

often we overlook the young people themselves when trying to develop solutions. Students and other young leaders represent the great untapped resource for improving our communities. As many teachers and police officers have told me, "if a young person doesn't succeed anywhere else, they can always find success in a gang." We need to make sure they have more productive options. The road to creating these options, and to healing our communities, starts with the young people themselves.

Young people increasingly grow tired of getting all of the blame for crime in our neighborhoods, and none of the responsibility for solutions. If you ask young people what they think will make a difference for them, you'll find them to be highly creative. Many times their solutions work far better than solutions put forward by adults.

Young people in my State and across the country don't like school uniform requirements, curfews, and other policies enacted for young people. Young people with the Seattle Youth Involvement Network decided to do something about it. They opened a dialog with the police department. They shared perspectives. They looked across the lines that separated their cultures. They spoke about ways police see and speak with young people and vice versa. And they found solutions to many problems facing them both.

For more than a year now, I've been in a dialog with young people from all over the State of Washington who have joined the Senate Advisory Youth Involvement Team I established. They advise me on issues affecting them, and I help them with local community action. Crime, and how to prevent it, is a large concern with the young people I talk with, whether they are in gifted programs or youth offender programs.

This resolution today should be seen as an invitation for young people across the country to tell us what they think about how to solve the problems of crime and gun violence. It should be displayed in every school, community center, and on every street corner in America.

Mr. President, let us work with our kids to show them we care. And with our communities to give these young people other options to violence. I again affirm my commitment to work with our young people to let them know we care about them and to help them learn gun violence is not the answer to any problem.

Mr. NICKLES. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc, that the motion to reconsider be laid upon the table, that any statements relating thereto be placed in the record as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 141) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 141

Whereas every day in America, 15 children under the age of 19 are killed with guns;

Whereas in 1994, approximately 70 percent of murder victims aged 15 to 17 were killed with a handgun;

Whereas in 1995, nearly 8 percent of high school students reported having carried a gun in the past 30 days;

Whereas young people are our nation's most important resource, and we, as a society, have a vested interest in helping children grow from a childhood free from fear and violence into healthy adulthood;

Whereas young people can, by taking responsibility for their own decisions and actions, and by positively influencing the decisions and actions of others, help chart a new and less violent direction for the entire Nation;

Whereas students in every school district in the Nation will be invited to take part in a day of nationwide observance involving millions of their fellow students, and will thereby be empowered to see themselves as significant agents in a wave of positive social change; and

Whereas the observance of this day will give the students the opportunity to make an earnest decision about their future by voluntarily signing the "Student Pledge Against Gun Violence", and sincerely promise that the students will never take a gun to school, will never use a gun to settle a dispute, and will use their influence to keep friends from using guns to settle disputes: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) November 6, 1997, should be designated as "National Concern About Young People and Gun Violence Day"; and

(2) the President should be authorized and requested to issue a proclamation calling upon the school children of the United States to observe such day with appropriate ceremonies and activities.

#### EXPORT-IMPORT BANK OF THE UNITED STATES REAUTHORIZATION ACT

Mr. NICKLES. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on (S. 1026) to reauthorize the Export-Import Bank of the United States.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 1026) entitled "An Act to reauthorize the Export-Import Bank of the United States.", do pass with the following amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. EXTENSION OF AUTHORITY.

Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking "1997" and inserting "2001".

#### SEC. 2. TIED AID CREDIT FUND AUTHORITY.

(a) Section 10(c)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i-3(c)(2)) is amended by striking "through September 30, 1997".

(b) Section 10(e) of such Act (12 U.S.C. 635i-3(e)) is amended by striking the first sentence and inserting the following: "There are authorized to be appropriated to the Fund such sums as may be necessary to carry out the purposes of this section."

#### SEC. 3. EXTENSION OF AUTHORITY TO PROVIDE FINANCING FOR THE EXPORT OF NONLETHAL DEFENSE ARTICLES OR SERVICES THE PRIMARY END USE OF WHICH WILL BE FOR CIVILIAN PURPOSES.

Section 1(c) of Public Law 103-428 (12 U.S.C. 635 note; 108 Stat. 4376) is amended by striking "1997" and inserting "2001".

#### SEC. 4. CLARIFICATION OF PROCEDURES FOR DENYING CREDIT BASED ON THE NATIONAL INTEREST.

Section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(B)) is amended—

(1) in the last sentence, by inserting "after consultation with the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate," after "President"; and

(2) by adding at the end the following: "Each such determination shall be delivered in writing to the President of the Bank, shall state that the determination is made pursuant to this section, and shall specify the applications or categories of applications for credit which should be denied by the Bank in furtherance of the national interest."

#### SEC. 5. ADMINISTRATIVE COUNSEL.

Section 3(e) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(e)) is amended—

(1) by inserting "(1)" after "(e)"; and

(2) by adding at the end the following:

"(2) The General Counsel of the Bank shall ensure that the directors, officers, and employees of the Bank have available appropriate legal counsel for advice on, and oversight of, issues relating to ethics, conflicts of interest, personnel matters, and other administrative law matters by designating an attorney to serve as Assistant General Counsel for Administration, whose duties, under the supervision of the General Counsel, shall be concerned solely or primarily with such issues."

#### SEC. 6. ADVISORY COMMITTEE FOR SUB-SAHARAN AFRICA.

(a) IN GENERAL.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by inserting after paragraph (8) the following:

"(9)(A) The Board of Directors of the Bank shall take prompt measures, consistent with the credit standards otherwise required by law, to promote the expansion of the Bank's financial commitments in sub-Saharan Africa under the loan, guarantee, and insurance programs of the Bank.

"(B)(i) The Board of Directors shall establish and use an advisory committee to advise the Board of Directors on the development and implementation of policies and programs designed to support the expansion described in subparagraph (A).

"(ii) The advisory committee shall make recommendations to the Board of Directors on how the Bank can facilitate greater support by United States commercial banks for trade with sub-Saharan Africa.

"(iii) The advisory committee shall terminate 4 years after the date of the enactment of this subparagraph."

(b) REPORTS TO THE CONGRESS.—Within 6 months after the date of the enactment of this Act, and annually for each of the 4 years thereafter, the Board of Directors of the Export-Import Bank of the United States submit to the Congress a report on the steps that the Board has taken to implement section 2(b)(9)(B) of the Export-Import Bank Act of 1945 and any recommendations of the advisory committee established pursuant to such section.

#### SEC. 7. INCREASE IN LABOR REPRESENTATION ON THE ADVISORY COMMITTEE OF THE EXPORT-IMPORT BANK.

Section 3(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(d)(2)) is amended—

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

(2) by adding after and below the end the following:

"(B) Not less than 2 members appointed to the Advisory Committee shall be representative of the labor community."

#### SEC. 8. OUTREACH TO COMPANIES.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

"(I) The Chairman of the Bank shall design and implement a program to provide information about Bank programs to companies which have not participated in Bank programs. Not later than 1 year after the date of the enactment of this subparagraph, the Chairman of the Bank shall submit to the Congress a report on the activities undertaken pursuant to this subparagraph."

#### SEC. 9. FIRMS THAT HAVE SHOWN A COMMITMENT TO REINVESTMENT AND JOB CREATION IN THE UNITED STATES TO BE GIVEN PREFERENCE IN FINANCIAL ASSISTANCE DETERMINATIONS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)), as amended by section 8 of this Act, is amended by adding at the end the following:

"(J) The Board of Directors of the Bank shall prescribe such regulations and the Bank shall implement such procedures as may be appropriate to ensure that, in selecting from among firms to which to provide financial assistance, preference be given to any firm that has shown a commitment to reinvestment and job creation in the United States."

#### SEC. 10. PREFERENCE IN EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO CHINA TO BE PROVIDED TO COMPANIES ADHERING TO CODE OF CONDUCT.

(a) IN GENERAL.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

"(f) PREFERENCE IN ASSISTANCE FOR EXPORTS TO CHINA TO BE PROVIDED TO ENTITIES ADHERING TO CODE OF CONDUCT.—

"(1) PROHIBITIONS.—

"(A) IN GENERAL.—In determining whether to guarantee, insure, extend credit, or participate in the extension of credit with respect to the export of goods or services destined for the People's Republic of China, the Board of Directors shall give preference to entities that the Board of Directors determines have established and are adhering to the code of conduct set forth in paragraph (2).

"(B) PENALTY FOR VIOLATION.—The Bank shall withdraw any guarantee, insurance, or credit that the Bank has provided, and shall withdraw from any participation in an extension of credit, to an entity with respect to the export of any good or service destined for the People's Republic of China if the Board of Directors determines that the entity is not adhering to the code of conduct set forth in paragraph (2).

"(2) CODE OF CONDUCT.—An entity shall do all of the following in all of its operations:

"(A) Provide a safe and healthy workplace.

"(B) Ensure fair employment, including by—

"(i) avoiding child and forced labor, and discrimination based upon race, gender, national origin, or religious beliefs;

"(ii) respecting freedom of association and the right to organize and bargain collectively;

"(iii) paying not less than the minimum wage required by law or the prevailing industry wage, whichever is higher; and

"(iv) providing all legally mandated benefits.

"(C) Obey all applicable environmental laws.

"(D) Comply with United States and local laws promoting good business practices, including laws prohibiting illicit payments and ensuring fair competition.

"(E) Maintain, through leadership at all levels, a corporate culture—

"(i) which respects free expression consistent with legitimate business concerns, and does not condone political coercion in the workplace;

"(ii) which encourages good corporate citizenship and makes a positive contribution to the communities in which the entity operates; and

"(iii) in which ethical conduct is recognized, valued, and exemplified by all employees.

"(F) Require similar behavior by partners, suppliers, and subcontractors under terms of contracts.

"(G) Implement and monitor compliance with the subparagraphs (A) through (F) through a program that is designed to prevent and detect noncompliance by any employee or supplier of the entity and that includes—

"(i) standards for ethical conduct of employees of the entity and of suppliers which refer to the subparagraphs;

"(ii) procedures for assignment of appropriately qualified personnel at the management level to monitor and enforce compliance;

"(iii) procedures for reporting noncompliance by employees and suppliers;

"(iv) procedures for selecting qualified individuals who are not employees of the entity or of suppliers to monitor compliance, and for assessing the effectiveness of such compliance monitoring;

"(v) procedures for disciplinary action in response to noncompliance;

"(vi) procedures designed to ensure that, in cases in which noncompliance is detected, reasonable steps are taken to correct the noncompliance and prevent similar noncompliance from occurring; and

"(vii) communication of all standards and procedures with respect to the code of conduct to every employee and supplier—

"(I) by requiring all management level employees and suppliers to participate in a training program; or

"(II) by disseminating information orally and in writing, through posting of an explanation of the standards and procedures in prominent places sufficient to inform all employees and suppliers, in the local languages spoken by employees and managers.

"(3) SMALL BUSINESS EXCEPTION.—This subsection shall not apply to an entity that is a small business (within the meaning of the Small Business Act)."

(b) ANNUAL REPORT.—Section 2(b)(1)(A) of such Act (12 U.S.C. 635(b)(1)(A)) is amended by adding at the end the following: "The Bank shall include in the annual report a description of the actions the Bank has taken to comply with subsection (f) during the period covered by the report."

(c) RECIPIENTS OF ASSISTANCE FROM THE EXPORT-IMPORT BANK TO BE PROVIDED WITH RESOURCES AND INFORMATION TO FURTHER ADHERENCE TO GLOBAL CODES OF CORPORATE CONDUCT.—The Export-Import Bank of the United States shall work with the Clearinghouse on Corporate Responsibility that is being developed by the Department of Commerce to ensure that recipients of assistance from the Export-Import Bank are made aware of, and have access to, resources and organizations that can assist the recipients in developing, implementing, and monitoring global codes of corporate conduct.

#### SEC. 11. RENAMING OF BANK AS THE UNITED STATES EXPORT BANK.

(a) AMENDMENTS TO THE EXPORT-IMPORT BANK ACT OF 1945.—

(1) The first section of the Export-Import Bank Act of 1945 (12 U.S.C. 635 note) is amended to read as follows:

##### "SECTION 1. SHORT TITLE.

"This Act may be cited as the 'United States Export Bank Act of 1945'."

(2) The following provisions of such Act are amended by striking "Export-Import Bank of the United States" and inserting "United States Export Bank":

(A) Section 2(a)(1) (12 U.S.C. 635(a)(1)).

(B) Section 3(a) (12 U.S.C. 635a(a)).

(C) Section 3(b) (12 U.S.C. 635a(b)).

(D) Section 3(c)(1) (12 U.S.C. 635a(c)(1)).

(E) Section 4 (12 U.S.C. 635b).

(F) Section 5 (12 U.S.C. 635d).

(G) Section 6(a) (12 U.S.C. 635e(a)).

(H) Section 7 (12 U.S.C. 635f).

(I) Section 8(a) (12 U.S.C. 635g(a)).

(J) Section 9 (12 U.S.C. 635h).

(3) The following provisions of such Act are amended by striking "Export-Import Bank" each place it appears and inserting "United States Export Bank":

(A) Section 2(b)(1)(A) (12 U.S.C. 635(b)(1)(A)).

(B) Section 3(c)(3) (12 U.S.C. 635a(c)(3)).

(b) DEEMING RULES.—Any reference in any law, map, regulation, document, paper, or other record of the United States to the Export-Import Bank of the United States is deemed to be a reference to the United States Export Bank, and any reference in any law, map, regulation, document, paper, or other record of the United States to the Export-Import Bank Act of 1945 is deemed to be a reference to the United States Export Bank Act of 1945.

#### SEC. 12. PROHIBITION AGAINST ASSISTANCE TO RUSSIA IF RUSSIA TRANSFERS CERTAIN MISSILE SYSTEMS TO THE PEOPLE'S REPUBLIC OF CHINA.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

"(12) PROHIBITION AGAINST ASSISTANCE TO RUSSIA IF RUSSIA TRANSFERS CERTAIN MISSILE SYSTEMS TO THE PEOPLE'S REPUBLIC OF CHINA.—

If the President of the United States is made aware that Russia has transferred or delivered to the People's Republic of China an SS-N-22 or SS-N-26 missile system, the President of the United States shall notify the Bank of the transfer or delivery. Upon receipt of the notification, the Bank shall not insure, guarantee, extend credit or participate in an extension of credit with respect to, or otherwise subsidize the export of any good or service to Russia."

#### SEC. 13. PROHIBITION AGAINST PROVISION OF ASSISTANCE FOR EXPORTS TO COMPANIES THAT EMPLOY CHILD LABOR.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

"(f) PROHIBITION AGAINST ASSISTANCE FOR EXPORTS TO COMPANIES THAT EMPLOY CHILD LABOR.—The Bank shall not guarantee, insure, extend credit, or participate in the extension of credit with respect to the export of any good or service to an entity if the entity—

"(1) employs children in a manner that would violate United States law regarding child labor if the entity were located in the United States; or

"(2) has not made a binding commitment to not employ children in such manner."

Mr. NICKLES. Mr. President, I move that the Senate disagree to the amendment of the House, agree to the request for a conference, and the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. D'AMATO, Mr. GRAMS, Mr. HAGEL, Mr. SARBANES, and Ms. MOSELEY-BRAUN conferees on the part of the Senate.

#### ORDERS FOR MONDAY, NOVEMBER 3, 1997

Mr. NICKLES. Mr. President, I ask unanimous consent when the Senate completes its business today it stand in adjournment until the hour of 12 noon on Monday, November 3. I further ask on Monday immediately following the prayer the routine requests through the morning hour be granted and there immediately be a period for the transaction of morning business until the