the Andean Trade Preference Act (19 U.S.C. 3203(a)) is amended—

(A) in paragraph (1), by inserting ''(or otherwise provided for)'' after ''eligibility''; and

(B) in paragraph (2), by striking ''subsection (a)'' and inserting ''paragraph (1)''.

SEC. 4. TERMINATION OF PREFERENTIAL TREATMENT.

Section 208 of the Andean Trade Preference Act (19 U.S.C. 3206) is amended to read as follows:

''SEC. 208. TERMINATION OF PREFERENTIAL TREATMENT.

''No duty-free treatment or other preferential treatment extended to beneficiary countries under this title shall remain in effect after December 31, 2006.''.

SEC. 5. TRADE BENEFITS UNDER THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT.

Section 213(b)(2)(A) of the Carribean Basin Economic Recovery Act (19 U.S.C. 2703(b)(2)(A)) is amended as follows:

(1) Clause (i) is amended by striking the matter preceding subclause (I) and inserting the following:

''(i) APPAREL ARTICLES ASSEMBLED IN ONE OR MORE CBTPA BENEFICIARY COUNTRIES.—Apparel articles sewn or otherwise assembled in one or more CBTPA beneficiary countries from fabrics wholly formed and cut, or from components knit-to-shape, in the United States from yarns wholly formed in the United States, (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed and cut in the United States) that are—''.

(2) Clause (ii) is amended to read as follows:

''(ii) OTHER APPAREL ARTICLES ASSEMBLED IN ONE OR MORE CBTPA BENEFICIARY COUNTRIES.—Apparel articles sewn or otherwise assembled in one or more CBTPA beneficiary countries with thread formed in the United States from fabrics wholly formed in the United States and cut in one or more CBTPA beneficiary countries from yarns wholly formed in the United States, or from components knit-to-shape in the United States from yarns wholly formed in the United States, or both (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed in the United States).''.

(3) Clause (iii)(II) is amended to read as follows:

''(II) The amount referred to in subclause (I) is as follows:

''(aa) 290,000,000 square meter equivalents during the 1-year period beginning on October 1, 2001.

''(bb) 500,000,000 square meter equivalents during the 1-year period beginning on October 1, 2002.

''(cc) 850,000,000 square meter equivalents during the 1-year period beginning on October 1, 2003.

''(dd) 970,000,000 square meter equivalents in each succeeding 1-year period through September 30, 2008.''.

(4) Clause (iii)(IV) is amended to read as follows:

''(IV) The amount referred to in subclause (III) is as follows:

''(aa) 4,872,000 dozen during the 1-year period beginning on October 1, 2001.

''(bb) 9,000,000 dozen during the 1-year period beginning on October 1, 2002.

''(cc) 10,000,000 dozen during the 1-year period beginning on October 1, 2003.

''(dd) 12,000,000 dozen in each succeeding 1-year period through September 30, 2008.''.

(5) Section 213(b)(2)(A) of such Act is further amended by adding at the end the following new clause:

''(ix) APPAREL ARTICLES ASSEMBLED IN ONE OR MORE CBTPA BENEFICIARY COUNTRIES FROM UNITED STATES AND CBTPA BENEFICIARY COUNTRY COMPONENTS.—Apparel articles sewn or otherwise assembled in one or more CBTPA beneficiary countries with thread formed in the United States from components cut in the United States and in one or more CBTPA beneficiary countries from fabric wholly formed in the United States from yarns wholly formed in the United States, or from components knit-to-shape in the United States and one or more CBTPA beneficiary countries from yarns wholly formed in the United States, or both (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS).''.

SEC. 6. TRADE BENEFITS UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT.

Section 112(b) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)) is amended as follows:

(1) Paragraph (1) is amended by amending the matter preceding subparagraph (A) to read as follows:

''(1) APPAREL ARTICLES ASSEMBLED IN ONE OR MORE BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES.—Apparel articles sewn or otherwise assembled in one or more beneficiary sub-Saharan African countries from fabrics wholly formed and cut, or from components knit-to-shape, in the United States from yarns wholly formed in the United States, (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed and cut in the United States) that are—''.

(2) Paragraph (2) is amended to read as follows:

''(2) OTHER APPAREL ARTICLES ASSEMBLED IN ONE OR MORE BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES.—Apparel articles sewn or otherwise assembled in one or more beneficiary sub-Saharan African countries with thread formed in the United States from fabrics wholly formed in the United States and cut in one or more beneficiary sub-Saharan African countries from yarns wholly formed in the United States, or from components knit-to-shape in the United States from yarns wholly formed in the United States, or both (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS and are wholly formed in the United States).''.

(3) Paragraph (3) is amended—

(A) by amending the matter preceding subparagraph (A) to read as follows:

''(3) APPAREL ARTICLES FROM REGIONAL FABRIC OR YARNS.—Apparel articles wholly assembled in one or more beneficiary sub-Saharan African countries from fabric wholly formed in one or more beneficiary sub-Saharan African countries from yarns originating either in the United States or one or more beneficiary sub-Saharan African countries (including fabrics not formed from yarns, if such fabrics are classified under heading 5602 or 5603 of the HTS and are wholly formed in one or more beneficiary sub-Saharan African countries), or from components knit-to-shape in one or more beneficiary sub-Saharan African countries from yarns originating either in the United States or one or more beneficiary sub-Saharan African countries, or apparel articles wholly formed on seamless knitting machines in a beneficiary sub-Saharan African country from yarns originating either in the United States or one or more beneficiary sub-Saharan African countries, subject to the following:'';

(B) in subparagraph (A)(ii)—

(i) by striking ''1.5'' and inserting ''3''; and

(ii) by striking ''3.5'' and inserting ''7''; and

(C) by amending subparagraph (B) to read as follows:

''(B) SPECIAL RULES FOR LESSER DEVELOPED COUNTRIES.—

''(i) IN GENERAL.—Subject to subparagraph (A), preferential treatment under this paragraph shall be extended through September 30, 2004, for apparel articles wholly assembled, or knit-to-shape and wholly assembled, or both, in one or more lesser developed beneficiary sub-Saharan African countries regardless of the country of origin of the fabric or the yarn used to make such articles.

''(ii) LESSER DEVELOPED BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY.—For purposes of clause (i), the term 'lesser developed beneficiary sub-Saharan African country' means—

''(I) a beneficiary sub-Saharan African country that had a per capita gross national product of less than $1,500 in 1998, as measured by the International Bank for Reconstruction and Development;

''(II) Botswana; and

''(III) Namibia.''.

(4) Paragraph (4)(B) is amended by striking ''18.5'' and inserting ''21.5''.

(5) Section 112(b) of such Act is further amended by adding at the end the following new paragraph:

''(7) APPAREL ARTICLES ASSEMBLED IN ONE OR MORE BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES FROM UNITED STATES AND BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY COMPONENTS.—Apparel articles sewn or otherwise assembled in

one or more beneficiary sub-Saharan African countries with thread formed in the United States from components cut in the United States and one or more beneficiary sub-Saharan African countries from fabric wholly formed in the United States from yarns wholly formed in the United States, or from components knit-to-shape in the United States and one or more beneficiary sub-Saharan African countries from yarns wholly formed in the United States, or both (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the HTS).''.

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

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

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

When we were younger and engaged in various activities, I was involved in sports, and I know on those long workouts during the summer we would be doing jumping jacks. One of the things we repeated constantly was, ''Every day in every way we're getting better and better,'' probably in the hopes that mind would overcome matter because we were not very good in terms of the team. But the belief that you can do better, I think, is important. We never said, ''Every day we're perfect.'' We were getting better.

There have been a number of discussions on this floor about the procedure, about the substance and about the way in which the House has been operating. I am here to tell you that today in every way, we are getting better and better. Are we perfect? No.

What you have in front of you is a piece of legislation sponsored by the chairman of the Committee on Ways and Means, cosponsored by the ranking member, the chairman of the Subcommittee on Trade and the ranking member of the Subcommittee on Trade. In addition to that, I want to thank our colleagues on the committee, the gentleman from Washington (Mr. MCDERMOTT) and the gentlewoman from Washington (Ms. DUNN). I especially want to underscore the contribution that the gentleman from Michigan (Mr. LEVIN) made not just on this bill, but on the Caribbean Basin bill in terms of labor rights, which we adopted to place into the Andean portion of this bill. I want to thank the gentleman from Louisiana (Mr. JEFFERSON) and the gentleman from California (Mr. ROYCE) in terms of their assistance and support on the African portion of this bill.

The fundamental premise of this bill is that we ought to trade commercial products, not drugs. To the degree that is going to be possible, we can affect the supply side of the supply-demand problem with drugs. We included the Caribbean Basin Initiative and Africa in this bill because I think it is extremely important that when we offer these regions marginal benefits under our laws that they do not think that it is taken from one area to be given to another, that in fact a rising tide can float all boats.

And so today we are pleased to bring to the floor a bipartisan bill that passed the committee on a voice vote; that although there are some concerns by some areas because whenever you talk about trade, you are talking about change and change is not only painful, but difficult. We will commit to those who believe they are disadvantaged that when the facts are presented and the case is made, we will do everything in our power to adjust the arrangement so that it contains and will be what we believe this bill is, a win-win relationship.

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

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

This agreement expires on December 4, and I rise in support of the bill. I sharply disagree with the statement made by the chairman of the Committee on Ways and Means that this bill is just a little short of being perfect. I think we have a very, very long way to go to get our House and to get our committee back to the traditional concept that trade bills ought to be done in a bipartisan way.

There are just some things that are so important that many of us believe that we ought to set aside the strong objections that we have because it would be in the best interests of trade, the best interests of the people in the Andean countries, and fulfill the commitments that the American people have to our friends in this area. But I just wonder whether it is just old-fashioned to have bills and to have hearings on these bills, to have Members be able to share their concern about the economic impact that would result as a result of passing legislation.

I do not think we should have Republican bills and Democratic bills. And I do not think there is anyone in this House that objects to having trade, because it is just abundantly clear that trade is good for the United States. Trade creates jobs here, it expands our economic base, it allows us to have stronger friends, stronger trading partners, it promotes peace; but I do not see why we should not have more dialogue, why we should not have more hearings, why all of these things have to be done in such a unilateral way and why people just have to come to the floor and vote up and down, and if anyone disagrees with a bill that has been drafted unilaterally that automatically their patriotism is being challenged.

It is not over just because we pass a bill here. There are conferences. There are differences that have to be worked out. There is no reason why a good bill has to cause people to lose their jobs, whether it is in the textile industry or whether it is in the tuna industry. And people that complain about these jobs are not just whiners and those that are opposed to trade, they are just trying to keep the people in their districts from going on welfare or from having to try to get unemployment compensation, which we cannot even get a decent bill out of our committee to do that.

We have to realize that we are at war, and war means that we have to at least appear to be bipartisan and that we cannot allow personalities and politics to have a stronger impact in what we do than having respect for each other even when we disagree. I have a lot of disagreements with what is in this bill. I have a lot of disagreements with the procedure. I have a lot of disagreements with the process, the same way I do and did with the so-called trade promotion authority bill, or fast track.

I am not going to let anyone challenge my patriotism because I disagree with the process, the procedure and the substance of those bills. Nobody should have their patriotism challenged because they have legislative disagreements. We have to try desperately hard to make certain that these real disagreements do not bubble up to be disagreements that are going to be attached to parties, because if you study this bill, there are enough things that Republicans and Democrats should be working out together rather than having egos control the agenda.

And so while I support this bill, we have commitments to our friends in Africa, in the Caribbean Basin Initiative, we have to give support to those that are fighting the drug fight. My good friend and brother, the gentleman from New York (Mr. GILMAN), and I have been around the world for decades trying to stamp out the growth and the processing of drugs. But in poor countries you have to make certain that you give them some economic opportunities to substitute for those crops of death and destruction with crops and industries that promote a positive production of goods and services.

□ 1100

So I just hope that because I have cosponsored this bill and because Democrats on the committee that have very strong objections to the way this came to the floor are voting for this bill, that it not be perceived that the problems that we had yesterday have disappeared today. If by coming forward and supporting the progress of this bill, it means that we can expect more cooperation from the other side of the aisle in conference, and that is turning and becoming a new attitude as it relates to other trade agreements that we will participate in, then it is a good day.

I would like to point out, too, that I have not had any problem with the gentleman from Illinois (Mr. CRANE), the chairman of the Subcommittee on Trade; but I might add that I am disappointed that he has not been able to play the role that he has played in past sessions of Congress in trade because we have had just as many differences of opinion, but we have found ways to work our way out of them.

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

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Illinois (Mr. CRANE), the chairman of the Subcommittee on Trade, the sponsor of the bill and someone who has worked long and hard in this area and frankly very fruitfully in the last few years.

Mr. CRANE. Mr. Speaker, I rise in strong support of H.R. 3009, the Andean Trade Promotion and Drug Eradication Act. While this is an important piece of trade legislation that supports U.S. efforts to achieve the free trade area of the Americas, FTAA, by 2005, the President also believes this bill is central to U.S. national security and our efforts to combat drug trafficking both here in the United States and in the Andean region.

H.R. 3009 will renew and expand duty free tariff treatment to our regional trading partners Bolivia, Colombia, Ecuador and Peru. The current Andean Trade Preference Program will expire on December 4 unless Congress acts.

We need this critical legislation to expand U.S. trade and to help Andean entrepreneurs find practical and profitable alternatives to cultivating crops for the production of illicit drugs. If we fail to renew APTA, we not only turn our backs on the people of Bolivia, Colombia, Ecuador, and Peru who are struggling daily to resist the lure of the drug economy, but we also will be turning our backs on our fellow Americans who are fighting drug scourge here at home and in Latin America.

Thanks in large part to the APTA's duty free tariff treatment, Peru and Bolivia in particular have succeeded in stamping out much of their illicit drug production while expanding job opportunities in trade and legitimate agriculture and rural industry. Although Colombia and Ecuador's success have been less dramatic, new strategies, including Plan Colombia, are even now being implemented to combat the drug cartels. Instead of waging a war against the drug cartels solely through military aid, APTA endeavors to target the region's poverty and the lack of job opportunities as motivation for otherwise good, productive citizens becoming involved in illicit crop cultivation and the drug trade.

Trade statistics demonstrate that over the life of the existing APTA program, two-way trade between the United States and the region is nearly doubled. When we consider the secondary effects, legitimate jobs created in the Andean region and the economic and civil stability that these jobs bring, we realize that the APTA has been a useful tool in our war against drugs.

The bill before us builds on the successful APTA program by enhancing benefits available to Andean countries interested in pursuing our objectives relating to expanded market access for U.S. exports, fair treatment for U.S. investors, and strong protections for our valuable intellectual property rights. I would say to my colleagues on the other side of the aisle that the bill also includes conditionality drafted by the gentleman from New York (Mr. RANGEL) and the gentleman from Michigan (Mr. LEVIN) relating to the extent to which these countries provide internationally recognized worker rights.

Mr. Speaker, H.R. 3009 will be a valuable tool for President Bush and his team to use to undermine the powerful drug cartels and to spur our country's broader trade agenda. I urge a ''yes'' vote on H.R. 3009.

Mr. RANGEL. Mr. Speaker, I yield the remainder of my time to the gentleman from Michigan (Mr. LEVIN) for the purpose of controlling time, an outstanding member of the Committee on Ways and Means, the ranking member of the Subcommittee on Trade and one who, without his efforts, we would not have many of the trade bills that we have today.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. HINOJOSA), my friend.

Mr. HINOJOSA. Mr. Speaker, I rise in support of H.R. 3009, the Andean Trade Promotion and Drug Eradication Act.

For years, Latin American countries have struggled to strengthen their economies to ensure a better quality of life for their people. I have visited many of these countries and know firsthand the progress that has been made and the work that still needs to be done.

Since the inception of the APTA in 1981, Colombia, Bolivia, Peru, and Ecuador have worked hard to reduce their narcotics trade and to move workers into nondrug-related industries. Because of APTA, they have increased their exports to the U.S.A. by almost 80 percent and have created an estimated 140,000 jobs in their region.

This trade, however, has not been one-sided. The U.S.A. has benefited by becoming the largest exporter to the APTA countries. Two-way trade has doubled since 1991. This increase in exports has expanded job opportunities in the U.S.A. Colombia, Bolivia, Peru, and Ecuador are on the front lines in our war against narcotics, and we need to do everything we can to help them win this war. By extending this act for another 5 years, we will encourage democracy, free enterprise and economic security in the region.

I urge my colleagues to support this legislation.

Mr. THOMAS. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from California (Mr. ROYCE), the chairman of the Subcommittee on Africa of the Committee on International Relations and someone who has worked with members on our committee to make sure that the African portion of this bill is as good as we could get it.

Mr. ROYCE. Mr. Speaker, this legislation will promote economic growth in Latin America and in Africa. It is going to promote American national security.

Last year, the African Growth and Opportunity Act was signed into law. It was bipartisan legislation. For the first time, our country stated its interests and established a meaningful policy to trade with the nations of Africa. The U.S. Government and, more importantly, the U.S. private sector have begun to treat Africa as a place to do business; and this bill will help further.

As chairman of the Subcommittee on Africa, I am pleased to report this legislation is having a profoundly positive impact on Africa. Several of the African countries that are making the market reforms required in the bill are attracting levels of foreign investment, and they are importing well beyond expectations. In these countries, desperately needed jobs are being created as more jobs are being created overall in the United States as a result. It is strengthening the rule of law in Africa.

The bolstering of the rule of law and economic reforms are good for Africa, and they are good for the U.S. U.S. exports to Africa are up since it went into effect, and there is a national security gain for us.

Yesterday, I chaired a hearing on Africa's role in the fight against global terrorism. One witness described the continent as the soft underbelly in the fight against terrorism. One thing is for sure, when people are jobless, they are more susceptible to those who would lure them into radicalism.

The bill also won us political goodwill in Africa, a valuable asset in today's world where cooperation matters more now than ever.

We are going to be doing more to promote trade with and economic development in Africa and Latin America, and I describe this legislation as a step in the right direction for our many interests in the southern hemisphere; but we better be running a sprint, not walking, in many parts of the developing world if we are going to be effectively combatting terrorism.

We need to be doing all that we can, as soon as we can, to see that large parts of the world are not mired in hopelessness. It is a tall task to change that. It will not happen overnight; but we have some tools, including this legislation, to help our interests in Africa and in the western hemisphere.

Mr. LEVIN. Mr. Speaker, I yield myself 5 minutes.

I support renewal of APTA. It will help promote economic development and growth in the Andean countries. It is the most valuable way that we can assist them and combat the grip of illegal drugs on their economies.

I also support a reasoned, balanced expansion of the products under APTA, to include textile and apparel products.

The trade issues are multi-dimensional. We must strike the right balance by taking into account the impact

on other countries and very vigorously the impact on our country, our workers, our businesses.

Last year, when we passed the African and Caribbean bills, we struck an appropriate balance. We crafted a bill to build on the complementarities between the textile and apparel industry in those countries and in ours.

Regarding APTA, the committee staffs were working to craft a bill that would expand it while recognizing the multi-dimensional nature of trade. There was agreement, and I point this out, on duty free treatment for the following Andean apparel products: unlimited quantity of apparel made from U.S. fabric and made from two specialty regional fabrics, and limited quantities of apparel made from regional fabrics and yarn.

Then on short notice, the chairman of our committee called a markup. He eliminated the requirements relating to use of U.S. yarn in U.S. fabric, and he doubled the cap on apparel made from regional fabric and yarn. He proposed substantial changes in the textile and apparel caps and quotas within the Caribbean and African bills, bills which have been in place for only a year or little more, and bills where the textile and apparel provisions were reached only after long and hard negotiations. I asked at the markup what the impact of these new provisions would be on American jobs, but no one had an answer. There clearly is a need for serious re-examination of the proposed formulas in this bill for textile and apparel, both in the Andean nations and for CBI and AGOA.

There also remain outstanding questions on the implementation of the international core labor standards. One of the core aspects mentioned of this bill is that it addresses the issue of labor-market standards and trade. It has strengthened the labor market criteria previously applicable to APTA.

These provisions have particular current relevance to the situation in Colombia where large numbers of labor leaders have been murdered. The government of Colombia recently sent a letter to us describing Colombia's commitment to core labor standards and discussing in some detail programs to combat child labor and for the protection of union leaders.

Because we are now in the process of trying to complete discussions with the Colombians on implementation of these programs—by the way we need the involvement of our administration—and because of the need for further work on the proposed changes relating to apparel and textile imports, it is regrettable that the majority decided suddenly to bring up this bill with only a day or two of notice.

Because APTA expires on December 4, there is a strong argument that on balance it is better for Members who, as I do, have concerns about this bill to vote to move it along, a bill, by the way, which I have not cosponsored, and to focus on working with the Senate and any subsequent conference to address the shortcomings in this bill in its present form.

In that regard, I spoke last night with the chairman of the Finance Committee of the Senate, MAX BAUCUS. After this conversation, I was reassured that the Senate will provide a meaningful opportunity for consideration of the changes proposed in this bill that were not fully aired in our committee. Also, there will be a chance to fully analyze all parts of it before action. Such opportunity must include a weighing of all the potential impact on the economy, businesses, and workers of this Nation.

Consequently, I have decided on balance that the better course is to vote to move along this bill to the Senate. I do so with the intention to continue to be in fullest touch with colleagues in the Senate and to participate as actively as possible in any conference to ensure that the final bill remedies the problems in the bill before us; and if that does not happen, to be able to vote against the bill when it returns to the House for final action.

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

□ 1115

Mr. THOMAS. Mr. Speaker, it is my privilege and pleasure to yield 3 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a member of the committee.

Mr. ENGLISH. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, 10 years ago the United States made a commitment to the Andean region, and today we have an indispensable opportunity to renew that commitment. Renewing and expanding the Andean Trade Preference Act will promote broad-based economic development in the region, as well as develop viable economic alternatives to coca cultivation and cocaine production.

Beyond that, and very importantly, H.R. 3009 eliminates the U.S. tariffs on the import of tuna from Andean nations. The tariffs on tuna are among the highest and most anticonsumer anywhere in our system: 10 percent when packed in water, 35 percent when packed in oil. The irony is, the domestic industry that these tariffs allegedly protect has largely moved offshore. The only major U.S. production center remaining is in American Samoa where StarKist employs 2,700; and Thai Union, a foreign competitor, employs 2,500. It is worth noting that domestic production of tuna totals 30 million cases per year, which is only two-thirds of the U.S. demand, so we expect to import a significant amount of our tuna.

Mr. Speaker, clearly no dumping of tuna in U.S. markets will occur as a result of this legislation and no operational capacity will be shifted out of American Samoa either. The western tropical Pacific is and will remain the best tuna fishing grounds, and StarKist has made it clear that they are prepared to pick up any job losses that might result in their competitor facility.

Given these economic statistics, U.S. trade policy during the last 8 years has supported reducing tuna tariffs. Ironically, Ecuador, which is not part of NAFTA or CBI, is still facing these high tuna tariffs, whereas the participants in those agreements are not. Yet Ecuador is the only nation in all of Latin America and the Caribbean to be certified by the U.S. Department of Commerce as being in compliance, as ''dolphin safe'' and in compliance with the eastern Pacific tuna conservation measures.

Environmental groups active on the ''dolphin safe'' issues support the inclusion of this legislation. To quote the Earth Island Institute, the leading environmental group on dolphin-safe fishing, ''By reducing tuna tariffs for Ecuador, Congress can reward that country for their efforts to protect dolphins. Furthermore, by reducing tuna tariffs, Congress can provide incentives to other nations to protect marine mammals.''

Contrary to some allegations that are made here, including tuna in this bill will not adversely affect the job situation in the United States. In fact, according to the U.S. Department of Labor, the original ATPA agreement ''does not appear to have had an adverse impact on or have constituted a significant threat to U.S. employment.'' This is a win-win for us.

Mr. Speaker, I encourage all of my colleagues on both sides of the aisle to support this bill and move it forward as an important part of our commitment to our partners in Latin America.

Mr. LEVIN. Mr. Speaker, it is my pleasure to yield 2 minutes and 15 seconds to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise in opposition to H.R. 3009, because the hemorrhaging of jobs must stop and someone has to take a stand.

I am not surprised, and I do not think anybody should be surprised, by how this bill got to the floor. The same folks who engineered this bill getting to this floor support, surrendered the Congress' authority to deal with trade matters outlined in Article I, Section 8. I did not come here to surrender my responsibilities. Read Article I, Section 8.

I join my colleagues in their concerns about Andean countries that the actual jobs and working conditions would be poor at best of those jobs created. We are giving our jobs to these countries even though 4,000 trade unionists have been murdered in the last 15 years, and 130 of them so far this year.

My district, Mr. Speaker, is probably one of the largest Peruvian American populations of any Member in the House. Some of my Andean constituents want this legislation passed to give their unemployed relatives back home jobs. However, many Peruvian Americans are the same immigrants

whose jobs will be lost in my district under the provisions of this bill.

Mr. Speaker, we have set up a Catch-22 situation. We are unfairly pitting brother against brother and sister against sister, and it was tremendously outlined this morning when the gentleman from North Carolina (Mr. COBLE) pointed out very succinctly what this means. According to the Associated Press, the U.S. Trade Representative admitted at the WTO meeting that ''The United States said. . .it conceded everything it can without the approval of Congress.''

Our economy is in too much turmoil to send decent manufacturing jobs overseas, not to be replaced with wage and benefit equivalent jobs. Why do our policies allow this to happen? What do Americans get in return for giving up their jobs?

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN), a member of the Committee on Ways and Means.

Mr. PORTMAN. Mr. Speaker, I thank the chairman, and I commend him for putting together a balanced product. It is not a lot of trade for the United States; it is a relatively small amount of trade with the Andean countries, but it is extremely important to the Andean countries.

As has been already talked about this morning, it gives the President the authority to grant duty-free treatment. This existing authorization has resulted in a doubling of bilateral trade between our countries in the last 10 years, dramatic improvements in living standards in countries in the Andean region; and unfortunately, this needed authorization expires on December 4. So we need to move and move quickly.

If we do not, it would essentially raise duties on $2 billion of imports from our Andean trading partners. This would send exactly the wrong message to our Andean friends who have made great strides in the last decade with regard to international drug trafficking and have also recently been strong partners with the United States with regard to terrorism.

The drug trade is something that, of course, is very important to all of us here, Mr. Speaker. We are told that practically all of the cocaine and most of the heroin that comes into the United States and is consumed here comes from the Andean region. Many of the areas' farmers turn to growing coca and opium poppy, of course the raw materials for cocaine and heroin, because they simply, given the economic problems in these countries, do not have other viable, legitimate, lawful activities. Most of these farmers would rather not be part of the odious drug trade that has so many detrimental impacts for those countries, as well as for our country, but they are left with no viable options to take care of their families.

We need to give these people other viable options. We can do that through trade. We have done that over the past 10 years. We need to continue to and expand on it.

Always, ATPA, the way the chairman has put together this bill before us today, which I think is a balanced product, is a very important way to use trade to level the playing field, as compared to other countries in the Western Hemisphere, in the Caribbean, in Central America, Mexico; and that is extremely important for these Andean countries.

Mr. Speaker, expanding trade and economic opportunities in this area will bolster regional stability, strengthen democratic institutions, and dramatically assist in our fight against drug trafficking. I strongly urge the Members to support it.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. JEFFERSON).

Mr. THOMAS. Mr. Speaker, in accordance with the bipartisan nature of this bill, it is my pleasure to yield 2 minutes to the gentleman from Louisiana (Mr. JEFFERSON) from our side of the aisle.

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman from Michigan (Mr. LEVIN) and the gentleman from California (Mr. THOMAS) for yielding me this time.

Mr. Speaker, I rise in support of this bill. I support the provision relating to the Andean Preference Act, of course the provisions to enhance worker rights, human rights, for democracy-building, for antinarcotics provisions, and to promote U.S. exports for both Latin America and the Caribbean. But I rise today to speak on behalf of the AGOA II provisions in the bill before us.

Increased international trade and investment is a key component leading to economic development and growth in sub-Saharan Africa, and economic growth is an integral element of any sub-Saharan strategy to overcome the many and severe social, health, political, environmental and other challenges.

Last year the African Growth and Opportunity Act became law, as the Trade and Development Act of 2000, and marked the historic policy which defined the trade and investment policy in this neglected region of the world. Indeed, the African Growth and Opportunity Act, or AGOA, is just over a year old and already has had remarkable results. U.S. trade with sub-Saharan Africa increased 50 percent in the year 2000.

Examples of results from the AGOA include a Government of Kenya estimate of the creation of 50,000 direct and 150,000 indirect jobs resulting from new investments; new investments in Lesotho of $120 million, four times the official development assistance for that country; investment plants for a new tuna processing facility in Ghana; and significant increases in apparel exports from countries such as Lesotho, Kenya, Madagascar and South Africa.

Clearly, AGOA has demonstrated initial success in promoting greater commercial activity between the United States and sub-Saharan Africa, has spurred and bolstered economic reform in several African countries, and has facilitated closer relations between the United States and sub-Saharan Africa. Imports from Africa are growing more quickly this year than imports from Asia, Europe or Latin America, with apparel making up most of the import growth, translating to thousands of new jobs.

I and others have traveled many times to Africa in the last year to gain a firsthand view of how the bill is operating in practice. In all, we were able to gather important information which was used to design the AGOA II legislation. While the provisions of the bill do not include all of the items that we would want in the AGOA II bill, I am pleased that the Congress and our chairman and our ranking member and others have continued to focus on the commitment to Africa and these countries.

Specifically, the AGOA II provisions amend the AGOA to clarify that preferential treatment is provided to knit-to-shape or ''wholly assembled'' apparel articles assembled in beneficiary countries; amend the AGOA to provide preferential treatment for apparel articles that are cut both in the U.S. and beneficiary countries; doubles the apparel cap for apparel made in Africa from regional fabric made with regional yarn from 3 to 7 percent over 8 years; and allow Namibia and Botswana to benefit from the ''lesser developed beneficiary sub-Saharan African country'' provisions of the act.

It also gives guidance to our administration as to how to interpret the act's provisions and provides technical assistance for capacity-building. I know that there are, though, domestic concerns regarding the narrow expansion of the apparel benefits in the bill.

It is important to note that while imports of apparel from sub-Saharan Africa increased in 2000, they still represent less than 1.5 percent of U.S. woven apparel imports and less than 1.2 percent of U.S. knit apparel imports. The AGOA program can hardly be considered a threat to domestic producers.

Drug trafficking, the AIDS pandemic, arms proliferation, terrorism, these are the real threats. Economic growth and development and job creation are powerful weapons to counter these concerns that affect the global community of which the U.S. has a leadership role.

I know that many of my colleagues have raised concerns with the House considering the bill at this time, but now is the time. These provisions are essential for African nations at this time, as African economies will likely be the hardest hit by the global economic slowdown. The U.S. has committed itself to promoting prosperity, stability, and democracy in sub-Saharan Africa, the Caribbean, and the Andean region. We cannot let our friends down in this time of great need.

I urge my colleagues' support for this bill as we strengthen our efforts to improve the operation of AGOA and improve sub-Saharan Africa utilization of the AGOA program.

Mr. THOMAS. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Foreign Operations of the Committee on Appropriations, and someone who has devoted extraordinary time in the area of trade internationally, and who has been an enormous help on this bill as well.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him for his comments. I also wanted to commend him for his leadership in bringing this extraordinarily important piece of legislation to the floor at this time.

□ 1130

I do stand here today because of my role as chairman of the Subcommittee on Foreign Operations, Export Financing, and Related Programs, understanding the interrelationship between our foreign policy and our economic policy.

Offering the promise of greater trade with the United States to the Andean countries is a critical component of our foreign policy. The original ATPA was created to foster legitimate economic relations between the United States and the Andean region and to stimulate legitimate economic alternatives to narcotics production and trafficking in the Andean region.

The ATPA has been successful in both counts. It has helped to foster trade between the U.S. and the Andean countries, and it has nearly doubled over the last decade the trade with that region to $18 billion, to the mutual benefit of U.S. and Andean businesses, and to consumers here in the United States.

At one level, expanded trade is about consumerism. Lower tariffs means lower prices for the U.S. consumers, families, and businesses that import products from these countries. The interests of these consumers are vital. When we lower barriers to trade, we increase the quality of life for our citizens.

But at another level, ATPA is about our national security policy at home and in this hemisphere. We are fighting a drug war here in the United States and abroad. This bill helps to generate economic growth in the Andean region. Such growth is needed to stabilize these democracies and empower their societies with the means to improve their quality of life.

During consideration of our foreign operations bill, an overwhelming number of Members supported alternative development efforts by USAID and others. In the fight against drugs, ATPA is the best alternative development plan we have going.

When I visited this region last spring to look at our Andean initiative, every single official that I talked with said the single most important help we could give to the region was to renew and expand the Andean trade Preference Act and allow them to trade.

I urge my colleagues to support this bill.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I rise in opposition to the bill and in support of the motion to recommit to be offered by the gentleman from South Carolina (Mr. SPRATT).

Step by step, I guess we could say thread by thread, I think we have unraveled the viability of textiles and apparel manufacturers in this country to operate. We have done it by making it possible, indeed encouraging, the largest manufacturers to take their manufacturing operations offshore in search of cheaper labor, and by making it impossible for small manufacturers to compete staying here because they cannot take their operations offshore. So the result is an industry that just simply cannot survive.

We have done it in the name of free trade, in the name of helping those in other countries. We have ignored the viability of businesses that employ people down the street from us in our own communities. We cannot continue to do this. This bill is yet another step in that direction.

The gentleman from Louisiana (Mr. JEFFERSON) is right, that if we look at this bill in single focus, it does not have the gigantic impact; but when we couple it with NAFTA and other free-trade agreements that have taken place, the totality gets us to a point where textiles and apparel in this country simply cannot exist. That is not a result that we should encourage or allow.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 1 minute to the gentleman from Texas (Mr. BRADY), a member of the committee.

Mr. BRADY of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, this bill is good for America, it is good for the Andes, and it is good for anyone who is concerned about more jobs and better jobs, and about the environment and labor here in America and around the world.

In the last decade, because of this new trade between America and the Andes, we have created 140,000 new jobs in the Andean region, jobs that used to be dependent on drug trafficking but now are dependent on a real economy. As a country like America knows, we have had so many in our families destroyed by drug trafficking here and at home, so every effort we can do to replace that and stem that offshore is good for us.

In Colombia, for example, we have seen the flower industry become a model industry, initiating antiviolence training programs, helping people buy new homes, leading a ''greener Colombia'' effort. These are model industries for worker rights and the environment they have never done before.

They can do more and want to have more model industries, and we hold them back, because only 10 percent of the goods from the Andes are eligible for ATPA benefits. We need to expand them, because in the end, competition is not only good for America, but it is our future, as well.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to my distinguished colleague, the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the very distinguished ranking member of our Subcommittee on Trade for yielding time to me.

Mr. Speaker, Bolivia, Ecuador, Peru, Colombia, are our neighbors to the south. They are our friends, and they are hurting.

Bolivia's economy particularly is hurting, in large part because they did exactly what we asked them to do: they eradicated the drug culture in their country. All they are asking from us now is for us to give them the opportunity to sell their legal products and produce to the United States. Products like alpaca and llama wool which we don't even produce. They have really paid an enormous cost, and they deserve this treatment under our ATPA.

Likewise, Colombia: we are sending billions of dollars through our military to wipe out the drug trade in Colombia with relatively limited success. The principal reason why it has limited success is because there is very little alternative for many of these farmers, unless we can enable them to have a competitive market in the United States for their produce and their products.

Likewise with Peru, who just elected an indigenous leader, a fine person who wants to work very closely with our country. So also is the case with Ecuador.

This bill, very importantly, includes the kind of help that Africa for generations has needed, as well as the Caribbean Basin countries. It includes very strong labor protections: the right to organize, to form unions; minimum employment age; much-improved working conditions. We passed the Africa Growth and Opportunity Act overwhelmingly, and this simply sustains it.

Mr. Speaker, this is the kind of bill that we need when the world's economy is falling into recession. We need to pull ourselves out of recession by opening up free and fair trade. Let us vote for this needed bill.

Mr. THOMAS. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I do so to announce that the next speaker is the gentleman from Georgia (Mr. COLLINS). He is a member of the Committee on Ways and Means, and obviously, given the geographic location of his State, he is significantly involved with and concerned

with textiles, from raw fiber to the production of the final product.

He, along with most of the other people in the textile belt, has suffered significantly.

The reason I took this extra time is that I wanted to make sure in the introduction that everyone understands the role that he has been playing, that is, he has looked at the way the world is and wants to work to make sure that we have a viable and useful relationship and that we do not just try to stop the world.

Mr. Speaker, it is my privilege to yield 3 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, yes, we are all concerned about the instability in parts of the world that we have trading partners in: Africa, the Caribbean, the Andean areas. We should be worried and concerned about them, because as trade partners, they need the wherewithal to buy our products. They need jobs to help bring stability to those areas.

But as the chairman said, I am concerned about jobs in the United States, too, in one particular area, and that is in the area of textiles, which has been suffering for some years now, based in large part on some of our trading in the past.

Mr. Speaker, this bill in no way is perfect. We understand that. The chairman has mentioned that. I remember back in the early part of this year I was in Thomaston, Georgia, meeting with the chamber of commerce and people representing agencies from the State and the Federal Government to talk about economic recovery, because the textile mill that had been in operation for 102 years made the announcement they were closing their doors, that they no longer could compete.

As I sat and listened to those who presented all these good programs to help the people who were being displaced from their jobs, I made the comment, it is great to hear these people here with these offerings, but where were they when the patient was becoming ill? I had been conversing with the people at Thomaston Mill for several years and heard they were on their way out because they could not compete.

No, this bill is not perfect. The part that bothers me is the regional content, the cloth and yarn provisions dealing with CBI in Africa, and the Andean reauthorization.

But the chairman understands this. He has stated here today that he knows this bill is not perfect. He has listened to the Representatives from the textile area, the caucus on textiles. He has heard their input. He has done some things in other areas that I think show it is evident that he has listened.

We have problems with transshipments, contraband, counterfeit material, claiming it is U.S. He has put provisions in the Customs reauthorization requiring additional people, paying for it, pertaining to textile transshipments.

He has put report language in the ATPA on rules of origin, to instruct our ambassador to go back and look at previous agreements and how we have negotiated those, and how it has made us more competitive in certain markets, particularly textile.

He is willing to increase and help in the area of the Trade Adjustment Act, so we can help with benefits for those who are displaced. We know there will be some.

In the area of currency, where we have all had problems, devaluation of currency in other areas, in other countries, for the first time, in ATPA there is legislative language that instructs the ambassador to make sure we have consultation up front in the discussions reflecting that we are going to be aware and marking what they do with their currency.

The report language requires that we talk and consult about reciprocating access so we can get our products into their market, not a one-way street.

The chairman has shown good faith, and I think he will continue to do so. The administration has shown good faith with the trade ambassador, Bob Zoellick. I think he will continue to do so.

Therefore, Mr. Speaker, I am going to vote ''yes'' on this bill; I want to move it forward. But I also am going to work with the chairman and the administration to see that we can perfect the areas that we all know are imperfect today. So I will be voting ''yes'' for that purpose, and I know that purpose will come through.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to our distinguished colleague, the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise on the Andean trade debate because I think this is one of the most important votes, one of the most important decisions that this House ever makes affecting the Andean countries in South America.

Certainly with the amendments to the Caribbean initiative and the Africa initiative, this is a very, very important trade bill.

The Andean Trade Pact was adopted in 1991. It sunseted this year so we would have a chance to review.

One of the parts that is broken in the process is essentially the flower imports from Colombia. I have spoken many times about the inequities.

We set that program up in the early 1990s because we wanted the Colombian flower growers to make sure they have a legitimate market to divert investment away from cocaine. The Colombian flower growers have done very well. They have done so well that they are now 70 percent of the American market. In fact, practically every flower we see in a supermarket in America comes from Colombia.

There has been an expense of that on the domestic side. We have lost hundreds of flower-growing small farms, small community greenhouse operations all over the United States. That is why so many Members of Congress have invested in this issue of wondering whether we ought to put the tariffs back on for Colombian flowers. Colombian flowers is big business. They can afford to pay the tariffs, the same tariffs that are paid by other countries that import flowers. It is an equal playing field, a level playing field.

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This is the one part of the bill that never gets revisited. And obviously I voted against the rule because we did not get to bring an amendment up to the floor. And we are not going to be able to amend it at this moment. But I would hope that after 10 years of discussion, after 10 years of pointing out what the problem is, with even the Colombians admitting they are in a different situation now than they were 10 years ago, with the fact that it is not about cocaine any more. It is about a big business being able to have an exceptional break that is a detriment to our domestic market.

Mr. Speaker, I would urge my colleagues to work on trying to get the tariffs back on Andean flowers and I appreciate their concern. Thank you very much.

Mr. THOMAS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 3009, the Andean Trade Promotion Act and Drug Eradication Act. I want to commend the gentleman from California (Mr. THOMAS), the distinguished chairman of the Committee on Ways and Means, and the gentleman from New York's (Mr. RANGEL) leadership in this initiative.

The current Andean Trade Preference Act provides duty-free treatment from a variety of U.S. imports from four Andean nations: Colombia, Peru, Bolivia and Ecuador. That program will expire in December of this year in a little over 2 weeks.

The current Andean program excludes many products that are key exports for the Andean region, such as apparel, footwear, tuna, which are essential to the region's future economic growth and development. If we fail to take this opportunity to expand legitimate trade links with this region, these opportunities are going to be lost and the ability to sustain the gains of the last decade will be diminished.

Eradication of drugs and creating jobs to increase trade go hand in hand, especially in our own western hemisphere.

The ATPA, which is now 10 years old, has played a vital role in the Andean region in the fight against illicit drugs.

All of the world's cocaine comes from the Andean ridge.

In recent years more than 60% of the heroin sold or seized on our streets come from the Colombian Andes.

The minimal economic impact of ATPA pales in comparison with the annual $100 billion societal cost of these illicit drugs, and the 16,000 lost lives here each year.

Accordingly, I urge my colleagues to support H.R. 3009.

Mr. LEVIN. Mr. Speaker, I yield 2½ minutes to the gentleman from Washington (Mr. McDERMOTT), my very distinguished colleague on the Committee on Ways and Means.

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

Mr. McDERMOTT. Mr. Speaker, I appreciate the opportunity to rise in support of this bill.

Mr. Speaker, I want to associate myself with the remarks of the gentleman from Louisiana (Mr. JEFFERSON). I think he made the best case for why the part that I really am most knowledgeable about that goes to this bill is a good change.

Sub-Saharan Africa accounts for less than 1 percent of American exports and less than 2 percent of U.S. imports. It is an area where we struggle to have peace. And we cannot have justice without peace. We have to have some economic justice. We are watching the same problems in Afghanistan. We are watching them all over the world, and the whole idea of trade as a mechanism of peace is really very important.

Now, the reason we have these AGOA provisions here, there is a slight increase in the amount that they can import to the United States; but basically we are here because when we wrote the bill last year, legislators thought they knew what they were doing. We sent it over to the bureaucracy and Customs wrote the rules so that the Africans could not use the provisions to bring apparel into the United States. So part of this is simply being put in place to clarify what we did last year.

I think that if we do not do this kind of thing, we will begin spending our time and energy, we have already watched Sierra Leone, we have watched South Africa, we have watched all those countries that have had troubles, Ethiopia, all of them have had troubles; and what is needed is an economy that gives people a way to make a living, take care of their family, take care of their kids. This is essential as a part of our foreign policy. And I think that if Members do not like what we are doing in a lot of other places in the world, Members ought to be looking at trade as a way to help.

Mr. Speaker, I only would close by saying we did not deal with one of issues which is an issue we ought to be thinking about and that is the whole question of Bangladesh. Bangladesh is one of the poorest countries in the world that is being squeezed by all of the changes we have made, and you wind up with a country where women make up about 70 percent of the workforce and suddenly they will be out of work because of competition from other areas. So there is much more to be done in this trade area.

Mr. Speaker, I rise today in strong support of H.R. 3009, the Andean Trade Promotion and Drug Eradication Act.

In 1987, after serving 15 years in the Washington State legislature, I decided to leave politics. I wanted to continue in public service, however, and I joined the Foreign Service as a medical officer based in Zaire where, for a year and a half, I provided psychiatric services to Foreign Service, AID, and Peace Corps personnel in sub-Saharan Africa. I have witnessed first hand the severe social, health, political and environmental challenges the people of this region face on a daily basis. Increased international trade and investment is a key component leading to economic development and growth in sub-Saharan Africa.

Last year, the African Growth and Opportunity Act (AGOA) became law. It is the most significant U.S. policy statement to date on our commitment to assist these countries with their efforts to stimulate economic growth and development in this long-neglected region of the world. Imports from Africa are growing more quickly this year than imports from Asia, Europe, or Latin America, with apparel making up most of this import growth. This investment translates into thousands of new jobs and increased growth for many African economies. This boost comes at a critical time, as African economies are likely to be the hardest hit by the global economic slowdown.

AGOA II would: clarify that preferential treatment is provided to knit-to-shape or ''wholly assembled'' apparel articles assembled in beneficiary nations; provide preferential treatment for apparel articles that are cut both in the U.S. and beneficiary countries; ''double'' the apparel cap for apparel made in Africa from regional fabric made with regional yarn from 3 to 7 percent over eight years; and allow Namibia and Botswana to benefit from the ''lesser developed beneficiary sub-Saharan African country'' provision.

H.R. 3009 builds on the success of the Andean Trade Preference Act, which is set to expire on December 4, 2001, and builds on the bipartisan success of the Trade and Development Act of 2000—which was supported by an overwhelming majority of House and Senate Democrats, and signed into law by President Clinton. These efforts are critical tools in our efforts to build on our partnerships in the Andean countries, the Caribbean, and Africa, to promote democracy, and to combat illegal drug trafficking in our own Hemisphere. This bill will improve the operation of AGOA and increase sub-Saharan country utilization of the AGOA program. Moreover, the current program excludes many products that are key exports from the Andean region—such as apparel, footwear, and tuna—and are essential to the region's future economic growth and development. It is important that Congress renew the ATPA before it expires, but also to expand the program to provide trade preferences to commodities that are currently excluded.

The original ATPA was created to foster legitimate trade-based economic relations between the United States and the Andean region and stimulate legitimate economic alternatives to narcotics production and trafficking there. The ATPA has been a success on both counts, and has helped foster trade between the U.S. and the Andean region that has nearly doubled over the last decade to $18 billion to the mutual benefit of U.S. and Andean businesses. If we fail to take the opportunity to expand legitimate trade links with this region, these opportunities will be lost and the ability to sustain the gains of the past decade will be severely diminished. This bill contains the same worker protections contained in the Trade and Development Act of 2000—these include the right to form unions, a minimum employment age, a ban on forced labor, and acceptable conditions of work—wages, hours, safety, health, the environment—as well as promoting international obligations to eliminate the worst forms of child labor. These provisions have the support of unions in Andean, Caribbean and African countries.

This bill is a grant of conditional trade benefits. Congress sets the term and conditions for expanded trade with the United States, and our trading partners must abide by them—if they do not—they will have these benefits taken away—period. Increase trade with the United States would lead to the building of new textile and apparel factories that would quickly provide jobs to thousands of rural peasants and urban workers. Jobs in these factories would pay wages at higher levels than the national average wage. They would also provide employment opportunities, particularly for women.

Throughout modern history, the pattern of economic development in every country has shown that the establishment of a viable textile and apparel industry has always been the first rung on the ladder to creating a modern, industrial economy. The pattern has also shown, that giving women employment opportunities and control over their family's finances is the best way to provide people in developing countries the economic resources to move up the economic ladder and obtain marketable education and training.

Increased trade and investment with these developing regions will continue to promote U.S. exports and create jobs here in this country. Enhancing the trade programs will continue to support democracy-building policies and reinforces the United States' commitment to promote prosperity, stability, and democracy in sub-Saharan Africa, the Caribbean and the Andean region.

I urge my colleagues to support this important bill.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington (Ms. DUNN), a member of the committee.

Ms. DUNN. Mr. Speaker, I rise in support of H.R. 3009, which is a bill to extend the Andean Trade Preference Act through 2006. I want to thank the gentleman from California (Chairman THOMAS) and the gentleman from Illinois (Mr. CRANE) for their work in helping our friends in South America.

This legislation gives to the President the authority to grant duty-free treatment for certain imports from Bolivia, Ecuador, Colombia, and Peru. We know that trade is a vital part of our comprehensive strategy to fight the production and exportation of illegal drugs. But I thoroughly agree with the preceding speaker, the gentleman from Washington (Mr. McDERMOTT), that this is a very important tactic that can be used in many different ways.

We can use trade, for example, to encourage Andean nations to pursue legitimate business activities that promote jobs and maintain economic and political stability in that region.

This legislation also includes provisions to amend the African Growth and Opportunity Act that we passed last year that helped Sub-Saharan African nations. The inclusion of preferential treatment for knit-to-shape articles, for example, a completed sweater, will help apparel companies in my part of the country, the northwest of the United States, that are now suffering from the slowdown in our economy.

It is my hope that we can address asparagus as this legislation moves forward. As the chairman is aware, Washington State has a huge asparagus industry that could be affected by increased imports from Peru. We need to find the answer to that problem.

In 1992, Peruvian asparagus imports amounted to only 4.1 percent of total United States production. In 2000, those same imports equaled 34 percent of the United States production. In 2000, asparagus production in 22,000 acres in Washington State added $51 million to the ag economy; and this represent 32 percent of national production, making Washington State the second largest producer in the Nation.

This is a vital agricultural product for my State, Washington State; and I look forward to working with the gentleman from California (Chairman THOMAS) and the subcommittee chairman, the gentleman from Illinois (Mr. CRANE), as we try to find an answer that will help growers in California and Washington and Michigan.

Nevertheless, I believe, Mr. Speaker, that we need to move forward with this measure. We need to do it now before the current agreement expires. And so I ask my colleagues to support H.R. 3009.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA), a very distinguished colleague.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I would like to extend my appreciation and thanks to the chairman of the committee, as well as our senior ranking member, the gentleman from New York (Mr. RANGEL) for their willingness to see that maybe down the line in the legislative process we may work out a compromise; but at this point in time, I have to respectfully oppose the current legislation as it now states.

Mr. Speaker, my district is home to the largest tuna cannery facilities in the world. One cannery is operated by StarKist, which employs about 2,700 workers; and the other cannery is operated by Chicken of the Sea out of California, which employs about 2,500 workers. I note also to my friend from Pennsylvania, it is true, Chicken of the Sea is foreign owned, but so is Shell and British Petroleum and they are legally doing business here in our country, employing millions or even thousands of American people.

Today these companies employ, as I said earlier, 74 percent of our workforce. Approximately 85 percent of the private sector jobs in American Samoa are dependent either directly or indirectly on the tuna fishing or processing industry.

Mr. Speaker, I asked specifically StarKist and Heinz executives what financial loss StarKist would incur if canned tuna was not included in this agreement. I was told that StarKist would suffer no economic loss, other than the exception to the fact that tuna workers in Ecuador are being paid 69 cents an hour. My colleagues are probably not aware that minimum wage for cannery workers in American Samoa is only $3.20 cents an hour, which is far below even our national minimum wage.

Mr. Speaker, I submit my people do not want handouts. They want to work. Maybe of interest to my colleagues, for 40 years our leaders and our people purposefully did not want to have anything to do with the welfare program that was instituted in our country. Why? Because they did not want handouts. They want to work.

When all is said and done, Mr. Speaker, tuna processing and the fishing industry we have there is the only industry holding together the fragile economy of my district. American Samoa's only advantage in the global market place is duty-free access to the U.S. market. And what price did America Samoa pay for this trade privilege? We owe allegiance to the United States. Other countries do not.

Again, I submit I sincerely hope that we will be able to work out something that will be helpful not only to our tuna industry but as well as to assist our friends from the Andean countries.

Mr. THOMAS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. SHAW), a member of the Subcommittee on Trade of the Committee on Ways and Means.

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

Mr. SHAW. Mr. Speaker, I thank the chairman for yielding me this time.

There is one part of this, and I understand the regional problems that some of the Members have with various portions of this particular bill. I think as Tip O'Neill expressed it very well, ''All politics is local.'' And they will vote according to their constituencies, and I think we all understand that. But we do have a common constituency that is suffering now, and we are getting aid and help for them in this bill, and that is the terrible problems that we are having across this country with drug abuse.

These countries, the Andean countries, they are working with us in trying to solve this problem. We need to close the vacuum that they are going to have on the economic damage that this is going to do and the job losses there. I think in all, and in the total of the bill, it is good for American workers. It is good for American business. But there are obviously winners and losers.

Mr. Speaker, I would ask that the greater good be served and that all Members support this most important bill.

Mr. CRANE. Mr. Speaker, I have spent my career working to expand international trade. I firmly believe that free trade, economic stability and political freedom go hand-in-hand. The bill before us today will continue to encourage growth and stability in the Andean region.

That said, I would like to add that I also have concerns with Colombia's treatment of American companies and their failure, in some instances, to uphold their contractual obligations. As the author of this bill, I am pleased by the strides made both politically and economically by all of the countries in the legislation. However, given the fact that Kal Kan Foods, a major exporter of pet food to Colombia, has a large plant in my home state, I am very concerned about the effect prohibitive tariffs imposed by Colombia on pet food has on the hard working Americans in my state and across the country.

I believe it is essential for ATPA beneficiary countries to follow established WTO rules and adopt, implement and apply transparent—nondiscriminatory regulatory procedures and enforce their arbitration and court awards. These things are a condition of Colombia's benefits under current Andean trade law. To that end, I have included report language in this bill that directs the USTR to insist that the Colombian government remove all pet food from the price band system and apply 20% common external tariff on imports of pet food.

My concern on this issue is further exacerbated by reports about Colombia's failure to honor other agreements—specifically binding arbitration decisions as required under the current ATPA guidelines. The apparent disregard for the arbitration process found in the Nortel case does not appear to be an isolated incident. Other U.S. corporations like Sithe Energies, who is partnered with Exelon Corporation, find themselves in the same predicament. Resulting from arbitration, Sithe through their Colombian affiliate TermRio, was awarded approximately $61 million. Unfortunately, the Colombian government has failed to pay this award, contending that the claim is on appeal. To that end, the report accompanying the legislation includes the following statement: ''The Committee urges the Government of Colombia to comply with such decisions and compensate Nortel, Sithe Energies and other U.S. corporations appropriately in order to maintain its beneficiary status under the ATPA.''

The apparent failure of the Colombian Government to honor the terms of their agreements is very disconcerting. It puts at risk future foreign investment in Colombia at a particularly important moment in their history and further erodes confidence in the overall investment climate as well as the broader international business community. I strongly urge the Colombian government to move swiftly in addressing these problems, and I urge the Administration to monitor their progress.

Mr. LEVIN. Mr. Speaker, could the Chair give us the time remaining, please.

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Michigan (Mr. LEVIN) has 2 minutes remaining. The gentleman from California (Mr. THOMAS) has 2½ minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, I have about 2 minutes to reach out to not just the people on this floor, but everybody who is listening in their offices. I feel like I almost have to conjure John the Baptist to get this across.

Why are we debating a bill on the Andes when people are hurting all across this country right now today? If anything can be seen as showing the irrelevance of this Congress while people are losing their jobs all across this country, we cannot get a bill on this floor for a retail sales tax holiday. We cannot get the Travel America Now Act on this floor. But we can come in and get a bill so that drug dealers in the Andes can invest in gardening or anything else that they want to get into in order to come into this country and sell those products as well.

Do you think for a second that the drug dealers are going out of business with this bill?

We have got to come on this floor today and vote this down and demand that the Committee on Ways and Means come in here with bills that are going to address the economic problems that have happened since September 11.

All this calm discussion on this floor completely bypasses what has happened to the people in this country. All the small businesses in this country that come down here and we say we honor every day in this Congress, we are ignoring them right now. I am as hot as I can be about this because we are being ignored. I feel my heart pounding every day because I see people out of work. They cannot pay their bills in the next 60 days. They cannot make their mortgage payments. They cannot tell their kids why they cannot have clothes on their backs when they go to school, and we are talking about the Andes. We are talking about we need to move. This bill is time sensitive. What is time sensitive is whether we are responding to the needs of the people in this country, right now, post-September 11.

People from New York have to come down here and beg, beg this Congress to see whether we are going to respond to them. I do not want to hear any lectures about how the economy will recover in 3 years. I do not want to hear lectures on philosophic permutations that might take place in the overall economy.

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I want action now on behalf of the people of this country. Vote this bill down and get bills on this floor that address the economic needs of this country right this second.

Mr. THOMAS. Mr. Speaker, I yield myself the remainder of my time.

The gentleman began by invoking the name of John the Baptist. I would tell the gentleman if he would review the activity that has taken place on this floor in terms of moving legislation that would directly address the concerns that he has, this House has acted. I would suggest that he should implore the name of Tommy the Daschle if he is really looking for where the problem is in terms of not moving legislation.

This House has moved, repeatedly. We have sent product after product after product over to the United States Senate. And I know I am not supposed to mention the other body by name, and I know I am not supposed to refer to an individual by name and, therefore, I will say ''the other body ain't there.'' They simply have not done their job.

I sympathize with the gentleman from Hawaii. I would love to have an economic recovery bill in front of the President. We did our job. I am anxious to go to conference with the product that the Senate has produced. I am anxious to rescue the Senate if they are not able to produce a product. We are ready and able to address all of the concerns that the gentleman outlined, and I would underscore the fact that we already have.

But what we have in front of us, Mr. Speaker, is a very modest bill, a modest bill that a number of people have worked on for a number of years. And all we have done is told the people of sub-Saharan Africa, we will give you, rather than 1 percent, 3 percent market penetration. What we have said to the individuals in the Caribbean is that if you utilize our fiber and yarn to a very great extent, we will let you bring a few more products into our marketplace. And what we have said to the Andean countries is, if we could affect the demand side in this country to the degree that you have affected the supply side, it would be a significant advance in the war on drugs; but that, as gratitude, we will tell you, go pound dirt, because we are not going to offer you an opportunity to sell your goods in our country.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. KIRK), someone who has not looked at this from afar, but someone who has viewed this closely and firsthand.

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

Mr. KIRK. Mr. Speaker, I thank the gentleman for this critical piece of legislation in memory of the 5,000 Colombian policemen that have died in the battle against drugs. This is an important piece of legislation.

I applaud the gentleman for his support for U.S. national security. This bill helps to dry up the source of money for drugs that would support terrorism after September 11.

I want to thank Chairman THOMAS, Mr. RANGEL, and Chairman CRANE, for sending the Congress a Renewal of the Andean Trade Preference Act. Eleven years ago, I served President Bush and Secretary Baker as part of the State Department handling western hemisphere affairs. In one of the bravest missions of his presidency, President Bush went to Cartagena, Colombia to stand against the Medellin cartel drug lords and with the new democracies of the Andes. As part of our commitment, I worked to craft the first Andean act to boost the legal businesses and democracies of the Andes.

Since that bipartisan landmark legislation, the Medellin cartel was crushed and trade of Andean countries shot up 80 percent. Over 140,000 jobs have been created, bolstering the economies of embattled democracies.

After September 11, the American people learned that we are fighting a new enemy: wealthy terrorists. Their wealth comes from that illegal drug trade. If we are to win this battle, we are going to use this Trade Preference Act to help the democratic governments of the region to offer their people a new way, based on trade with America.

I want to thank the governments of Bolivia, Ecuador, and Peru for their help. I want to especially highlight Colombia whose National Police Force has lost over 5,400 officers in the battle against drug lords and right-wing paramilitaries. This bill offers economic growth, democracy and human rights. I command the Ways and Means Committee and urge its adoption.

Mr. THOMAS. Mr. Speaker, I yield myself the balance of my time to ask my colleagues to vote ''yes'' on H.R. 3009.

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 3009, the Andean Trade Promotion Act and Drug Eradication Act and I want to commend Chairman THOMAS (CA) and Representative RANGEL (NY) for their leadership in this initiative.

The current Andean Trade Preference Act provides duty free treatment for a variety of U.S. imports from the four Andean nations—Colombia, Peru, Bolivia, and Ecuador. That program expires on December 4, 2001—in a little over two weeks. Moreover, the current program excludes many products that are key exports from the Andean region—such as apparel, footwear, and tuna—that are essential to the region's future economic growth and development.

If we fail to take the opportunity to expand legitimate trade links with this region, these opportunities will be lost and the ability to sustain the gains of the past decade will be diminished. Eradication of drugs and creating jobs through increased trade go hand in hand, especially in our own Western hemisphere.

The ATPA, which is ten years old, has played a vital role in the Andean ridge in our fight against illicit drugs. All the world's's cocaine comes from the Andean ridge, and in recent years more that 60% of the heroin sold or seized on our streets comes from the Colombian Andes. The small economic impact of ATPA pales in comparison with the annual $100 billion societal cost of these illicit drugs, and the 16,000 lost lives here each year.

While I support the Andean Trade Preference Act (ATPA), as it provides a viable alternative for the growing and production of illicit drugs in the region, a large quantity of

which make their way into the United States, I am concerned about H.R. 3009's labor standards. Many of my consitutents state that they would be in favor of the bill if it required adherence to these ''core'' labor standards as a precondition for receiving the benefits under the Act. By core labor standards, I refer to the International Labor Organization's 1998 Declaration of Fundamental Principles and Rights at Work: freedom of association, the right to organize and for collective bargaining and the rights to be free from child labor, forced labor and employment discrimination, which many people in the Andean Nations still face.

We will continue to monitor the reforms process in the Andean nations as we do in other parts of the world, and we will continue to pay particular attention to workers' rights. It is important that all nations respect workers' rights and the ILO's core labor standards and practices. While it is regrettable that there are violations of fundamental workers' rights in the region; we will work with the Governments comprising the Andean nations to ensure that labor standards are complied with, and those perpetrating acts of violence against workers are held accountable for their actions.

In addition to workers' rights issues, the Bill's fabric/textile provisions does not require that the apparel be ''wholly'' assembled in the Andean nation, and grants duty-free treatment to large quantities of apparel. While many feel that these provisions will cause more loss of jobs in an already devastated U.S. textile industry; I am committed to making sure that the Act in its implementation does not displace American jobs, and that there are retraining programs available for those who may suffer as a result of the ATPA.

While H.R. 3009, provides a vehicle to further eradicate the illicit narcotics trade in the Andean region, we must not lose sight of the important labor and environmental issues that the Act presents as well. We must address these issues with the same vigor and particularity as the trade agreements we seek to promote.

Ms. LEE. Mr. Speaker, I rise today in opposition to H.R. 3009. Yes, we want to promote trade, but we must also protect jobs.

I want to also express my deep disappointment for the Rules Committee not allowing Representatives MILLER and EVANS from offering their important amendment to protect trade unionists in Colombia.

I agree with my colleagues that Colombia should not be able to benefit from the trade provisions in this bill until that nation's authorities begin to investigate the deaths of at least 90% of the trade union deaths this year.

Violence against trade unionists in Colombia is the highest in the world and is growing each year. In the last 10 years, more than 1200 trade unionists have been murdered in Colombia. The ILO and UN High Commission on Human Rights have also condemned these attacks. I think the U.S. and this Congress should do what we can to stop this violence. The Miller-Evans amendment would have been a strong step forward; however, it was not allowed to be offered.

Thus, I am not able to support this bill and urge my colleagues to oppose it as well.

Mr. STARK. Mr. Speaker, I oppose H.R. 3009, the Andean Trade Expansion Bill not because I don't want to help eradicate the drug trade in the Andean region, but because this bill overlooks the importance of protecting labor rights overseas and sets up unfair trade circumstances for U.S. textile workers.

Labor activists are being assassinated and threatened in Colombia by the paramilitary organizations seeking to defend the illicit drug trade. I have joined with my colleagues in writing to the President of Colombia asking for him to investigate the various deaths of union activists who have worked diligently to try to bring fair and legal trade practices to a country whose primary export is cocaine. We have received no response and don't expect to. the U.S. is giving the Andean region duty-free status on various imports in hopes that the region will replace their drug economy with other sustainable economic alternatives. We get nothing in return, except corrupt governments that look the other way when it comes to international core labor standards. It is up to this Congress to stress the need for labor unionist protections when basic international labor rights are being violated and lives are being threatened.

The bill before us adds textiles and apparel to the list of imports that will be allowed into our country duty and quota-free. In addition to the Andean countries (Colombia, Bolivia, Ecuador and Peru) already included under the current Andean Trade Preference Act, Caribbean and sub-Saharan African countries will also be included in this duty and quota-free status for apparel. This will have a devastating affect on textile and apparel jobs here at home.

As I have already illustrated, the Colombian government has no use for international labor rights and a workers right to organize. Because of this disregard for workers rights, workers will continue to struggle in their plight of poverty toiling away in apparel factories making meager wages so that the corrupt government can take the proceeds and continue the drug trade. But it doesn't end here. The oppressed wages in the Andean countries, not to mention the Caribbean Basin and sub-Saharan Africa, will siphon off good-paying U.S. jobs to these lower-wage regions. This bill will hurt workers in the U.S. as well as workers in the various regions around the world. Clearly, labor is an inherent component of trade and must be addressed in this bill, as it must be addressed in every trade bill that confronts this Congress.

I urge my colleagues to vote no on H.R. 3009.

Mr. SMITH of Michigan. Mr. Speaker, I believe this legislation is vital to our efforts to eliminate the flow of illicit drugs into our Nation's communities. Additionally, we need to better attack terrorist organizations that use drug trade as a revenue source. While these measures are very important, I also urge the conferees on this bill to be careful not to give undue promotion to import products such as asparagus into this country that unfairly undercut American agricultural producers.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in qualified support for H.R. 3009, ''The Andean Trade Promotion and Drug Eradication Act.'' This legislation, which extends the Andean Trade Preference Act, authorizes the President to extend trade benefits to Bolivia Ecuador, Colombia, and Peru. In addition, H.R. 3009 amends both the Caribbean Trade Partnership Act and The Africa Growth and Opportunity Act in a liberalizing way.

The legislation achieves these concurrent goals by developing a comprehensive framework of requirements and obligations. In order to receive the trade enhancements offered by this act, an eligible country must demonstrate to the President that it satisfies 7 conditions.

Countries must demonstrate commitments to WTO obligations, be an active participant toward the completion of the Free Trade Area of the Americas, provide intellectual property protection equal to minimum international standards, demonstrate a commitment to internationally recognized worker rights, eradicate child labor, and ratify and implement the Inter-American Convention Against Corruption. This legislation is a critical component of this Administration's effort to stop the illegal flow of drugs from these Andean countries.

H.R. 3009 provides a litany of criteria pertaining to eligible goods under the act. The practical effect is to promote a well regulated, yet liberalizing trade regime that deals directly with issues such as the unfair transshipment of goods to exploit tariff reductions.

At the heart of this trade philosophy is the profound notion that non trade goals, such as the eradication of illicit drug use in the U.S. and the recognition of international labor standards, can be linked to trade inducements that promote both economic and policy goals. This legislation therefore represents the recognition that comprehensive trade policy that recognizes trade externalities is a sound direction of U.S. Trade policy.

This legislation could be strengthened however, by acknowledging the additional U.S. trade priority of ensuring a safe sustainable development and in beneficiary countries so as to promote global environmental goals. By failing to recognize the importance of sustainable development to the American people, this legislation represents less a policy choice than a political one.

Thus, while I support this legislation, it seems to represent a growing divide among the voices for trade liberalization between those of use who welcome comprehensive prioritization of all factors pertaining to trade—labor, the environment, and other policy goals, with those who prefer to use U.S. trade as a carrot and stick to induce other countries to undertake U.S. priorities.

It is my sincere hope that the former position out weighs the latter in this body, and that this legislation and debate leads the way to a version of Trade Promotion Authority that all pro-trade Members of this House can be happy with.

Mr. ACEVEDO-VILÁ. Mr. Speaker, if enacted, the reduction of duties on canned tuna included in H.R. 3009 would immediately result in the loss of thousands of jobs for American workers in the tuna industry. I speak on behalf of some 600 workers in Mayaguez, hard working women, who will be without jobs soon if this bill as written is enacted into law.

A major goal of the Andean Trade Preference Act of 1991 is to promote prosperity, stability and democracy in the Andean region by providing favorable duty treatment for certain exports to the U.S. Although canned tuna is exempt from duty-free treatment, the import duty on frozen tuna loins is virtually zero. Tuna loins are exported to the U.S. for canning in Puerto Rico, California and American Samoa. The current duty structure on tuna over the past decade has created tremendous growth in the Andean Pact tuna industry. For example, over the past ten years the number of tuna factories has increased 229%, production capacity has increased 400% and exports

to the U.S. have increased 567%. Clearly the current tariff structure for tuna has been a huge success for the Andean region.

I oppose reduced or duty-free treatment for canned tuna because such an action would destroy the remaining U.S. tuna industry in Puerto Rico and provide few additional benefits to the Andean region. Today the U.S. tuna industry provides more than 15,000 good jobs in economically challenged areas of our country such as Puerto Rico. If canned tuna from Andean Pact countries is provided favorable duty treatment, canned tuna will be dumped on the U.S. market destroying the U.S. industry. Ecuador and Colombia already have enough production capacity to supply the entire U.S. market and the U.S. canning industry cannot compete against labor costs of less than $0.70/hour. The risk of this dumping has already been experienced by Mexico, which recently imposed a 23% import duty on canned tuna products from Ecuador due to product dumping.

I do not believe that the U.S. must destroy the local economy of American Samoa and put at risk 600 jobs in Puerto Rico in an attempt to help the Andean region. To the contrary, the current tariff structure has been extremely successful in growing the Andean tuna industry while at the same time supporting important U.S. jobs. Moreover, the U.S. tuna industry has done its part to promote the Andean region.

The current tariff structure for tuna has benefited both the Andean Pact countries and the U.S. Changing it now will cause more layoffs in Puerto Rico where we have just recently suffered massive layoffs in the tuna processing industry from the closure a major plant facility. Changing the current structure would also have negative impacts on America Samoa and California in regards to job loss.

I want to thank my Democratic colleagues Congressman RANGEL and Congressman FALEOMAVAEGA for their steadfast support on this issue. I also want to recognize the support of Congressman CUNNINGHAM and Congressman TAUZIN and I remain hopeful that when and if a conference committee meets on ATPA later this year, that a compromise concerning the acceptable treatment of tuna can be realized.

Mr. ROEMER. Mr. Speaker, I rise today to voice my strong support for the ''Andean Trade Promotion Act.'' This trade legislation provides vital economic opportunity for the nations of the Andean region in South America and of sub-Saharan Africa, and for Indiana workers and businesses.

As we look for ways to stimulate our economy at home, it is important to seek free and fair trade agreements abroad. This legislation will continue to foster economic development and growth in the Andean region and in sub-Saharan Africa. The strengthening of these developing economies will bolster our economy as we seek to expand on American exports throughout the world.

I am especially encouraged by the provisions in this bill concerning issues pertinent to the African Growth and Opportunity Act (AGOA). We must continue to build on the important economic reforms and encouraging economic development that the AGOA legislation has brought to Sub-Saharan Africa. Since enactment of the bill two years ago, United States trade with sub-Saharan African nations has increased by 50%. In fact, the government of Kenya estimates that 50,000 direct and 150,000 indirect jobs have resulted from new economic investments within their country.

Clearly, there are vast economic opportunities in sub-Saharan Africa, a region with a population of 700 to 800 million people. The opportunity to trade our goods made in our factories by our workers must be exercised immediately. I believe that a strong emphasis on African economic development must also be accompanied by a continued commitment to meaningful micro-development loan programs that aim to empower the poorest people in Africa.

Mr. Speaker, the Andean Trade Promotion Act will spur continued economic growth and development in South America and sub-Saharan Africa. I will vote for this bill, and I encourage my colleagues to support this important trade legislation.

Mr. HYDE. Mr. Speaker, I rise in strong support of H.R. 3009, ''The Andean Trade Promotion and Drug Eradication Act,'' a measure to extend and enhance the Andean Trade Preference Act. Signed into law in December of 1991, this underlying legislation has been instrumental in promoting economic development and economic alternatives to coca cultivation in four Andean trading partners and allies in the war on drugs, Bolivia, Colombia, Ecuador and Peru.

It has provided improved access and duty free treatment for a wide variety of Andean exports into our market, and, according to a number of reports issued by the International Trade Commission, has helped to encourage the export of several nontraditional products, thereby raising the standard of living in rural areas in some recipient drug-producing countries.

Over the past ten years, the Andean Trade Preference Act has played a vital role in the effort to combat the production of illicit drugs. All of the world's cocaine comes from the Andean ridge and in recent years more than 60 percent of the heroin sold or seized on our streets comes from the Colombian Andes. The success of our anti-drug efforts in these Andean countries directly affects our domestic security and the future of millions of Americans. By passing this measure today, we can bolster these efforts by creating thousands of jobs in legitimate industries and sectors that can benefit from duty-free entry into the United States.

To further enhance the effectiveness of this legislation, I would urge all the countries of the region to take all possible steps to enhance the climate for foreign investment in their domestic markets. Particularly in regard to Colombia, I would urge the government to resolve as quickly as possible its investment dispute with TermoRio, including its major U.S. stockholder, Sithe Energies. I ask unanimous consent to insert in the RECORD recent correspondence on this dispute that was sent to the United States Trade Representative, the Honorable Robert B. Zoellick.

I would also point out that this legislation includes several important enhancements to the African Growth and Opportunity Act—promoting economic development and creating thousands of jobs in sub-Saharan Africa. The African Growth and Opportunity Act, enacted as part of the Trade and Development Act of 2000, has already promoted greater trade and investment between the U.S. and sub-Saharan Africa, boosting trade with that region by 50% last year, creating scores of new businesses and tens of thousands of new jobs from Kenya to South Africa.

I urge my colleagues to join me in supporting this measure which would further strengthen these trade and investment links, laying a solid foundation to our long-term relationship with the countries of sub-Saharan Africa and South America.

Mr. CANTOR. Mr. Speaker, I rise today in support of the Andean Trade Promotion and Drug Eradication Act and its renewal and enhancement of the Andean Trade Preference Act (ATPA).

Additional trade spurs innovations and the development of better products while fostering competition.

The Act, with its explicit ''Trade Goods—Not Drugs'' message has fostered legitimate trade based economic relations between the U.S. and the Andean region and has stimulated legitimate economic alternatives to narcotics production and trafficking.

Trade between the U.S. and the Andean region has nearly doubled over the last decade to $18 billion to the mutual benefit of U.S. and Andean businesses.

In my home state of Virginia, we export over $50 million in products to the region.

Further progress will require an enhancement of the current programs to include an expanded range of Andean products.

It has been the policy of the United States to support the Andean Countries with foreign assistance.

However, removing barriers to trade with the U.S. is arguably more important to reviving the economic prospects of the region while helping to eradicate the narcotics menace terrorizing both the Andean Countries and the United States.

Mr. Speaker, I urge passage of the Act.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 289, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SPRATT. I am in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. SPRATT moves to recommit the bill H.R. 3009 to the Committee on Ways and Means with instructions that the Committee report back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF ANDEAN TRADE PREFERENCE ACT.

Section 208 of the Andean Trade Preference Act (19 U.S.C. 3206) is amended to read as follows:

''SEC. 208. TERMINATION OF DUTY-FREE TREATMENT.

''No duty-free treatment extended to beneficiary countries under this title shall remain in effect after December 31, 2006.''.

The SPEAKER pro tempore (Mr. FOSSELLA). Pursuant to the rule, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes in support of his motion.

Mr. SPRATT. Mr. Speaker, today, with almost no notice, the House takes up H.R. 3009. The ostensible reason is to extend the Andean Trade Preference Act. But if that were all it was about, we would voice-vote that extension in the blink of an eye.

This bill does not stop there. It goes on and, for the first time, grants duty-free, quota-free access for textile and apparel imports coming from the Andean countries. In addition to that, as if that were not enough, it gratuitously grants new trade concessions on top of those granted last year to 24 Caribbean countries and the 22 sub-Saharan African countries.

It has been said loosely on the floor here today, these are not major concessions, that they will not have terrific effects upon the textile industry. Let me tell my colleagues, this industry is reeling. Because of massive imports, job losses in textiles and apparel exceed the job losses in every other sector of our economy. When I came here, there were 2.1 million Americans working in the textile-apparel industry. Today, there are barely a million. Thus far, in this year alone, 2001, 118,000 textile and apparel workers have lost their jobs. In the past 3 months alone, 46,000 U.S. textile and apparel workers have lost their jobs.

What is the cause of these staggering job losses? It is easy. It is a flood tide of imports. In 6 years, between 1994 and 2000, the annual level of textile and apparel imports rose by $33 billion, 90 percent. The total amount of textile and apparel imports into this country last year was $77.5 billion, and it is inevitably going up this year.

This is known as a protected industry. Well, that is some protection, $77.5 billion of imports, and only a fraction of that goes back in exports. The reason for that, among other things, is that a dozen times over the last 10 to 15 years we have liberalized trade in textiles and apparel. We did it for the Caribbean, we did it for Israel, we did it for Jordan, we did it for Cambodia, we did it for sub-Saharan Africa, and, most notably of all, when we passed the World Trade Agreement, the Uruguay Round of the GATT talks, we passed something called the Agreement on Textiles and Clothing, which will phase out all quotas by the end of 2004 and cut tariffs on textile and apparel goods. And the phaseout is going on as we speak.

So what we have right now is tough enough for this industry to adjust to. It is struggling to survive. Just this week, Burlington, the largest textile manufacturer in America when I was elected to Congress, and for most of the years I have served here, Burlington petitioned for bankruptcy. That is how tough it is.

Now, there are lots of reasons to vote against this bill, but let me just say that it is not a trivial imposition on the industry. The problem is, the devil is buried in the details of the bill, the technical details of the bill. This will open the floodgates even further. Let me mention just a couple of snippets from the bill to help my colleagues understand how.

Despite claims by supporters, this bill will let Andean apparel made of fabrics formed almost anywhere in the world enter our country free of duties, free of quotas. By 2006, this bill will allow 1 billion square meters of regional fabric and apparel goods to enter this country from these four countries, duty free.

As for sub-Saharan Africa, 22 countries, the Caribbean countries, the CBI countries, 24 countries, this bill takes last year's bill, which was a liberal concession, and basically doubles the limits imposed by the law we enacted last year and allows billions of additional square meters of fabric to come in. Do not let anyone tell say that the impact will be trivial; it will be substantial.

I look at this and look at the industry and ask myself, why should the United States expand textile and apparel imports at a time when the economy is reeling, this sector of the economy is reeling, and almost being wiped out by textile and apparel imports? Why has this bill, with such potential for harm to lots of people, millions of people, been brought to the floor with such little notice for us to offer alternatives to it? Why, when we have an obvious alternative?

This motion that I am offering now, this motion to recommit, offers Congress a square choice: If Congress wants to extend the expiring Andean Trade Preference Act, we can do it simply, we can do it expeditiously, we can do it with a clean extension of the act. That is what this motion would do, what the Senate does in its stimulus bill, and what we should do in the House: a clean extension of the Andean Trade Pact for 5 years without inflicting a blow upon an industry that is struggling to survive.

I urge a ''yes'' vote for the motion to recommit.

Mr. THOMAS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. THOMAS. Mr. Speaker, the gentleman from South Carolina says, simply extend the Andean Pact. Simply extend it, meaning we go ahead and tell Botswana and Namibia to continue to stand in line; you do not deserve the opportunity to participate in AGOA; you do not deserve the same treatment as the other sub-Saharan African countries.

The gentleman from South Carolina says, simply extend the Andean Pact. What actually happens is, in the Caribbean, based upon legislation that we have passed, that means the United States Customs continues to tell Congress what Customs says we meant when we passed the legislation. Because contained in this legislation is the Congress telling Customs what we meant. Simply extend allows a bureaucracy to tell us what we did.

How many times have I heard people say what we ought to do is tell them what we meant? That is in this bill. Simply extending removes it.

The gentleman from South Carolina gave us a story which is poignant, in that one of the industries in his area, Burlington Industries, has announced that it has now gone bankrupt. I would invite anyone to investigate some of the major reasons why it went bankrupt. The chief economist of Burlington Industries himself said one of the reasons was because we had to gird ourselves against a hostile takeover.

Ask the shareholders and the workers if in fact they wanted the job that they talked about or they wanted the same people in the board rooms to remain? How much money was wasted in the effort to keep the board members, the same board members versus responsible decisions by that company in terms of the jobs that were currently there?

And more ironic than that, another fundamental reason that Burlington went under is because they invested $200 million in new plant and equipment. Guess where. South Carolina? No way. Mexico. They invested $200 million in Mexico, and they made a bad business decision.

Now, when are we going to say exactly what is going on? We provided benefits in previous legislation to keep this industry at home, and as soon as those benefits were passed, they left the country.

What I admire about some of the members in the Textile Caucus who are working on problems is that they are dealing with the real world, not just trying to stop the world. This motion to recommit is an example of stop the world; simply reauthorize the Andean Pact. What it says to those countries, Ecuador, Peru, Bolivia, and Colombia is, thank you very much for not growing coca, for helping us on the supply side in the war on drugs; and, in response to that, go pound dirt.

On the margin, can we let these people begin to say, we can do something else rather than returning to the cash crop that you say is slowly killing your country? I think the answer should be yes. I think if you want to tell the bureaucracy what Congress meant, if you want to let all of the sub-Saharan nations participate in the benefits of the African Growth and Opportunities Act, and especially if you want to tell our friends in the Andean region, thank you, do not look at bad business decisions and say, do not do anything. Rather, realize this is a complicated problem, we are addressing it, we are trying to move forward, but at the very least, a very modest couple of percentage points, thank you is what these people not only deserve but desperately need.

I plead with my colleagues to vote ''no'' on the motion to recommit and vote ''yes'' on H.R. 3099.

□ 1215

The SPEAKER pro tempore (Mr. FOSSELLA). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SPRATT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 168, nays 250, not voting 15, as follows:

[Roll No. 447]

YEAS—168

Abercrombie
Andrews
Baca
Baird
Baldacci
Baldwin
Ballenger
Barr
Barrett
Becerra
Berry
Bishop
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capps
Capuano
Carson (IN)
Castle
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Costello
Coyne
Cramer
Davis (IL)
DeFazio
DeGette
DeLauro
DeMint
Deutsch
Dingell
Engel
Etheridge
Evans
Everett
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Goode
Gordon
Graham
Green (TX)
Gutierrez
Hall (TX)
Harman
Hayes
Hill
Hilliard
Hinchey
Hoekstra
Holden
Holt
Hooley
Hoyer
Hunter
Jackson (IL)
Jackson-Lee (TX)
Jones (NC)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Larson (CT)
Lee
Lewis (GA)
Lipinski
LoBiondo
Lowey
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Murtha
Myrick
Nadler
Napolitano
Norwood
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Phelps
Price (NC)
Rahall
Reyes
Rivers
Rogers (KY)
Rohrabacher
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Slaughter
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Weiner
Woolsey
Wu

NAYS—250

Ackerman
Aderholt
Akin
Allen
Armey
Bachus
Baker
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Chabot
Chambliss
Clay
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Farr
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoeffel
Honda
Horn
Hostettler
Houghton
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
Matsui
McCrery
McDermott
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moore
Moran (KS)
Moran (VA)
Morella
Neal
Nethercutt
Ney
Northup
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Payne
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rodriguez
Roemer
Rogers (MI)
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)

NOT VOTING—15

Barcia
Bono
Cubin
Flake
Hall (OH)
Hastings (FL)
Johnson, E. B.
Lantos
Meehan
Meeks (NY)
Quinn
Ros-Lehtinen
Thompson (MS)
Waxman
Young (FL)

□ 1237

Messrs. SWEENEY, BRYANT, RODRIGUEZ, Ms. HART, Mrs. WILSON, and Messrs. RYAN of Wisconsin, GALLEGLY, ACKERMAN and SCHAFFER changed their vote from ''yea'' to ''nay.''

Messrs. COYNE, GOODE, GEORGE MILLER of California, SAWYER, HILLIARD, MARKEY and Ms. JACKSON-LEE of Texas changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. FOSSELLA). The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3009, the bill just passed.

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

There was no objection.

CONFERENCE REPORT ON S. 1447, AVIATION AND TRANSPORTATION SECURITY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider a conference report to accompany the Senate bill (S. 1447) to improve aviation security, and for other purposes; that the conference report be considered as read; and that all points of order against the conference report and against its consideration be waived.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, pursuant to the order of the House, I call up the conference report on the Senate bill (S. 1447) to improve aviation security, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

□ 1245

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

I am proud to bring this conference report to the full House floor today