

103^D CONGRESS
2^D SESSION

S. 2289

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.

IN THE SENATE OF THE UNITED STATES

JULY 15 (legislative day, JULY 11), 1994

Mr. D'AMATO introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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)(i) Subparagraph (A) shall not apply
10 to a sale of defense articles or services if—

11 “(I) the Bank determines that—

12 “(aa) the defense articles or serv-
13 ices are nonlethal; and

14 “(bb) the primary end use of the
15 defense articles or services will be for
16 civilian purposes; and

17 “(II) not less than 15 calendar days
18 before the date on which the Board of Di-
19 rectors of the Bank gives final approval to
20 Bank participation in the transaction, the
21 Bank provides notice of the transaction to
22 the Committees on Banking, Finance and
23 Urban Affairs and on Appropriations of
24 the House of Representatives and the
25 Committees on Banking, Housing, and

1 Urban Affairs and on Appropriations of
2 the Senate.

3 “(ii) Not more than 10 percent of the loan,
4 guarantee, and insurance authority available to
5 the Bank for a fiscal year may be used by the
6 Bank to support the sale of defense articles or
7 services to which subparagraph (A) does not
8 apply by reason of clause (i) of this subpara-
9 graph.

10 “(iii) Not later than September 1 of each
11 fiscal year, the Comptroller General of the
12 United States, in consultation with the Bank,
13 shall submit to the Committees on Banking, Fi-
14 nance and Urban Affairs and on Appropriations
15 of the House of Representatives and the Com-
16 mittees on Banking, Housing, and Urban Af-
17 fairs and on Appropriations of the Senate, a re-
18 port on the end uses of any defense articles or
19 services described in clause (i) with respect to
20 which the Bank provided support during the
21 fiscal year ending 1 year before that September
22 1.

23 “(iv) The provisions of clause (i) shall not
24 apply after September 30, 1997.”.

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

2 The first sentence of section 2(b)(6)(H) of the Ex-
3 port-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(H))
4 is amended by inserting before the period “, or any sale
5 of defense articles or services as described in subpara-
6 graph (I)(i)”.

7 **SEC. 3. PROMOTION OF EXPORTS OF ENVIRONMENTALLY**
8 **BENEFICIAL GOODS AND SERVICES.**

9 (a) IN GENERAL.—Section 11(b) of the Export-Im-
10 port Bank Act of 1945, the first place it appears (12
11 U.S.C. 635i-5(b)), is amended—

12 (1) by striking “The Bank” and inserting the
13 following:

14 “(1) IN GENERAL.—The Bank”;

15 (2) in the first sentence, by inserting before the
16 period “(such as by encouraging environmentally
17 sustainable development, promoting efficient use of
18 resources, and promoting energy efficiency)”; and

19 (3) by adding at the end the following new
20 paragraph:

21 “(2) AUTHORIZATION OF FUNDS.—In addition
22 to other funds available to support the export of
23 goods and services described in paragraph (1), there
24 are authorized to be appropriated to the Bank not
25 more than \$35,000,000 for the cost (as defined in

1 section 502(5) of the Federal Credit Reform Act of
2 1990) of supporting such exports.”.

3 (b) TECHNICAL CORRECTION.—The Export-Import
4 Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended
5 by redesignating section 11, the second place it appears
6 (12 U.S.C. 635i–8), as section 14.

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