

103<sup>RD</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4455**

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**AMENDMENT**

***In the Senate of the United States,***

*October 5 (legislative day, September 12), 1994.*

*Resolved*, That the bill from the House of Representatives (H.R. 4455) entitled “An Act to authorize the Export-Import Bank of the United States to provide financing for the export of nonlethal defense articles and defense services the primary end use of which will be for civilian purposes”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. AUTHORITY TO PROVIDE FINANCING FOR THE***  
2 ***EXPORT OF NONLETHAL DEFENSE ARTICLES***  
3 ***OR SERVICES THE PRIMARY END USE OF***  
4 ***WHICH WILL BE FOR CIVILIAN PURPOSES.***

5 *(a) IN GENERAL.—Section 2(b)(6) of the Export-Im-*  
6 *port Bank Act of 1945 (12 U.S.C. 635(b)(6)) is amended*  
7 *by adding at the end the following:*

8 *“(I)(i) Subparagraph (A) shall not apply to a trans-*  
9 *action involving defense articles or services if—*

10 *“(I) the Bank determines that—*

11 *“(aa) the defense articles or services are*  
12 *nonlethal; and*

1           “(bb) the primary end use of the defense ar-  
2           ticles or services will be for civilian purposes;  
3           and

4           “(II) at least 15 calendar days before the date on  
5           which the Board of Directors of the Bank gives final  
6           approval to Bank participation in the transaction,  
7           the Bank provides notice of the transaction to the  
8           Committees on Banking, Finance and Urban Affairs  
9           and on Appropriations of the House of Representa-  
10          tives and the Committees on Banking, Housing, and  
11          Urban Affairs and on Appropriations of the Senate.

12          “(ii) Not more than 10 percent of the loan, guarantee,  
13          and insurance authority available to the Bank for a fiscal  
14          year may be used by the Bank to support the sale of defense  
15          articles or services to which subparagraph (A) does not  
16          apply by reason of clause (i) of this subparagraph.

17          “(iii) Not later than September 1 of each fiscal year,  
18          the Comptroller General of the United States, in consulta-  
19          tion with the Bank, shall submit to the Committees on  
20          Banking, Finance and Urban Affairs and on Appropria-  
21          tions of the House of Representatives and the Committees  
22          on Banking, Housing, and Urban Affairs and on Appro-  
23          priations of the Senate a report on the end uses of any de-  
24          fense articles or services described in clause (i) with respect

1 *to which the Bank provided support during the second pre-*  
2 *ceding fiscal year.”.*

3 (b) *REPORT TO THE CONGRESS.*—Section 2(b)(6)(H)  
4 *of the Export-Import Bank Act of 1945 (12 U.S.C.*  
5 *635(b)(6)(H)) is amended by inserting “or described in sub-*  
6 *paragraph (I)(i)” before the period at the end of the first*  
7 *sentence.*

8 (c) *PERIOD OF EFFECTIVENESS.*—The amendments  
9 *made by this section shall remain in effect during the pe-*  
10 *riod beginning on the date of enactment of this Act and*  
11 *ending on September 30, 1997.*

12 ***SEC. 2. PROMOTION OF EXPORTS OF ENVIRONMENTALLY***  
13 ***BENEFICIAL GOODS AND SERVICES.***

14 (a) *IN GENERAL.*—The first section 11(b) of the Ex-  
15 *port-Import Bank Act of 1945 (12 U.S.C. 635i-5(b)) is*  
16 *amended—*

17 (1) *by inserting before “The Bank shall” the fol-*  
18 *lowing:*

19 “(1) *IN GENERAL.*—”;

20 (2) *in the first sentence, by inserting before the*  
21 *period “(such as exports of products and services used*  
22 *to aid in the monitoring, abatement, control, or pre-*  
23 *vention of air, water, and ground contaminants or*  
24 *pollution, or which provide protection in the handling*  
25 *of toxic substances, subject to a final determination by*

1 *the Bank, and products and services for foreign envi-*  
2 *ronmental projects dedicated entirely to the preven-*  
3 *tion, control, or cleanup of air, water, or ground pol-*  
4 *lution, including facilities to provide for control or*  
5 *cleanup, and used in the retrofitting of facility equip-*  
6 *ment for the sole purpose of mitigating, controlling,*  
7 *or preventing adverse environmental effects, subject to*  
8 *a final determination by the Bank)”; and*

9 (3) *by adding at the end the following:*

10 “(2) *LIMITATIONS ON AUTHORIZATION OF AP-*  
11 *PROPRIATIONS.—In addition to other funds available*  
12 *to support the export of goods and services described*  
13 *in paragraph (1), there are authorized to be appro-*  
14 *priated to the Bank not more than \$35,000,000 for*  
15 *the cost (as defined in section 502(5) of the Federal*  
16 *Credit Reform Act of 1990) of supporting such ex-*  
17 *ports. If, in any fiscal year, the funds appropriated*  
18 *in accordance with this paragraph are not fully uti-*  
19 *lized due to insufficient qualified transactions for the*  
20 *export of such goods and services, such funds may be*  
21 *expended for other purposes eligible for support by the*  
22 *Bank.”.*

23 (b) *TECHNICAL CORRECTION.—The Export-Import*  
24 *Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended by*

- 1 *redesignating the second section 11 (12 U.S.C. 635i-8) as*
- 2 *section 14.*

Attest:

*Secretary.*