

matters. I have been told by several people that he and I have about the best relationship of any chairman and ranking Member in the Congress. I do not know whether that is true or not, but if it is not true, it is close anyway. I just wanted to say that for the record.

Mr. Speaker, I have no further speakers at this time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee [Mr. DUNCAN] that the House suspend the rules and pass the bill, H.R. 2626, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DUNCAN. 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. 2626, as amended.

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

There was no objection.

ANNOUNCEMENT OF BILL TO BE CONSIDERED UNDER SUSPENSION OF THE RULES TODAY

Mr. DUNCAN. Mr. Speaker, I would like at this time to announce the following additional suspension: H.R. 765.

FOREIGN AIRLINES FAMILY ASSISTANCE ACT

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2476) to amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign air carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers, as amended.

The Clerk read as follows:

H.R. 2476

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

SECTION 1. PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN FOREIGN AIR CARRIER ACCIDENTS.

(a) IN GENERAL.—Chapter 413 of title 49, United States Code, is amended by adding at the end the following:

“§ 41313. Plans to address needs of families of passengers involved in foreign air carrier accidents

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) AIRCRAFT ACCIDENT.—The term ‘aircraft accident’ means any aviation disaster, regardless of its cause or suspected cause, that occurs within the United States; and

“(2) PASSENGER.—The term ‘passenger’ includes an employee of a foreign air carrier or air carrier aboard an aircraft.

“(b) SUBMISSION OF PLANS.—A foreign air carrier providing foreign air transportation under this chapter shall transmit to the Secretary of Transportation and the Chairman of the National Transportation Safety Board a plan for addressing the needs of the families of passengers involved in an aircraft accident that involves an aircraft under the control of the foreign air carrier and results in a significant loss of life.

“(c) CONTENTS OF PLANS.—To the extent permitted by foreign law which was in effect on the date of the enactment of this section, a plan submitted by a foreign air carrier under subsection (b) shall include the following:

“(1) TELEPHONE NUMBER.—A plan for publicizing a reliable, toll-free telephone number and staff to take calls to such number from families of passengers involved in an aircraft accident that involves an aircraft under the control of the foreign air carrier and results in a significant loss of life.

“(2) NOTIFICATION OF FAMILIES.—A process for notifying, in person to the extent practicable, the families of passengers involved in an aircraft accident that involves an aircraft under the control of the foreign air carrier and results in a significant loss of life before providing any public notice of the names of such passengers. Such notice shall be provided by using the services of—

“(A) the organization designated for the accident under section 1136(a)(2); or

“(B) other suitably trained individuals.

“(3) NOTICE PROVIDED AS SOON AS POSSIBLE.—An assurance that the notice required by paragraph (2) shall be provided as soon as practicable after the foreign air carrier has verified the identity of a passenger on the foreign aircraft, whether or not the names of all the passengers have been verified.

“(4) LIST OF PASSENGERS.—An assurance that the foreign air carrier shall provide, immediately upon request, and update a list (based on the best available information at the time of the request) of the names of the passengers aboard the aircraft (whether or not such names have been verified), to—

“(A) the director of family support services designated for the accident under section 1136(a)(1); and

“(B) the organization designated for the accident under section 1136(a)(2).

“(5) CONSULTATION REGARDING DISPOSITION OF REMAINS AND EFFECTS.—An assurance that the family of each passenger will be consulted about the disposition of any remains and personal effects of the passenger that are within the control of the foreign air carrier.

“(6) RETURN OF POSSESSIONS.—An assurance that, if requested by the family of a passenger, any possession (regardless of its condition) of that passenger that is within the control of the foreign air carrier will be returned to the family unless the possession is needed for the accident investigation or a criminal investigation.

“(7) UNCLAIMED POSSESSIONS RETAINED.—An assurance that any unclaimed possession of a passenger within the control of the foreign air carrier will be retained by the foreign air carrier for not less than 18 months after the date of the accident.

“(8) MONUMENTS.—An assurance that the family of each passenger will be consulted about construction by the foreign air carrier of any monument to the passengers built in the United States, including any inscription on the monument.

“(9) EQUAL TREATMENT OF PASSENGERS.—An assurance that the treatment of the families of nonrevenue passengers will be the same as the treatment of the families of revenue passengers.

“(10) SERVICE AND ASSISTANCE TO FAMILIES OF PASSENGERS.—An assurance that the for-

foreign air carrier will work with any organization designated under section 1136(a)(2) on an ongoing basis to ensure that families of passengers receive an appropriate level of services and assistance following an accident.

“(11) COMPENSATION TO SERVICE ORGANIZATIONS.—An assurance that the foreign air carrier will provide reasonable compensation to any organization designated under section 1136(a)(2) for services and assistance provided by the organization.

“(12) TRAVEL AND CARE EXPENSES.—An assurance that the foreign air carrier will assist the family of any passenger in traveling to the location of the accident and provide for the physical care of the family while the family is staying at such location.

“(13) RESOURCES FOR PLAN.—An assurance that the foreign air carrier will commit sufficient resources to carry out the plan.

“(14) SUBSTITUTE MEASURES.—If a foreign air carrier does not wish to comply with paragraphs (10), (11), or (12), a description of proposed adequate substitute measures for the requirements of each paragraph with which the foreign air carrier does not wish to comply.

“(d) PERMIT AND EXEMPTION REQUIREMENTS.—The Secretary shall not approve an application for a permit under section 41302 unless the applicant has included as part of the application or request for exemption a plan that meets the requirements of subsection (c).

“(e) LIMITATION ON LIABILITY.—A foreign air carrier shall not be liable for damages in any action brought in a Federal or State court arising out of the performance of the foreign air carrier in preparing or providing a passenger list pursuant to a plan submitted by the foreign air carrier under subsection (c), unless the liability was caused by conduct of the foreign air carrier which was grossly caused by conduct of the foreign air carrier which was grossly negligent or which constituted intentional misconduct.”.

(b) CONFORMING AMENDMENT.—The table of sections for such chapter is amended by adding at the end the following:

“41313. Plans to address needs of families of passengers involved in foreign air carrier accidents.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the 180th day following the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee [Mr. DUNCAN] and the gentleman from Illinois [Mr. LIPINSKI] each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee [Mr. DUNCAN].

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

Mr. Speaker, the Subcommittee on Aviation unanimously approved H.R. 2476, as amended, on Thursday, October 23, and the full Committee on Transportation and Infrastructure approved the bill on October 29. This legislation was introduced by the gentleman from Guam [Mr. UNDERWOOD] shortly after the terrible Air Korea disaster which recently occurred on Guam. Both the gentleman from Illinois [Mr. LIPINSKI], the ranking member of the subcommittee, and I, are original cosponsors of the bill.

It essentially mirrors legislation in the Aviation Disaster Family Assistance Act, H.R. 3823, which the Subcommittee on Aviation unanimously approved and the House overwhelmingly supported by a vote of 401 to 4

last year. This legislation was eventually incorporated into the Federal Aviation Administration Reauthorization Act which the President signed in October of last year.

H.R. 2476 would require foreign airlines that have permits to fly in the United States to file family assistance plans with the Department of Transportation and the National Transportation Safety Board. These assistance plans would be activated when a foreign carrier crashes on U.S. soil.

The plans must include provisions such as the establishment of a toll-free telephone number for families, the efficient notification of passengers' families before public notice is given, the return of victims' possessions to family members, unless they are needed for the investigation, and many other similar provisions which all U.S. carriers must comply with now.

H.R. 2476 will surely help the families who have lost loved ones in these tragic air disasters by providing the needed support and coordination necessary to assist in these unfortunate events.

Mr. Speaker, it is my understanding that the Senate Committee on Commerce has already acted on similar legislation. This bill has the support of both the Department of Transportation and the National Transportation Safety Board. Again, I believe this is an outstanding bill, a bill that is very much needed, and I urge its adoption.

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

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

[Mr. LIPINSKI asked and was given permission to revise and extend his remarks.]

Mr. LIPINSKI. Mr. Speaker, I am an original cosponsor of H.R. 2476, the Foreign Airlines Family Assistance Act. This bill would amend the Aviation Disaster Family Assistance Act which was passed last year as a result of several tragic accidents last year. It came to the attention of the subcommittee that the treatment of the families of airline accident victims needed to be improved.

Last year's legislation required all airlines to submit accident action plans to the Department of Transportation. It also designated the National Transportation Safety Board to act as a liaison between various Federal, State, and local government agencies, the airlines, and the families to ensure that they were receiving accurate and timely information.

Last year's legislation attempted to address the many concerns that the subcommittee heard in the two hearings that were held on this issue. What the subcommittee neglected to appreciate was that every day U.S. citizens fly on foreign carriers, which was not included in that legislation.

This omission was tragically highlighted when a Korean Airline flight crashed short of the runway in Guam earlier this year. The support and coordination that the legislation would

have required to have been in place did not exist for the families of those victims. The gentleman from Guam [Mr. UNDERWOOD] saw this inequity and worked with the subcommittee and administration to expand the applicability of the Aviation Disaster Family Assistance Act to foreign carriers and flights between the United States and a foreign point.

Thanks to his efforts, the subcommittee's omission last year is being corrected today. This bill has broad support, bipartisan support, as well as the support of the administration.

I would like to say at this particular time I appreciate the work of the gentleman from Guam [Mr. UNDERWOOD] and I thank my colleagues, the gentleman from Tennessee [Mr. DUNCAN], the gentleman from Pennsylvania [Chairman SHUSTER], and the ranking Democratic member, and the gentleman from Minnesota [Mr. OBERSTAR] for their assistance in this effort. I urge all my colleagues to pass this very important piece of legislation.

Mr. Speaker, at this time I want to say it has been a pleasure once again this year working with the chairman of the Subcommittee on Aviation, my very good friend, the gentleman from Tennessee [Mr. DUNCAN]. I look forward to another very productive year next year, and I am sure that our bipartisan spirit will continue to pave the way in the area of aviation.

Mr. Speaker, I yield back the balance of my time.

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

Mr. Speaker, I also would like to once again thank the gentleman from Illinois [Mr. LIPINSKI] and say maybe if they want to pass some of this controversial legislation, they should just turn it over to the gentleman from Pennsylvania [Mr. SHUSTER] and me.

Mr. UNDERWOOD. Mr. Speaker, I introduced this bill on September 15, 1997, about a month after the crash of Korean Air Flight 801 on Guam. As many of my colleagues know, the Foreign Air Carrier Family Support Act is a consequence of this tragic episode. Of the 254 people on board the flight, 228 perished. And linked to these 254 people are numerous family members and friends who suffered along with their loved ones as they waited to hear news about the crash victims.

The people of Guam combined efforts with Federal officials, military personnel, and volunteers from Guam and off-island to search, rescue, and treat victims involved in the Korean Air crash. I cannot emphasize enough the diligence and compassion demonstrated by these groups of individuals.

As in any major disaster, there are many things which we think could have been done differently. The ValuJet and TWA disasters produced the Aviation Disaster Family Assistance Act of 1996, requiring domestic airlines to submit family assistance plans. With H.R. 2476, I am asking my colleagues to make this law applicable to foreign airlines which operate in the United States and its territories. The Foreign Air Carrier Family Support Act would require foreign air carriers to submit family as-

sistance plans should their air carrier crash on American soil.

From establishing a toll-free number for victims' families to consulting family members on the construction of monuments dedicated to a crash, H.R. 2476 provides guidelines for foreign air carrier family assistance plans. Other points include that upon request, foreign air carriers will provide and update a list of passengers' names, and an assurance that, upon request, possessions owned by the victim will be returned to families. Although I have mentioned only a couple of measures contained in H.R. 2476, I hope I have demonstrated the fact that this bill will increase the level of efficient service provided to family members as they cope with the loss of a relative.

I wish to thank Chairman DUNCAN and Congressman LIPINSKI, ranking member of the Aviation Subcommittee, for agreeing to be original cosponsors of this bill and to help pass this legislation in committee. I also wish to thank the National Transportation Safety Board, the Department of Transportation, Task Force on Assistance to Families in Aviation Disasters, the State Department, and 23 of my colleagues who have chosen to cosponsor H.R. 2476.

I encourage the rest of my colleagues to vote for the passage of the Foreign Air Carrier Family Support Act. American families all over the world will thank you.

Ms. JACKSON-LEE of Texas.

Mr. Speaker, I rise today in strong support of H.R. 2476, the Foreign Airline Family Disaster Assistance Act. This bill extends to foreign airlines operating in the United States the same family assistance requirements imposed upon U.S. airlines.

Following the July 1996 crash of TWA Flight 800 off the coast of Long Island, Congress passed legislation requiring the National Transportation Safety Board and all U.S. airlines to take certain actions to compassionately address the needs of the families of airline crash victims. This law applied to U.S. airlines only, however, and not to foreign airlines—even if a foreign airline crashes in the United States.

Since that time, the need to extend this legislation to foreign airlines, has become clear. The pain, frustration, and turmoil experienced by the families of the 228 victims of the August 1997 Korean Airlines Flight 801 crash in Guam brought this need home to us all. At a time, when they were faced with immense grief and a terrible loss, they were mired in an insensitive and unresponsive bureaucracy.

We hope that with the passage of H.R. 2476, we can forestall others from suffering these same pains. This legislation will require foreign airlines to submit to the Transportation Department and the National Transportation Safety Board a plan for providing special assistance to the families of victims of fatal airline crashes that occur in the United States. Airlines would be required to publicize a reliable toll-free number and provide staff to handle calls from family members. Additionally, the airline would be required to notify families as soon as possible, and in person when possible, of the fate of their loved ones, using suitably trained individuals for this purpose. Airlines would be required to provide passenger lists to the National Transportation Safety Board's family advocate and to the Red Cross. The airline would also be required to return a victim's personal effects to the family

when requested to do so. An airline would be required to consult with family members regarding any monuments to the victims that may be built. Finally, airlines would be required to assist families in traveling to the accident site, and to provide for their comfort while there. Under the measure, airlines that do not meet this plan could be denied permission to operate in the United States.

The loneliest people in the world are those left behind when their loved ones are killed in such a tragic and terrible manner. These are catastrophic accidents and while we are not always able to prevent such disasters, we can vote now to ensure that families touched by such tragedy will receive competent, compassionate, and efficient assistance during their time of great need. I urge my colleagues to vote in support of this compassionate legislation.

Mr. DUNCAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee [Mr. DUNCAN] that the House suspend the rules and pass the bill, H.R. 2476, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DUNCAN. 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. 2476, as amended.

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

There was no objection.

CONFERENCE REPORT ON S. 1026, EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 1997

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and agree to the conference report on the Senate bill (S. 1026) to reauthorize the Export-Import Bank of the United States.

(For conference report and statement, see proceedings of the House of November 7, 1997, at page H10210.)

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. FLAKE] each will control 20 minutes.

The Chair recognizes the gentleman from Delaware [Mr. CASTLE].

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

Mr. Speaker, this important bipartisan legislation reauthorizes the Export-Import Bank of the United States, Eximbank, for an additional 4 years.

Reauthorizing Exim is critical to supporting America's ability to export and will help ensure that American businesses and American workers are able to compete and win against sub-

sidized foreign competition in today's global market. This common-sense legislation is good for America; it advances the national interests, helps reduce the trade deficit, and enhances our export competitiveness.

Briefly, the conference report provides for the following: First, a 4-year extension of the bank's authority through September 30, 2001; second, an extension of tied-aid authority; third, an extension of the authority for providing financing for the export of non-lethal defense articles; fourth, a clarification of the President's authority to deny bank financing based on national interest concerns; fifth, creation of an Assistant General Counsel for Administration; sixth, authorization for the establishment of an Advisory Committee to assist the bank in facilitating U.S. exports to sub-Saharan Africa; seventh, a requirement that two labor representatives be appointed to the Bank's Advisory Committee; eighth, a requirement that the bank's chairman design an outreach program for companies that have never used its services; ninth, identification of child labor as a human right which can serve as a basis for a Presidential determination to deny applications for credit based on national interest concerns; and, tenth, the denial of export financing for sales to the Russian Government or military if that country transfers SS-N-22 missile systems to China, the President determines that such action represents a significant and imminent threat to the security of the United States, and the President also requests the Bank to cease that export financing.

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At this time, I would like to extend my deep appreciation to all of the members of the conference committee and others who have worked so hard in support of Exim, beginning with the chairman of the Committee on Banking and Financial Services, the gentleman from Iowa [Mr. LEACH], as well as the gentleman from New York [Mr. LAFALCE], the gentleman from Nebraska [Mr. BEREUTER], and the gentleman from Illinois [Mr. MANZULLO].

In particular, I would like to express my gratitude for the extraordinary help and cooperation of the gentleman from New York [Mr. FLAKE], not only on this legislation, but for the extraordinarily productive partnership we have shared in serving together on the Subcommittee on Domestic and International Monetary Policy. It has been a privilege for me to serve with the gentleman on this subcommittee. Frankly, I cannot imagine how we are going to manage without the gentleman, or his first rate chief of staff Shawn Peterson. We will miss them both.

In closing, I believe this is a non-controversial conference report. It deserves enthusiastic bipartisan support. I urge its immediate adoption.

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

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

I rise this evening in support of the conference report, S. 1026, the Export-Import Bank Reauthorization Act of 1997. The gentleman from Delaware [Mr. CASTLE] and I are proud to preserve the ideas and efforts of the House in our deliberations with the other body. We both believe that this conference report is indicative of our good working relationship on the Subcommittee on Domestic and International Monetary Policy.

First, we instruct the State Department to expressly use the CHAFEE amendment process when it has national interest concerns with potential Exim deals. Moreover, this provision has been enhanced to explicitly include child labor abuses in recipient countries. We also preserved an advisory panel to counsel the bank on efforts to increase the U.S. exports to Sub-Saharan Africa. These efforts reflect a bipartisan commitment to increasing trade with Africa, and are indicative of and positive efforts by the administration, the Congressional Black Caucus, the Speaker, the trade-oriented leaders of Congress. I believe this is the right thing to do, and I am happy to have created this panel as I leave Congress.

The conference report preserves a mandated ethics counseling unit within Exim. Consequently, we ensure that employees have the best possible ethical advice when major financing decisions are made.

The conference report also adopted modified provisions of the House bill that experience the labor communities' representation on the bank's advisory panel, a provision that instructs the bank to reach out to small businesses and language which clarifies the bank's role in expanded job opportunities and economic growth within the United States.

Let me expand my remarks by stating that we need the Export-Import Bank. The need was always in mind during the rather difficult negotiations with the other body with respect to most of the House amendments that had been adopted on this floor. I am pleased to state that the gentleman from Iowa [Mr. LEACH], the gentleman from New York [Mr. LAFALCE], the gentleman from Delaware [Mr. CASTLE], the gentleman from Nebraska [Mr. BEREUTER], and I were never in disagreement on these issues. Accordingly, our belief in bipartisan solidarity, our belief in the necessity of the bank, and our duty to preserve the House provisions are reflected in this conference report.

It is in this spirit that we reached a very difficult agreement on prohibiting export financing to Russia, should it export SS-22 missile systems to China. This provision clearly identifies a major policy concern of the Congress and still cedes to the executive branch the flexibility to use its expertise in the areas of intelligence and threat assessment.