

**Union Calendar No. 371**

103D CONGRESS  
2D SESSION

**H. R. 4455**

**[Report No. 103-681]**

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**A BILL**

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.

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AUGUST 8, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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**IN THE HOUSE OF REPRESENTATIVES**

MAY 19, 1994

Mr. BEREUTER introduced the following bill; which was referred to the Committee on Banking, Finance and Urban Affairs

AUGUST 8, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

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.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORITY TO PROVIDE FINANCING FOR THE**  
2 **EXPORT OF NONLETHAL DEFENSE ARTICLES**  
3 **AND DEFENSE SERVICES THE PRIMARY END**  
4 **USE OF WHICH WILL BE FOR CIVILIAN PUR-**  
5 **POSES.**

6 Section 2(b)(6) of the Export-Import Bank Act of  
7 1945 (12 U.S.C. 635(b)(6)) is amended by adding at the  
8 end the following:

9 “(I) Subparagraph (A) shall not apply to a sale of  
10 defense articles or services if the Bank determines that—

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

13 “(ii) the primary end use of the defense articles  
14 or services will be for civilian purposes.”

15 **SECTION 1. AUTHORITY TO PROVIDE FINANCING FOR THE**  
16 **EXPORT OF NONLETHAL DEFENSE ARTICLES**  
17 **OR SERVICES THE PRIMARY END USE OF**  
18 **WHICH WILL BE FOR CIVILIAN PURPOSES.**

19 *Section 2(b)(6) of the Export-Import Bank Act of 1945*  
20 *(12 U.S.C. 635(b)(6)) is amended by adding at the end the*  
21 *following:*

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

24 “(I) the Bank determines that—

25 “(aa) the defense articles or services are  
26 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  
5           the Board of Directors of the Bank gives final ap-  
6           proval to Bank participation in the transaction, the  
7           Bank provides notice of the transaction to the Com-  
8           mittees on Banking, Finance and Urban Affairs and  
9           on Appropriations of the House of Representatives  
10          and the Committees on Banking, Housing, and  
11          Urban Affairs and on Appropriations of the Senate.  
12          The preceding sentence shall not apply after September 30,  
13          1997.

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

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

1 *fense articles or services described in clause (i) with respect*  
 2 *to which the Bank provided support during the 2nd preced-*  
 3 *ing fiscal year.”.*

4 **SEC. 2. REPORT TO THE CONGRESS.**

5 *Section 2(b)(6)(H) of the Export-Import Bank Act of*  
 6 *1945 (12 U.S.C. 635(b)(6)(H)) is amended by inserting “or*  
 7 *described in subparagraph (I)(i)” before the period at the*  
 8 *end of the 1st sentence.*

9 **SEC. 3. PROMOTION OF EXPORTS OF ENVIRONMENTALLY**  
 10 **BENEFICIAL GOODS AND SERVICES.**

11 *(a) IN GENERAL.—The 1st section 11(b) of the Export-*  
 12 *Import Bank Act of 1945 (12 U.S.C. 635i-5(b)) is amend-*  
 13 *ed—*

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

16 *“(1) IN GENERAL.—”;*

17 *(2) by inserting “(such as by encouraging envi-*  
 18 *ronmentally sustainable development, promoting effi-*  
 19 *cient use of resources, and promoting energy effi-*  
 20 *ciency)” before the period at the end of the 1st sen-*  
 21 *tence; and*

22 *(3) by adding after and below the end the follow-*  
 23 *ing:*

24 *“(2) LIMITATIONS ON AUTHORIZATION OF AP-*  
 25 *PROPRIATIONS.—In addition to other funds available*

1        *to support the export of goods and services described*  
2        *in paragraph (1), there are authorized to be appro-*  
3        *priated to the Bank not more than \$35,000,000 for*  
4        *the cost (as defined in section 502(5) of the Federal*  
5        *Credit Reform Act of 1990) of supporting such ex-*  
6        *ports.”.*

7        *(b) TECHNICAL CORRECTION.—Such Act is amended*  
8        *by redesignating the 2nd section 11 (12 U.S.C. 635i–8) as*  
9        *section 14.*