

106TH CONGRESS  
1ST SESSION

# H. R. 3381

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 1999

Received

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## AN ACT

To reauthorize the Overseas Private Investment Corporation and the Trade and Development Agency, and for other 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. SHORT TITLE.**

2 This Act may be cited as the “Export Enhancement  
3 Act of 1999”.

4 **SEC. 2. OPIC ISSUING AUTHORITY.**

5 Section 235(a)(2) of the Foreign Assistance Act of  
6 1961 (22 U.S.C. 2195(a)(3)) is amended by striking  
7 “1999” and inserting “2003”.

8 **SEC. 3. IMPACT OF OPIC PROGRAMS.**

9 (a) **ADDITIONAL REQUIREMENTS.**—Section 231A of  
10 the Foreign Assistance Act of 1961 (22 U.S.C. 2191a)  
11 is amended—

12 (1) by redesignating subsection (b) as sub-  
13 section (c);

14 (2) by inserting after subsection (a) the fol-  
15 lowing new subsection:

16 “(b) **ENVIRONMENTAL IMPACT.**—The Board of Di-  
17 rectors of the Corporation shall not vote in favor of any  
18 action proposed to be taken by the Corporation that is  
19 likely to have significant adverse environmental impacts  
20 that are sensitive, diverse, or unprecedented, unless for at  
21 least 60 days before the date of the vote—

22 “(1) an environmental impact assessment or  
23 initial environmental audit, analyzing the environ-  
24 mental impacts of the proposed action and of alter-  
25 natives to the proposed action has been completed by

1 the project applicant and made available to the  
2 Board of Directors; and

3 “(2) such assessment or audit has been made  
4 available to the public of the United States, locally  
5 affected groups in the host country, and host coun-  
6 try nongovernmental organizations.”; and

7 (3) in subsection (c), as so redesignated—

8 (A) by inserting “(1)” before “The Board’;  
9 and

10 (B) by adding at the end the following:

11 “(2) In conjunction with each meeting of its Board  
12 of Directors, the Corporation shall hold a public hearing  
13 in order to afford an opportunity for any person to present  
14 views regarding the activities of the Corporation. Such  
15 views shall be made part of the record.”.

16 (b) EFFECTIVE DATE.—The amendments made by  
17 subsection (a) shall take effect 90 days after the date of  
18 the enactment of this Act.

19 **SEC. 4. BOARD OF DIRECTORS OF OPIC.**

20 Section 233(b) of the Foreign Assistance Act of 1961  
21 (22 U.S.C. 2193(b)) is amended—

22 (1) by striking the second and third sentences;

23 (2) in the fourth sentence by striking “(other  
24 than the President of the Corporation, appointed

1 pursuant to subsection (c) who shall serve as a Di-  
2 rector, ex officio)”;

3 (3) in the second undesignated paragraph—

4 (A) by inserting “the President of the Cor-  
5 poration, the Administrator of the Agency for  
6 International Development, the United States  
7 Trade Representative, and” after “including”;  
8 and

9 (B) by adding at the end the following:  
10 “The United States Trade Representative may  
11 designate a Deputy United States Trade Rep-  
12 resentative to serve on the Board in place of the  
13 United States Trade Representative.”; and

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

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

21 **SEC. 5. TRADE AND DEVELOPMENT AGENCY.**

22 (a) PURPOSE.—Section 661(a) of the Foreign Assist-  
23 ance Act of 1961 (22 U.S.C. 2421(a)) is amended by in-  
24 serting before the period at the end of the second sentence  
25 the following: “, with special emphasis on economic sectors

1 with significant United States export potential, such as  
2 energy, transportation, telecommunications, and environ-  
3 ment”.

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

7 “(5) CONTRIBUTIONS TO COSTS.—The Trade  
8 and Development Agency shall, to the maximum ex-  
9 tent practicable, require corporations and other enti-  
10 ties to—

11 “(A) share the costs of feasibility studies  
12 and other project planning services funded  
13 under this section; and

14 “(B) reimburse the Trade and Develop-  
15 ment Agency those funds provided under this  
16 section, if the corporation or entity concerned  
17 succeeds in project implementation.”.

18 (c) FUNDING.—Section 661(f) of the Foreign Assist-  
19 ance Act of 1961 (22 U.S.C. 2421(f)) is amended—

20 (1) in paragraph (1)(A) by striking  
21 “\$77,000,000” and all that follows through “1996”  
22 and inserting “\$48,000,000 for fiscal year 2000 and  
23 such sums as may be necessary for each fiscal year  
24 thereafter”; and



1           (5) by not later than March 30, 2000, and an-  
2           nually thereafter, include the matters addressed in  
3           paragraphs (1), (2), (3), and (4) in the annual re-  
4           port required to be submitted under section 2312(f)  
5           of the Export Enhancement Act of 1988 (15 U.S.C.  
6           4727(f)).

7   **SEC. 7. TIMING OF TPCC REPORTS.**

8           Section 2312(f) of the Export Enhancement Act of  
9           1988 (15 U.S.C. 4727(f)) is amended by striking “Sep-  
10          tember 30, 1995, and annually thereafter,” and inserting  
11          “March 30 of each year.”

          Passed the House of Representatives November 17,  
1999.

Attest:

JEFF TRANDAHL,

*Clerk.*