be costly to both the agency and, therefore, to the taxpayers in a premature manner.

So, Mr. Chairman, I would hope the gentleman would try to work with us in a conference and withdraw his amendment, but in view of the fact that I assume the gentleman wants to proceed, then I will offer an amendment to the gentleman's amendment at the appropriate time.

The CHAIRMAN pro tempore. The Committee will rise informally.

The SPEAKER pro tempore (Mr. YOUNG of Florida) assumed the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

EXPORT ENHANCEMENT ACT OF 1999

The Committee resumed its sitting.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. MENENDEZ).

AMENDMENT OFFERED BY MR. MENENDEZ TO THE AMENDMENT NO. 10, AS MODIFIED, OFFERED BY MR. TERRY

Mr. MENENDEZ. Mr. Chairman, I offer an amendment to the amendment, as modified.

The Clerk read as follows:

Amendment offered by Mr. MENENDEZ to Amendment No. 10, as modified, offered by Mr. TERRY: Strike lines 1 through 18 and insert the following:

"SEC. 5. REVIEW OF CLAIMS PROCESSING FOR OPIC.

''The General Accounting Office is requested to provide a report not later than 6 months after the date of the enactment of this Act to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate, which reviews the claims activity of the Overseas Private Investment Corporation. The report shall include—

''(1) an analysis of claims paid, settled and denied by OPIC;

''(2) the number of claims determinations made by OPIC which are challenged in arbitration;

''(3) the number of OPIC's claims denials which are reversed in arbitration;

''(4) the number of claims which are withdrawn; and

''(5) recommendations for ways in which the interests of OPIC insureds and the public could be better served by OPIC's claims procedures.''

Mr. MENENDEZ (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MENENDEZ. Mr. Chairman, what we hope to do through this amendment is to try to reach the gentleman's concern, but at the same time, create the operational capacity for OPIC to do what it does so well. What we offer here is a review of claims processing for OPIC. Having the General Accounting Office providing a report not later than 6 months after the day of the enactment of this law to both the Committee on International Relations and the Senate Foreign Relations Committee, to review the claims activity of OPIC which includes an analysis of the claims paid, settled, and denied; the number of claims determination made by OPIC which are challenged in arbitration; the number of OPIC's claim denials which are reversed in arbitration; the number of claims which are withdrawn; and recommendations for ways in which the interests of OPIC's insured and the public could be better served by OPIC's claims procedures.

To the extent that OPIC has a great record and it can be improved upon, this gives us the wherewithal to do it without creating the constraint that the gentleman's amendment would.

Mr. Chairman, OPIC's standard contracts presently allow OPIC a reasonable time to make a decision after receipt of a completed application, one that establishes the insured's right to be compensated in the amount claimed.

Now, when we have this political risk insurance, the fact of the matter is it raises complex issues: issues of fact, contract interpretation, foreign law, international law and accounting. They cannot be resolved over the phone as we might do if we had an automobile accident or a homeowner's claim and try to deal with our insurance company. They are extremely complex.

Therefore, the time frame that the gentleman wants, while his goal is worthy, ultimately really hamstrings OPIC in a way that is detrimental to that small businessperson, as well as to the taxpayers, by the enforcement of a mechanism that makes them pay interest by the time that the time frame is exhausted, and that time frame is rather short, 150 days, total. That is a very short time frame.

OPIC's decisions on claims become public. They are relied upon as a way and as a means and as a guide to looking at OPIC contracts and are cited in broader discussions of international investment law. Reaching the right bottom line result is simply not enough. OPIC's rationale has to be properly articulated, because if not, others will seek to pursue those future actions if we do not articulate the right set of reasons, and that can be more costly to us.

So any interactive process takes time. If OPIC has to reach final decisions within a fixed deadline, more claims will be denied and in that process of denial will start a series of circumstances that we are going to hurt the investor, we are going to impinge upon the agency, we are going to start charging interest after that 150 days; and that ultimately is going to create a problem for us in terms of the taxpayers of this country.

I think, while the gentleman's intention is well-meaning, his effort as to how he achieves that is both problematic for the agency, problematic for the entities to be insured, problematic for the taxpayers. So I urge the adoption of my amendment to the Terry amendment.

□ 1530

Mr. TERRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first of all, I want to be clear on what this amendment does. It is, in essence, a substitute amendment to mine. It statutorily incorporates the status quo. It basically says that OPIC has 6 months next to never to resolve claims.

That is no improvement. There are examples where OPIC has drug their feet on claims for a variety of different reasons, but the fact that they have taken substantial time to resolve claims is unrefuted.

The issue then is if they are going to act like a private insurance company, they have to treat claims with good faith. If we review insurance laws of every State, we will see provisions that outline how insurance companies have to act in good faith. One of those provisions in every State is that they have to handle claims expeditiously. If they do not, the remedy is usually pre-judgment interest.

This is what my amendment does, is simply put into the system some accountability. That accountability is if they are going to drag their feet on claims, on valid claims, then after 150 days they should have to pay interest on the amount of that claim.

The world does not operate in a vacuum. If Indonesia takes over a power plant and kicks out the U.S. citizen that built that and threatens to jail them if they return, that is expropriation. OPIC knows when that happens. Now, the applicant has to document those activities, and will take the time to properly put their case together before they submit that.

It is reasonable, then, because OPIC, if they are diligent at all, should already know what is going on, for them to be able to review that within a certain short period of time. If additional information is necessary, as is outlined in mine, and that request is reasonable, then they should be afforded an extra 60 days, for a total of 150 days.

My amendment is reasonable. The substitute amendment offered by the gentleman from New Jersey (Mr. MENENDEZ) guts mine entirely, and basically, as I said, incorporates the status quo.

A couple of points raised; one, that OPIC resolves 94 percent of the claims. I am sure under the current leadership that that will not change. What may change, though, is another category of the timeliness of those resolutions.

That is what we are requesting, is simply that OPIC have a set time frame to resolve those claims. I am sure they will act expeditiously under the current leadership.

The fact that they want to go after, for example, Indonesia for reimbursement, they should not hold up a claim until they get some commitments for reimbursement. In the private sector, that is bad faith. Surely they should have the right.

This amendment in no way quashes or harms or prevents their opportunity to go after a country that has expropriated an asset at all. All this simply does is say, for the victim of that expropriation, that they have to handle that claim in a timely manner.

Mr. Chairman, I urge the defeat of the substitute amendment, and again request passage of my amendment.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, so far today we have not had any evidence on the floor of this Chamber that the people associated with OPIC are operating in bad faith. I have not heard that. My experience and the record before me, at least to this point, indicates that people are trying to do their best under difficult circumstances.

What our colleague, the gentleman from New Jersey, pointed out is that when we are operating in an area that is chaotic, in an area where we have multiple interests that we are trying to advance as a government, where the parties involved have entered into a contractual obligation under which they get the risk insurance, that we have a framework that is established.

This is a decision that is going to guide what the agency does in this case and in others that may be in fact similar. They are relied upon in areas of international law and in terms of people entering into other agreements with us to promote the objectives of this program.

The people who manage OPIC have every reason to do so in an expeditious and thoughtful manner. They are in the business of promoting the interests of American business in risky environments. That is why they are there. They have done a stellar job since 1971 of doing that.

They are caught in a situation in many cases where they are trying to find out what the true facts are and then lay the groundwork; not just to put the money back into the hands of maybe the person who has the risk insurance or the corporation, but then they also have to lay the foundation to get the money back.

The recovery rate, as the gentleman from New Jersey pointed out, is in excess of 90 percent. Ninety-three percent I believe is the number he recited. That is because a thoughtful and careful job is done. Many times it is an interactive process. Where we have some of the smaller businesses that are involved, maybe they do not have as much activity overseas, they do not have as much presence, it takes time for them to assemble their material, and this goes back and forth between OPIC and the insured.

Think for a moment what is going to happen if in fact we are going to change the contracts and the operation, where all of a sudden we are going to have an arbitrary time limit that kicks in and interest is going to be paid.

Two things are going to happen. One, I agree with the gentleman from New Jersey, the inclination, because they have to run as a business, they have to be accountable, the inclination is going to be to reject and deny more claims. That is common sense in terms of how the business operates.

To the extent that that does not occur and we end up paying out a lot of money, that means there are going to be fewer loans that are going to be granted, or it is going to be that maybe for the first time it will actually require that we are invading some of these reserves and it is not going to be surplusing money.

I would strongly suggest that the amendment that has been offered by the gentleman from Nebraska (Mr. TERRY) is undermining the notion of this being an entrepreneurial insurance-oriented approach that gives maximum flexibility to the agency to try and balance the interests to the taxpayer and to the client, according to the contracts that they enter into.

I suggest that it is inappropriate for us to engage in micromanagement on this floor with arbitrary time limits that are going to get in the way of laying the foundation. Ultimately, we want to be successful. We want the Indonesian government to cough up money to cover this, and to be able to keep the taxpayer whole and get money back to an aggrieved party.

I strongly urge that we adopt the amendment of the gentleman from New Jersey (Mr. MENENDEZ) and reject the underlying amendment.

Mr. MENENDEZ. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Mr. Chairman, the point that the gentleman made is an important one. When we deny claims, when OPIC is forced by this new set of circumstances to deny claims, what happens to the claimant, the American company that the gentleman is concerned about? Now their only course is to litigate, which is more costly, more time-consuming, than to work with OPIC in trying to reach a conclusion.

The bottom line, Mr. Chairman, is that, number one, the denial of claims because of the time constraints causes a set of circumstances that is even worse for the claimant, and the claimant happens to be an American entity.

The CHAIRMAN pro tempore (Mr. EWING). The time of the gentleman from Oregon (Mr. BLUMENAUER) has expired.

(By unanimous consent, Mr. BLUMENAUER was allowed to proceed for 2 additional minutes.)

Mr. MENENDEZ. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Mr. Chairman, secondly, if the gentleman's amendment would give flexibility to the company to engage with OPIC and extend the time frame that the gentleman suggested, then it might be more reasonable, because OPIC would not be forced to make a determination, the company would not be forced to pursue its interests in a limited time frame in which it might not make its best case, and everybody would be better served.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Nebraska.

Mr. TERRY. To answer the gentleman's question, Mr. Chairman, on specifically what happens next, the issue is yes, then they can go to arbitration.

There are specific examples in existence where OPIC has not resolved the claim in a timely manner. It has drug on for months. If OPIC would have either accepted or denied their claim, let us say in a denial, probably in the time frame that OPIC has sat on the claim they could have had a determination from the arbitration board in the international arena.

In fact, in the incident in Indonesia when they expropriated the power company, there was already an arbitration of whether or not they had seized those assets. In an international arbitration court of three, it was a three-zero decision that the country had acted in a way to expropriate.

Mr. MANZULLO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it is extremely significant that the gentleman from Alabama (Mr. CALLAHAN) supports the original Terry amendment, as modified, or not as modified by the amendment of the gentleman from New Jersey (Mr. MENENDEZ), but the language of the Terry amendment with the change of the two words that appear at the desk.

I think that is extremely significant, because the gentleman from Alabama has been a supporter of OPIC for years. He is very conservative, he is very cautious. He watches the taxpayers' dollars. For him to come out in favor of this amendment to me is quite compelling.

But I would like to contrast the Menendez amendment. Really, that should be supplemental to that of the gentleman from Nebraska (Mr. TERRY). He simply says, let us have a time frame. Granted, the language is not the most artful. It could obviously be cleaned up in conference. But it simply says we should reach a point with all the litigation and all the arbitration that goes on that after a certain point, the person who gets paid his judgment or award is entitled to interest from a certain date on.

There is nothing like prejudgment interest that moves the litigants to get through. It is a tremendous incentive,

especially when we are talking about what could be tens of millions of dollars that are at stake. And why not so? If a person's factory is expropriated, that person loses everything. They lose the investment, and many times they still have to pay the bank interest on the investment that he or she made overseas. So the American manufacturer is still paying the bank interest.

What does this say? This says the purpose of this insurance is to make the American manufacturer whole. That is the purpose of insurance. That is what the Terry amendment does.

The gentleman from New Jersey (Mr. MENENDEZ) has a great amendment, if it were on its own. It calls for a study. Around this place, if we do not know what to do, we call for a study. This calls for a study which says within 6 months we want an analysis of all the outstanding claims and all things going on with reference thereto, et cetera, et cetera.

I would suggest that my good friend, the gentleman from New Jersey (Mr. MENENDEZ) really withdraw his amendment, perfecting amendment to that the amendment of the gentleman from Nebraska (Mr. TERRY), and reintroduce it as a stand-alone, and I would be the first one to jump up and say, this is really exciting.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from Nebraska.

Mr. TERRY. Mr. Chairman, I thank the gentleman from Illinois for yielding.

Frankly, the gentleman raised some of the points I wanted to when the gentleman yielded, and I had an opportunity to tell what the process was and how. When OPIC does not act in a timely manner, they also shut the door to those other remedies that are available. When they sit on a claim, and they have, and I am sorry that we do not get the opportunity, like in a court of law, to call witnesses to produce evidence, but if we can get some hearings on the way OPIC has acted on a certain amount of claims, especially the Indonesian claims, we will see that, for whatever reason, and I am not saying that they are bad faith reasons, but without question, they have admitted that they have had all the facts of what happened in Indonesia for months, and in a meeting last week, when they said that they would have a decision months ago, and when asked why they have not, they said, yes, we have all of the facts, but the lawyers have not made their decisions yet.

Well, when I was in the private practice of law, that would be frequently the answer of the insurance companies that were ultimately responsible: We know all of the facts, we have done the investigation, we just have not made our decision yet. This simply says, you have all the facts. Make your decision. Quit using excuses to delay it.

If that is an admirable policy, then what we need to do is to put some teeth into it. I think just a simple private sector remedy of prejudgment interest is probably the easiest solution. The gentleman from Illinois (Mr. MANZULLO) is exactly right, it is a simple solution that incentivizes both parties to move in a timely manner. That is the whole purpose of this amendment.

□ 1545

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentlemen from New Jersey (Mr. MENENDEZ) to the amendment, as modified, offered by the gentleman from Nebraska (Mr. TERRY).

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

Mr. MENENDEZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 327, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. MENENDEZ) to the amendment, as modified, offered by the gentleman from Nebraska (Mr. TERRY) will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. TERRY

Mr. TERRY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. TERRY:

Page 6, add the following after line 25, and redesignate succeeding sections, and references thereto, accordingly:

SEC 5. RESTRICTION ON CONTACTS RELATING TO OPIC CLAIMS SETTLEMENTS.

(a) PUBLICATION OF FEDERAL AGENCY INTERVENTIONS.—Section 237(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(i)) is amended—

(1) by inserting ''(1) after ''(i); and

(2) by adding at the end the following:

''(2) No other department or agency of the United States, or officer or employee thereof, may intervene in any pending settlement determination on any claim arising as a result of insurance, reinsurance, or guaranty operations under this title or under predecessor guaranty authority unless such intervention is published in the Federal Register.

''(3) The Corporation shall report to the Congress on any intervention, by any other department or agency of the United States, or officer or employee thereof, regarding the timing or settlement of any claim arising as a result of insurance, reinsurance, or guaranty operations under this title or under predecessor guaranty authority. The report shall be submitted within 30 days after the intervention is made.''.

Mr. TERRY. Mr. Chairman, this amendment addresses a serious concern that I have regarding OPIC. We have alluded to some of it here in our discussions on the last amendment. It is that basic business decisions at OPIC have, I fear, become politicized. When an American business comes to its government and purchases a political risk insurance policy, it is doing so because in certain countries it cannot rely on a transparent political process or the sanctity of those contracts.

Based on the comments that I have heard directly from OPIC officials, I have reason to believe that officials from cabinet agencies are intervening in the business operations of OPIC because of other foreign policy goals. That is, it is turning the purpose of OPIC on its head. The fact that American companies have suffered as a result of capriciousness abroad is bad enough; but when they turn to their own government for help contractually, they should not expect even more political capriciousness.

My amendment seeks to get to the bottom by requiring any intervention by a Federal agency on a pending claim at OPIC to be disclosed. It is as simple as that: disclose it. Let us recognize that OPIC is a governmental agency. Its head is appointed by the President, confirmed by the Senate. So it does have to have relations with the State Department and the Treasury. So if there are foreign policy considerations that are holding up a claim or influencing the resolution of a claim, which I think is wrong, considering the insurance contract should be different than that, but at least recognizing the government relationship, the least that they should do is disclose that intervention.

Now, by intervention I mean simply take the common everyday usage of that word. I mean any formal or informal communication by an official of another agency at OPIC that seeks to affect or could reasonably be expected to have an impact on OPIC's decision on the merits of the case.

There is concern about whether a simple call of inquiry, a Treasury head calling up and saying, George, how are the claims in Indonesia coming, that is a simple inquiry. That is not intervention. If they say we have some real foreign policy issues there, we cannot upset the government of Indonesia right now, so how are those claims coming, I think the true intent might have been to intervene in the process.

I expect an amendment that will change the definition of ''intervention,'' and we will have a continuing debate on that, but I think we owe it to those who are purchasing these contracts that if their claim is being influenced that they at least know it. I urge support for this amendment.

AMENDMENT OFFERED BY MR. MENENDEZ TO AMENDMENT NO. 11 OFFERED BY MR. TERRY

Mr. MENENDEZ. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MENENDEZ to Amendment No. 11 offered by Mr. TERRY:

Page 1, line 9, insert the following after ''intervene''; ''with the intent to impede or delay''.

Page 1, line 16, insert the following after ''intervention,'': ''with the intent to impede to delay a settlement determination''.

Mr. MENENDEZ. Mr. Chairman, I understand the gentleman's concern about the possible intervention of other Federal agencies on pending settlement determinations and clearly claims should be considered on their

own merits, without necessary delays, unrelated to the actual claims process, but I am offering this amendment to clarify the gentleman's language. My amendment would change the language in paragraph 2 to read that no other department or agency of the United States or any officer thereof or any employee thereof may intervene with the intent to impede or delay in any pending settlement determination, and it makes the same change in paragraph 3. Now, what is the reason for the clarification?

The proposed amendment by our colleague would prevent OPIC's board members from carrying out their statutory functions. OPIC is governed by a board of directors that, in fact, seven of whom are officers of department or agencies of the United States Government. These are the board of directors. Seven of them are, in fact, officers of departments or agencies of the United States Government.

This amendment would prevent the board from exercising its responsibilities by, quote, ''interfering with the ability of its private sector members to participate in discussions regarding claim settlements.'' So they, in essence, would not be able to engage.

Secondly, the proposed amendment would hurt OPIC's ability to protect the taxpayer by interfering with OPIC's ability to coordinate its claims salvage efforts with other parts of the United States Government. Now, what does that mean? We had a debate earlier, when OPIC has a claim and it is willing to pay the claim, it stands in the shoes of the company that it paid the claim on behalf of to try to get the money from some overseas entity or government. If we cannot coordinate with the agencies of the Federal Government to put OPIC in the best possible sort of circumstances, to protect itself as the claimant and to protect the taxpayers thereof, we are hurting OPIC; we are hurting the taxpayers. That does not make sense.

OPIC's history of successful salvage is due, in part, to its strong coordination with our embassies abroad; and those salvage efforts not only protect the U.S. taxpayer by resulting in a recovery of close to 95 percent of amounts paid or settled on claims over OPIC's history but it also benefits the insured investor whose uninsured interests, uninsured interests, those not covered by OPIC, are also attempted to be covered by OPIC in the salvage effort.

The broad prohibition on intervention that the gentleman would offer in his amendment would inhibit OPIC's ability to obtain relevant information from U.S. embassies in that country and other United States Government sources of information, and it is that very information that is at the core of successfully accomplishing a recovery of the claim.

The threat of violation of this provision would have a serious impact on the willingness of United States Government information sources to provide relevant information to OPIC with respect to claims. Cutting off OPIC's ability to obtain this kind of information would do a disservice, both to the taxpayers and OPIC's insureds, by restricting OPIC's fact-finding efforts to non-U.S. Government sources of information, when we have all of those U.S. government sources of information that can help us achieve a 100 percent claim and cost nothing to the taxpayers.

So my amendment tries to accomplish what the gentleman wants by saying if there is an intent to impede or delay, then that cannot be done and those employees and agencies and officers cannot do that; but otherwise we create a huge opening in which no governmental agency, no embassy abroad, and even the directors of the board of trustees of OPIC who we want to be questioning the director about their payments and their liabilities will not be able to do so in this regard.

We would want no corporation in America, we would want no public entity in the country, to be told that we do not want the people overseeing that entity to have the ability to question on the very liabilities they might have as an agency and on behalf of the taxpayers of the country. So I urge adoption of my amendment to the Terry amendment. I think it accomplishes the gentlemen's goal and at the time preserves the sanctity of OPIC's ability to protect itself, the taxpayers, and the claimant.

Mr. MANZULLO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the original Terry amendment and in opposition to the Menendez amendment. I think Mr. MENENDEZ is talking about two different things. The Terry amendment does not prevent anybody or any organization, or any department, from getting involved in the adjudication of this claim. What it simply says is that there should be an open record. This is an open meetings act for the process of adjudication by OPIC. That is all it says.

The plain language says, ''No other department or agency of the United States, or officer or employee thereof, may intervene in any pending settlement,'' et cetera, ''unless such intervention is published in the Federal Register.'' That is all the gentleman from Nebraska (Mr. TERRY) is asking for. He wants to know what, if any, other departments, are trying to influence, I do not use that word in a meanspirited way but are trying to have a role in making a determination, that simply should be a matter of the public record. That is all he is asking.

The amendment of the gentleman from New Jersey (Mr. MENENDEZ) on the other hand says that by adding the words ''with the intent to impede or delay,'' if his language is added to the Terry amendment that turns the Terry amendment into something entirely different. That is not the purpose of the Terry amendment.

The gentleman from Nebraska (Mr. TERRY) simply says this: we have a claim that is before OPIC. The public has a right to know which government agencies are claiming an interest in it, and the people have a right to know what those government agencies are saying.

So I would ask that the Menendez amendment be defeated, that the original Terry amendment be adopted.

Mr. BLUMENAUER. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, can the gentleman envision circumstances where there would be valid information available to the CIA or the State Department that could help in accurately settling the claim, that we would not want published in the Federal record for everybody to see? Can the gentleman envision any circumstances where that would happen?

Mr. MANZULLO. I would say in answer to that that the CIA has its own statute that would protect the distribution of that material. That could happen in appropriation cases. There is no question about that.

Mr. BLUMENAUER. Or the State Department or Treasury?

Mr. MANZULLO. Sure. Obviously overriding the openness of this material would be any national security interests. Those statutes already exist on the books.

Mr. BLUMENAUER. If there are, in fact, national interests that would prevent it being in the public benefit to have this widely disseminated, would OPIC be able to use such information under the operation of this amendment? If so, who would determine what goes in the Federal record and what does not?

Mr. MANZULLO. Who would determine the language of the gentleman from New Jersey (Mr. MENENDEZ) that says with the intent to impede or delay? I mean, that is a subjective process.

Mr. BLUMENAUER. I can understand where the intent we both agree is not to impede or delay.

Mr. MANZULLO. That is correct.

Mr. BLUMENAUER. The intent is to protect American interests, sources of information.

Mr. MANZULLO. Well, sure.

Mr. BLUMENAUER. That would not fall under the scope of the Menendez amendment.

Mr. MANZULLO. I would submit that there are existing statutes on the books today that would give enough protection to the State Department, to the CIA, or any other security agency, for making open documents that are already classified.

Mr. MENENDEZ. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. I appreciate my friend's comments, but the fact of the matter is that what we would have,

there are maybe some agencies covered by other statutory provisions in the intelligence community that might offer OPIC information which might be able not to appear in the register, but there are a series of agencies which we might not consider quote/unquote ''intelligence information,'' but which information would be harmful to the interests of the United States that are not covered by any such provision and that would have to be issued in the Register. If not, it would be a violation of law if this amendment were passed. So I think that there is a serious concern between that and what the gentleman seeks to do.

He wants to know if there is some undue influence in the determination of a payment of a claim, and I think that that is fitting and proper; but we have to limit that to make sure that it is undue influence and not just open the whole book for the whole world to see what we are doing out there to try to determine how we process our way to achieving a claim.

□ 1600

Mr. TERRY. Mr. Chairman, will the gentleman yield for a response?

Mr. MANZULLO. Yes, I yield to the gentleman from Nebraska.

Mr. TERRY. Mr. Chairman, first of all, what needs to be recorded is that one of our government agencies has requested OPIC to make a decision based on politics. The details of that are not necessarily needed to be disclosed in the record.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. MANZULLO) has expired.

(By unanimous consent, Mr. MANZULLO was allowed to proceed for 1 additional minute.)

Mr. MANZULLO. Mr. Chairman, I yield to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, let me ask the same level of rhetorical question back. Does it not provide more confidence in the insurance contract if the purchaser of that contract has some assurances that, if decisions are not going to be made on the merits of the claim but on politics, that they at least be told?

Mr. MENENDEZ. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Mr. Chairman, first of all, I am reading the gentleman's amendment. It says nothing about politics here. It simply says no department or agency of the United States or any of its officers may intervene in any pending settlement determination.

Mr. MANZULLO. Mr. Chairman, reclaiming my time, unless such intervention is published in the Federal Register.

Mr. MENENDEZ. Mr. Chairman, if the gentleman will yield, that goes back to our original discussion, that the very intervention that is going to be published in the Federal Register already unlocks the door to a whole series of things that we may not want, foreign nationals and foreign countries.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from Nebraska.

Mr. TERRY. Mr. Chairman, the issue is that OPIC should be making those decisions on the outcome of claims, not other agencies.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am a little troubled by the turn that the conversation has taken. I will be the first to admit that I think we put the cloak of secrecy too broadly over issues in this country.

I think it is outrageous that the American public does not yet know what we did in Central America 20 or 25 years after the fact, destabilizing democratically elected governments.

I think it is outrageous some of the things that happened in Chile, in Central America, in Asia. I think that we far too broadly keep information from the American public, things that are not designed to keep information from our enemies, or past enemies. They already know what was in those files. It is to prevent, I am afraid, sometimes, embarrassment for some people here. I think, as a general rule, we ought to open up more, and I so voted.

But what this talks about is not sort of a sunshine. I just reject this concept that somehow we are turning the interests of America on its head by having the full range of information available to make these determinations.

I think representing the full range of American interests in the decisions that OPIC makes is not turning American interests on their head. They should not necessarily be disconnected from the best sources of information that we have.

The gentleman from New Jersey (Mr. MENENDEZ) is suggesting that, if something is offered up for the purpose of merely impeding settlement, that that should be prohibited or should be made more difficult.

But this amendment that the gentleman from Nebraska (Mr. TERRY) has offered does not distinguish between things that are somehow impeded, and operation of the information that comes from Treasury, that comes from State, not just the CIA, that from whatever source we have this information available, there would, because there are seven independent agency heads who function as trustees or directors of OPIC, it would very much confuse the deliberations.

If the information that they provided had the effect perhaps of delaying the processing of the claim as rapidly as maybe somebody would request, it may raise the obligation to put information in the record that, frankly, we do not want to have put in the Federal Registry. It would not be in America's best interest.

But why, if that be the case, would the gentleman from Nebraska (Mr. TERRY) penalize either the taxpayer or the balance of OPIC in terms of the bottom line, in terms of having to pay more money. That seems to me to make no sense.

I think we are confusing here politics, to use the word from the gentleman from Nebraska, with having national interests and the best information available to treat the policy holder and the American taxpayer in the best interests.

I fear that if this amendment were adopted, not the Menendez perfecting amendment, but the amendment of the gentleman from Nebraska (Mr. TERRY), operation at OPIC would go on. The people in the bureaucracy would continue to function.

But it would raise questions for the board. It would make them harder to get the good information. They will not be able to do their job as well. That is only going to hurt the taxpayer, if it ends up costing taxpayer money in the long run, where OPIC does not surplus as much money. But because they operate in an entrepreneurial fashion, what it is going to mean is that it is going to mean that there is going to be less money available to loan. It is going to make it more cumbersome. It is going to make the processing of claims based on less accurate information.

Ultimately, it may well mean that fewer people are insured. I do not think that that is necessarily in our best interest. We do not need this to solve a problem that somebody in Nebraska has.

I understand that we are moving forward with that claim, and something is happening. But we do not need to put a cumbersome process, freeze it into statute that is going to give less effective information and make the job of the director and OPIC harder.

I strongly urge the rejection of the Terry amendment and the adoption of what the gentleman from New Jersey (Mr. Menendez) has offered by way of a substitute.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from New Jersey (Mr. MENENDEZ) to amendment No. 11 offered by the gentleman from Nebraska (Mr. TERRY).

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

Mr. MENENDEZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 327, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. MENENDEZ) to the amendment No. 11 offered by the gentleman from Nebraska (Mr. TERRY) will be postponed.

The CHAIRMAN pro tempore. Are there further amendments to section 4?

If not, the Clerk will designate section 5.

The text of section 5 is as follows:

SEC. 5. TRADE AND DEVELOPMENT AGENCY.

(a) PURPOSE.—Section 661(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(a)) is

amended by inserting before the period at the end of the second sentence the following: '', with special emphasis on economic sectors with significant United States export potential, such as energy, transportation, telecommunications, and environment''.

(b) CONTRIBUTIONS OF COSTS.—Section 661(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(b)) is amended by adding at the end the following:

''(5) CONTRIBUTIONS TO COSTS.—The Trade and Development Agency shall, to the maximum extent practicable, require corporations and other entities to—

''(A) share the costs of feasibility studies and other project planning services funded under this section; and

''(B) reimburse the Trade and Development Agency those funds provided under this section, if the corporation or entity concerned succeeds in project implementation.''.

(c) FUNDING.—Section 661(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(f)) is amended—

(1) in paragraph (1)(A) by striking ''$77,000,000'' and all that follows through ''1996'' and inserting ''$48,000,000 for fiscal year 2000 and such sums as may be necessary for each fiscal year thereafter''; and

(2) in paragraph (2)(A), by striking ''in fiscal years'' and all that follows through ''provides'' and inserting ''in carrying out its program, provide, as appropriate, funds''.

The CHAIRMAN pro tempore. Are there amendments to section 5?

If not, the Clerk will designate section 6.

The text of section 6 is as follows:

SEC. 6. PROGRAMS OF THE INTERNATIONAL TRADE ADMINISTRATION.

(a) FUNDING.—There are authorized to be appropriated to the ITA—

(1) for fiscal year 2000, $24,000,000 for its Market Access and Compliance program, $68,000,000 for its Trade Development program, and $202,000,000 for the Commercial Service program; and

(2) for each fiscal year thereafter, such sums as may be necessary for the programs referred to in paragraph (1).

(b) APPOINTMENTS.—Subject to the availability of appropriations, the Secretary of Commerce, acting through the Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, shall take steps to ensure that Commercial Service employees are stationed in no fewer than 10 sub-Saharan African countries and 1 full-time Commercial Service employee is stationed in the Baltic states, and that the Commercial Service has full-time employees in each country in South and Central America and an adequate number of employees in the Caribbean to ensure that United States businesses are made aware of existing market opportunities for goods and services.

(c) INITIATIVE FOR SUB-SAHARAN AFRICA AND LATIN AMERICA.—The Secretary of Commerce, acting through the Under Secretary of Commerce for the International Trade Administration, shall make a special effort to—

(1) identify those goods and services of United States companies which are not being exported to Latin America and sub-Saharan Africa but which are being exported to countries in those regions by competitor nations;

(2) identify trade barriers and noncompetitive actions, including violations of intellectual property rights, that are preventing or hindering the operation of United States companies in sub-Saharan Africa and Latin America;

(3) publish on an annual basis the information obtained under paragraphs (1) and (2);

(4) bring such information to the attention of authorities in sub-Saharan Africa and Latin America with the goal of securing greater market access for United States exporters of goods and services; and

(5) report to the Speaker of the House of Representatives and the President of the Senate the results of the efforts to increase the sales of United States goods and services in sub-Saharan Africa and Latin America.

(d) REPORTING ON VIOLATIONS OF TRADE AGREEMENTS.—The ITA should—

(1) identify countries and entities, as practicable, that violate commitments under trade agreements with the United States and the impact of these violations on specific sectors of the United States economy;

(2) identify steps taken by the ITA on behalf of United States companies affected by these violations; and

(3) publicize, on an annual basis, the information gathered under paragraphs (1) and (2).

(e) GLOBAL DIVERSITY AND URBAN EXPORT INITIATIVE FOR THE ITA.—The ITA shall undertake an initiative entitled the ''Global Diversity and Urban Export Initiative'' to increase exports from minority-owned businesses, focusing on businesses in underserved areas, including inner-city urban areas and urban enterprise zones. The initiative should use electronic commerce technology and products as another means of helping urban-based and minority-owned businesses export overseas.

(f) STANDARDS ATTACHES.—Subject to the availability of appropriations, the International Trade Administration shall take the necessary steps to increase the number of standards attaches in the European Union and in developing countries.

(g) EXPANSION OF PROGRAMS TO ASSIST SMALL BUSINESSES.—The International Trade Administration shall expand its efforts to assist small businesses in exporting their products and services abroad by using electronic commerce technology and other electronic means—

(1) to communicate with significantly larger numbers of small businesses about the assistance offered by the ITA to small businesses in exporting their products and services abroad; and

(2) to provide such assistance.

(h) AUTHORIZATION FOR ADVERTISING.—The ITA is authorized to advertise in newspapers, business journals, and other relevant publications and related media to inform businesses about the services offered by the ITA.

AMENDMENT NO. 12 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. TRAFICANT:

Page 10, strike line 13 and all that follows through line 24 and insert the following:

(d) REPORTS ON MARKET ACCESS.—

(1) ANNUAL REPORTS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the ITA should submit to the Congress, and make available to the public, a report with respect to those countries selected by the ITA in which goods or services produced or originating in the United States, that would otherwise be competitive in those countries, do not have market access. Each report should contain the following with respect to each such country:

(A) ASSESSMENT OF POTENTIAL MARKET ACCESS.—An assessment of the opportunities that would, but for the lack of market access, be available in the market in that country, for goods and services produced or originating in the United States in those sectors selected by the ITA. In making such assessment, the ITA should consider the competitive position of such goods and services in similarly developed markets in other countries. Such assessment should specify the time periods within which such market access opportunities should reasonably be expected to be obtained.

(B) CRITERIA FOR MEASURING MARKET ACCESS.—Objective criteria for measuring the extent to which those market access opportunities described in subparagraph (A) have been obtained. The development of such objective criteria may include the use of interim objective criteria to measure results on a periodic basis, as appropriate.

(C) COMPLIANCE WITH TRADE AGREEMENTS.—An assessment of whether, and to what extent, the country concerned has materially complied with existing trade agreements between the United States and that country. Such assessment should include specific information on the extent to which United States suppliers have achieved additional access to the market in the country concerned and the extent to which that country has complied with other commitments under such agreements and understandings.

(D) ACTIONS TAKEN BY ITA.—An identification of steps taken by the ITA on behalf of United States companies affected by the lack of market access in that country.

(2) SELECTION OF COUNTRIES AND SECTORS.—

(A) IN GENERAL.—In selecting countries and sectors that are to be the subject of a report under paragraph (1), the ITA should give priority to—

(i) any country with which the United States has a trade deficit if access to the markets in that country is likely to have significant potential to increase exports of United States goods and services; and

(ii) any country, and sectors therein, in which access to the markets will result in significant employment benefits for producers of United States goods and services.

The ITA should also give priority to sectors which represent critical technologies, including those identified by the National Critical Technologies Panel under section 603 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683).

(B) FIRST REPORT.—The first report submitted under paragraph (1) should include those countries with which the United States has a substantial portion of its trade deficit.

(C) TRADE SURPLUS COUNTRIES.—The ITA may include in reports after the first report such countries as the ITA considers appropriate with which the United States has a trade surplus but which are otherwise described in paragraph (1) and subparagraph (A) of this paragraph.

MODIFICATION TO AMENDMENT NO. 12 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that the amendment be modified with the language at the desk.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Amendment No. 12, as modified, offered by Mr. TRAFICANT:

Page 10, strike line 13 and all that follows through line 24 and insert the following:

(d) REPORTS ON MARKET ACCESS.—

(1) ANNUAL REPORTS.—Not later than March 30 days after the date of the enactment of this Act, and annually thereafter, the TPCC should submit to the Congress, and make available to the public, a report with respect to those countries selected by the TPCC in which goods or services produced or

originating in the United States, that would otherwise be competitive in those countries, do not have market access. Each report should contain the following with respect to each such country:

(A) ASSESSMENT OF POTENTIAL MARKET ACCESS.—An assessment of the opportunities that would, but for the lack of market access, be available in the market in that country, for goods and services produced or originating in the United States in those sectors selected by the TPCC. In making such assessment, the TPCC should consider the competitive position of such goods and services in similarly developed markets in other countries. Such assessment should specify the time periods within which such market access opportunities should reasonably be expected to be obtained.

(B) CRITERIA FOR MEASURING MARKET ACCESS.—Objective criteria for measuring the extent to which those market access opportunities described in subparagraph (A) have been obtained. The development of such objective criteria may include the use of interim objective criteria to measure results on a periodic basis, as appropriate.

(C) COMPLIANCE WITH TRADE AGREEMENTS.—An assessment of whether, and to what extent, the country concerned has materially complied with existing trade agreements between the United States and that country. Such assessment should include specific information on the extent to which United States suppliers have achieved additional access to the market in the country concerned and the extent to which that country has complied with other commitments under such agreements and understandings.

(D) ACTIONS TAKEN BY ITA.—An identification of steps taken by the USTR and ITA on behalf of United States companies affected by the lack of market access in that country.

(2) SELECTION OF COUNTRIES AND SECTORS.—

(A) IN GENERAL.—In selecting countries and sectors that are to be the subject of a report under paragraph (1), the USTR and ITA should give priority to—

(i) any country with which the United States has a trade deficit if access to the markets in that country is likely to have significant potential to increase exports of United States goods and services; and

(ii) any country, and sectors therein, in which access to the markets will result in significant employment benefits for producers of United States goods and services.

The USTR and ITA should also give priority to sectors which represent critical technologies, including those identified by the National Critical Technologies Panel under section 603 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683).

(B) FIRST REPORT.—The first report submitted under paragraph (1) should include those countries with which the United States has a substantial portion of its trade deficit.

(C) TRADE SURPLUS COUNTRIES.—The TPCC may include in reports after the first report such countries as the USTR and ITA considers appropriate with which the United States has a trade surplus but which are otherwise described in paragraph (1) and subparagraph (A) of this paragraph.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from Ohio?

Mr. MANZULLO. Mr. Chairman, reserving the right to object, just a formality, I do not have a copy of that document. I can take a quick look at it, and then I make reference to it.

Mr. Chairman, under my reservation of objection, I yield to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, the only change is that in the first part ''Reports on Market Access,'' I change the report requirement from the International Trade Administration to the Trade Promotion Coordination Committee to make it more compatible with other duties in similar areas that are making such reports.

It follows through as far as the report is concerned in that regard, and that is the only modification that is made. The only other modification is, in the beginning, ''not later than March 30,'' rather than 90 days.

Mr. MANZULLO. Mr. Chairman, I have a response. I agree to the amendment. The problem is that there is an error in the manner in which the amendment is being inserted into the base bill.

The CHAIRMAN pro tempore. The gentleman from Illinois reserves the right to object to the modification of the amendment, not the underlying amendment. The underlying amendment is not under debate.

Mr. MANZULLO. Mr. Chairman, I withdraw my reservation of objection based upon the fact that this is a technical error, and I would agree to accept the amendment of the gentleman from Ohio (Mr. TRAFICANT).

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

The gentleman from Ohio (Mr. TRAFICANT) is recognized for 5 minutes on the amendment, as modified.

Mr. TRAFICANT. Mr. Chairman, the salient point of the difference between the committee's bill and the Traficant amendment deals with the issue of market access. The Traficant amendment says, in addition to all of the reporting on whether or not a Nation is complying with our trade agreements, the Traficant amendment also says the report must cover the availability of market access and whether or not market access is being made available by these countries pursuant to the report process.

Second of all, it is to delineate what are those products and/or other areas of market availability that are being denied to us and what is their impact on jobs.

Bottom line is this, not only are we being denied access, this says tell us who is denying us that access. Do not just say they are denying this access, tell us what that access denial really is, what products are impacted upon by this, and how can we, in fact, make gains through our export activity once we can overcome that market access problem.

So that is the salient point, the difference between the major aspects of the bill itself and my perfecting amendment. I would hope that the committee would find favor with it and vote in favor with it.

Mr. MANZULLO. Mr. Chairman, I support the amendment.

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment, as modified, was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MANZULLO

Mr. MANZULLO. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MANZULLO:

Page 11, lines 4 and 5, strike ''minority-owned businesses, focusing on'' and insert ''businesses that, because of their minority ownership, may have been excluded from export trade, and from''.

Page 11, lines 8 and 9, strike ''urban-based and minority-owned'' and insert ''such''.

Mr. MANZULLO. Mr. Chairman, this is a technical and perfecting amendment to the urban export initiative section for the International Trade Administration designed to take into account the concerns of the members of our committee that there be no automatic presumption of support for all minority-owned businesses under this initiative.

It simply directs the ITA, pursuant to this initiative, to increase exports from those minority-owned businesses who may have been excluded from exporting. It is my understanding that it has full support of the minority.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Illinois (Mr. MANZULLO).

The amendment was agreed to.

Are there further amendments to this section?

Mr. LATHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had intended today to be on the floor in support of the amendments by the gentleman from Nebraska (Mr. TERRY).

□ 1615

And the reason being because of a situation we have with OPIC and one of its customers who has over the past several years paid premiums of over $20 million who has a rightful claim and is having a very difficult time collecting.

As any business would know, when they buy insurance, they expect to have their claims paid on a timely basis when the facts are laid out. And that simply is not the case.

The timeliness of the situation and the second Terry amendment having to

do with concerns that have become I think very real, other departments interfering in the situation and for outside political reasons it is being held up as far as the payment of the claim itself, there is no question of the validity. But it is a matter of the technicalities going through the delays in place.

As someone who has in the last 5 years always supported OPIC, it is a very great concern to me to see this happening to what I think is a very important agency, one that provides an outstanding financial potential. But when we have agencies coming into play introducing outside political consequences to the equation and not looking at the claim and its validity itself, it raises great grave concerns as far as I am concerned.

I just wanted to make that statement. I would support both of the Terry amendments and would oppose the gutting amendments offered by the gentleman from New Jersey (Mr. MENENDEZ).

The CHAIRMAN pro tempore (Mr. EWING). Are there any other amendments to section 6?

If not, the Clerk will designate section 7.

The text of section 7 is as follows:

SEC. 7. BOARD OF DIRECTORS.

Section 233(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2193(b)) is amended—

(1) by striking the second and third sentences;

(2) in the fourth sentence by striking ''(other than the President of the Corporation, appointed pursuant to subsection (c) who shall serve as a Director, ex officio)'';

(3) in the second undesignated paragraph—

(A) by inserting ''the President of the Corporation, the Administrator of the Agency for International Development, the United States Trade Representative, and'' after ''including''; and

(B) by adding at the end the following: ''The United States Trade Representative may designate a Deputy United States Trade Representative to serve on the Board in place of the United States Trade Representative.''; and

(4) by inserting after the second undesignated paragraph the following:

''There shall be a Chairman and a Vice Chairman of the Board, both of whom shall be designated by the President of the United States from among the Directors of the Board other than those appointed under the second sentence of the first paragraph of this subsection.''.

The CHAIRMAN pro tempore. Are there amendments to section 7?

If not, the Clerk will designate section 8.

The text of section 8 is as follows:

SEC. 8. STRATEGIC EXPORT PLAN.

Section 2312(c) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(c)) is amended—

(1) by striking ''and'' at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting a semicolon; and

(3) by adding at the end the following:

''(7) ensure that all export promotion activities of the Agency for International Development are fully coordinated and consistent with those of other agencies;

''(8) identify means for providing more coordinated and comprehensive export promotion services to, and on behalf of, small and medium-sized businesses; and

''(9) establish a set of priorities to promote United States exports to, and free market reforms in, the Middle East, Africa, Latin America, and other emerging markets, that are designed to stimulate job growth both in the United States and those regions and emerging markets.''.

The CHAIRMAN pro tempore. Are there amendments to section 8?

If not, the Clerk will designate section 9.

The text of section 9 is as follows:

SEC. 9. IMPLEMENTATION OF PRIMARY OBJECTIVES.

The Trade Promotion Coordinating Committee shall—

(1) report on the actions taken or efforts currently underway to eliminate the areas of overlap and duplication identified among Federal export promotion activities;

(2) coordinate efforts to sponsor or promote any trade show or trade fair;

(3) work with all relevant State and national organizations, including the National Governors' Association, that have established trade promotion offices;

(4) report on actions taken or efforts currently underway to promote better coordination between State, Federal, and private sector export promotion activities, including co-location, cost sharing between Federal, State, and private sector export promotion programs, and sharing of market research data; and

(5) by not later than March 30, 2000, and annually thereafter, include the matters addressed in paragraphs (1), (2), (3), and (4) in the annual report required to be submitted under section 2312(f) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(f)).

The CHAIRMAN pro tempore. Are there amendments to section 9?

If not, the Clerk will designate section 10.

The text of section 10 is as follows:

SEC. 10. TIMING OF TPCC REPORTS.

Section 2312(f) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(f)) is amended by striking ''September 30, 1995, and annually thereafter,'' and inserting ''March 30 of each year,''.

The CHAIRMAN pro tempore. Are there further amendments?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 327, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The second-degree amendment offered by the gentleman from Illinois (Mr. MANZULLO), the underlying amendment No. 6 offered by the gentleman from California (Mr. ROHRABACHER), amendment No. 8 offered by the gentleman from South Carolina (Mr. SANFORD), the second-degree amendment offered by the gentleman from New Jersey (Mr. MENENDEZ), the underlying amendment No. 10 offered by the gentleman from Nebraska (Mr. TERRY), the second-degree amendment offered by the gentleman from New Jersey (Mr. MENENDEZ), the underlying amendment No. 11 offered by the gentleman from Nebraska (Mr. TERRY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MANZULLO TO AMENDMENT NO. 6 OFFERED BY MR. ROHRABACHER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. MANZULLO) to amendment No. 6 offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 379, noes 49, not voting 5, as follows:

[Roll No. 495]

AYES—379

Ackerman
Aderholt
Allen
Archer
Armey
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent

Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stenholm
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—49

Abercrombie
Andrews
Bachus
Barr
Bartlett
Burton
Chenoweth-Hage
Coburn
Collins
Conyers
Cox
DeFazio
Duncan
Fossella
Frank (MA)
Hayworth
Hinchey
Hostettler
Hunter
Jackson (IL)
Jones (NC)
Kasich
Kucinich
LoBiondo
McIntosh
McKinney
Myrick
Nadler
Pascrell
Paul
Peterson (MN)
Radanovich
Rohrabacher
Royce
Sanders
Sanford
Shadegg
Slaughter
Smith (MI)
Smith (NJ)
Stark
Stearns
Strickland
Sununu
Taylor (MS)
Tierney
Towns
Vento
Wamp

NOT VOTING—5

Brown (OH)
Burr
Jefferson
Scarborough
Young (AK)

□ 1643

Messrs. TOWNS, BURTON of Indiana, SMITH of Michigan, HOSTETTLER, FRANK of Massachusetts, BACHUS, FOSSELLA, RADANOVICH, TAYLOR of Mississippi, Ms. MCKINNEY, Ms. SLAUGHTER, and Mr. HINCHEY changed their vote from ''aye'' to ''no.''

Messrs. SHAYS, POMBO, YOUNG of Florida, and Mrs. JOHNSON of Connecticut changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER), as amended.

The amendment, as amended, was agreed to.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. EWING). Pursuant to House Resolution 327, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 8 OFFERED BY MR. SANFORD

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. SANFORD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 104, noes 323, not voting 6, as follows:

[Roll No. 496]

AYES—104

Abercrombie
Andrews
Armey
Bachus
Barr
Bartlett
Bilirakis
Bonior
Burton
Buyer
Campbell
Carson
Chabot
Chenoweth-Hage
Coble
Coburn
Collins
Condit
Cox
Crane
Cubin
DeFazio
DeMint
Doolittle
Duncan
Ehrlich
Fossella
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (TX)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinchey
Hoekstra
Hostettler
Hunter
Istook
Jackson (IL)
Jenkins
Jones (NC)
Kaptur
Kasich
Kelly
Kingston
Kucinich
Largent
Latham
Linder
Lipinski
LoBiondo
Lucas (OK)
Luther
McIntosh
McIntyre
McKinney
Meehan
Myrick
Norwood
Pascrell
Paul
Pease
Peterson (MN)
Pombo
Rivers
Rogan
Rohrabacher
Royce
Salmon
Sanders
Sanford
Schaffer
Sessions
Shadegg
Shays
Slaughter
Smith (MI)
Smith (NJ)
Spence
Stark
Stearns
Strickland
Stump
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thune
Tierney
Toomey
Visclosky
Wamp
Watkins
Watts (OK)

NOES—323

Ackerman
Aderholt
Allen
Archer
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hastings (WA)
Hill (IN)
Hill (MT)
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson-Lee (TX)
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stenholm
Stupak
Sweeney
Talent
Tanner
Tauscher
Thomas
Thompson (CA)
Thornberry

Thurman
Tiahrt
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Vitter
Walden
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—6

Bass
Brown (OH)
Burr
Jefferson
Scarborough
Young (AK)

□ 1652

Mr. FOSSELLA and Mr. HALL of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MENENDEZ TO AMENDMENT NO. 10, AS MODIFIED, OFFERED BY MR. TERRY

The CHAIRMAN pro tempore (Mr. EWING). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. MENENDEZ) to the amendment offered by the gentleman from Nebraska (Mr. TERRY), as modified, on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment to the amendment, as modified.

The Clerk redesignated the amendment to the amendment, as modified.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 259, noes 169, not voting 5, as follows:

[Roll No. 497]

AYES—259

Abercrombie
Ackerman
Allen
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Burton
Buyer
Canady
Cannon
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Conyers
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dunn
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Fowler
Frank (MA)
Frost
Gejdenson
Gephardt
Gilchrest
Gonzalez
Goodling
Gordon
Graham
Granger
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hefley
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Hostettler
Hoyer
Hunter
Hutchinson
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Phelps
Pickett
Pombo
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Shimkus
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Stupak
Talent
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Walden
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wise
Woolsey
Wu
Wynn

NOES—169

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Boehner
Boswell
Brady (TX)
Bryant
Callahan
Calvert
Camp
Campbell
Castle
Chabot
Chambliss
Chenoweth-Hage
Collins
Combest
Condit
Cook
Cooksey
Cox
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Dickey
Dreier
Duncan
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goss
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hoekstra
Horn
Houghton
Hulshof
Hyde
Isakson
John
Johnson, Sam
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Linder
Lipinski
Lucas (OK)
Manzullo
McCrery
McInnis
McIntosh
McKeon
McKinney
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pascrell
Peterson (MN)
Petri
Pickering
Pitts
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Reynolds
Riley
Rogan
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson
Wolf
Young (FL)

NOT VOTING—5

Brown (OH)
Burr
Jefferson
Scarborough
Young (AK)

□ 1701

Messrs. DUNCAN, KASICH, MCINNIS, Mrs. NORTHUP, Mr. WAMP and Mr. BRYANT changed their vote from ''aye'' to ''no.''

Mr. PALLONE, Ms. ROS-LEHTINEN and Mrs. MORELLA changed their vote from ''no'' to ''aye.''

So the amendment to the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. TERRY, AS MODIFIED, AS AMENDED

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Nebraska (Mr. TERRY), as modified, as amended.

The amendment, as modified, as amended, was agreed to.

AMENDMENT OFFERED BY MR. MENENDEZ TO AMENDMENT NO. 11 OFFERED BY MR. TERRY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. MENENDEZ) to the amendment No. 11 offered by the gentleman from Nebraska (Mr. TERRY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 173, not voting 7, as follows:

[Roll No. 498]

AYES—253

Abercrombie
Ackerman
Allen
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Burton
Buyer
Callahan
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coburn
Conyers
Costello
Coyne
Cramer
Crane
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher

Foley
Forbes
Ford
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gonzalez
Goodling
Gordon
Graham
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pastor
Paul
Payne
Pelosi
Peterson (PA)
Phelps
Pickett
Pomeroy
Portman
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Shimkus
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn
Young (FL)

NOES—173

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Brady (TX)
Bryant
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Condit
Cook
Cooksey
Cox
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Ehrlich
Emerson
English
Everett
Ewing
Fossella
Frank (MA)
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Green (WI)
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Kasich
King (NY)
Kingston
Knollenberg
Largent
Latham
Lazio
Leach
Lewis (CA)
Linder
Lipinski
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Norwood
Nussle
Ose
Packard
Pascrell
Pease
Peterson (MN)
Petri
Pickering
Pitts
Pombo
Porter
Pryce (OH)
Quinn
Regula
Reynolds
Riley
Rogan
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson
Wolf

NOT VOTING—7

Brown (OH)
Burr
Jefferson
Radanovich
Scarborough
Whitfield
Young (AK)

☐ 1711

Mr. VITTER and Mr. EVERETT changed their vote from ''aye'' to ''no.''

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11, AS AMENDED, OFFERED BY MR. TERRY

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from Nebraska (Mr. TERRY), as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN pro tempore. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. EWING, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1993) to reauthorize the Overseas Private Investment Corporation and the Trade and Development Agency, and for other purposes, pursuant to House Resolution 327, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. EWING). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. 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.

The SPEAKER pro tempore. The question is on passage of the bill.

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

RECORDED VOTE

Mr. MANZULLO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 357, noes 71, not voting 5, as follows:

[Roll No. 499]

AYES—357

Abercrombie
Ackerman
Aderholt
Allen
Archer
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard

Pallone
Pastor
Payne
Pelosi
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stenholm
Stump
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Vitter
Walden
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—71

Andrews
Armey
Bachus
Barr
Barrett (WI)
Bartlett
Burton
Buyer
Campbell
Chabot
Chenoweth-Hage
Coble
Coburn
Condit
Conyers
Cox
Crane
DeFazio
DeMint
Doolittle
Duncan
Ehrlich
Goode
Hayes
Hayworth
Hefley
Hilleary
Hoekstra
Hostettler
Istook
Jackson (IL)
Jones (NC)
Kaptur
Kasich
Kingston
Kucinich
Lipinski
LoBiondo
McInnis
McIntosh
McIntyre
McKinney
Miller (FL)
Myrick
Pascrell
Paul
Pease
Peterson (MN)
Petri
Pombo
Rogan
Rohrabacher
Royce
Ryun (KS)
Salmon
Sanders
Sanford
Schaffer
Sensenbrenner
Shadegg
Smith (MI)
Stark
Stearns
Strickland
Sununu
Tancredo
Taylor (NC)
Tierney
Toomey
Wamp
Watts (OK)

NOT VOTING—5

Brown (OH)
Burr
Jefferson
Scarborough
Young (AK)

□ 1730

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1993, the bill just passed.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Ohio?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 1993, EXPORT ENHANCEMENT ACT OF 1999

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1993, the Clerk be authorized to correct section numbers, cross references, punctuation, and indentation, and to make any other technical and conforming change necessary to reflect the actions of the House.

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

There was no objection.

CELEBRATING ONE AMERICA

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the concurrent resolution (H. Con. Res. 141), Celebrating One America, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. RANGEL. Mr. Speaker, reserving the right to object, I yield to the gentleman from Ohio (Mr. CHABOT) to please explain this resolution.

Mr. CHABOT. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Ohio.

Mr. CHABOT. Mr. Speaker, H. Con. Res. 141 was introduced by my colleague, the distinguished gentleman, very distinguished gentleman from New York (Mr. RANGEL). This resolution expresses the sense of Congress that all people in the United States should reach out across our differences and ethnicity, race and religion, to respect each other and to celebrate in friendship and unity one America.

I would like to thank the gentleman from New York (Mr. RANGEL) for introducing this commendable piece of legislation.

Mr. RANGEL. Continuing to reserve my right to object, I would like to thank the gentleman from Ohio (Mr. CHABOT) for his unanimous consent request and at the same time thank the gentleman from Illinois (Mr. HYDE), and the ranking member, the gentleman from Michigan (Mr. CONYERS); our majority and minority leaders, the gentleman from Texas (Mr. ARMEY) and the gentleman from Missouri (Mr. GEPHARDT), and also to have the resolution amended to make certain that it includes the Pacific Islanders with the Asians.

I also, in furthering my reservation, would like to point out for many years my brother, the gentleman from New York (Mr. GILMAN), and former Congressman Frank Guarini have gone around the world. We have been to the Middle East; we have been to Africa; we have been to Europe, and we were all fascinated that no matter what mission we were on for the United States Congress, how blessed and how glad we were to get back to these great United States to see how it has been God's will for over 200 years that people from all of these countries that for whatever reason found themselves here seeking a better way of life.

With all of the holidays that we have had, Frank Guarini who now has retired and chairs the Italian American Foundation had put together some 30 organizations of different backgrounds and different cultures with different languages and has made it abundantly clear that if it were not for these people we would not have the great country we have today.

So I want to thank the gentleman from New York (Mr. GILMAN) for the great role that he has played over the years in bringing people together, but most importantly on making certain that we could fashion something that expresses not my feelings or the feelings of the gentleman from New York (Mr. GILMAN) but the feelings of most Americans and certainly the representatives in the House

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I thank the distinguished gentleman from New York (Mr. RANGEL) for his kind words and eloquent words in support of this important measure, and I am pleased to have worked with him on this measure. I have been pleased to travel with him to many nations where we have found sometimes prejudice and intolerance and have found authoritarian governments and, yes, when we returned to our Nation how grateful we were that we enjoy the freedoms that we have here.

Mr. Speaker, I would like to take the opportunity to commend the gentleman from New York (Mr. RANGEL), for sponsoring and bringing to us on the floor tonight H. Con. Res. 141. I also thank the gentleman from Ohio (Mr. CHABOT) for his support on the Committee on the Judiciary.

Furthermore, I want to thank all of our colleagues who have joined together to support this measure and to make a strong statement on behalf of every American in working to build one America. Yes, a gentleman who has been working in the background, a former Member of Congress, Frank Guarini, has appealed to us to urge this measure to show our strong support for one nation, a one American nation.

Mr. Speaker, the history of our Nation is the history of people throughout the world. A nation of immigrants, our Nation represents a diversity of culture, of religion, of ethnicity and race from every corner of the globe. From Andrew Carnegie to Albert Einstein, immigrants have provided our Nation with an incredible wealth of energy, knowledge and creativity. Their