

**AMENDMENT TO THE SENATE AMENDMENTS TO
H.R. 22
OFFERED BY MR. MULVANEY OF SOUTH
CAROLINA**

Page 1032, after line 4, insert the following:

1 **SEC. _____. RESTRICT BANK LENDING TO SERVING AS**
2 **COUNTERVAILING LENDER.**

3 (a) BAN ON PROVIDING CREDIT ASSISTANCE FOR
4 TRANSACTION THAT DOES NOT MEET FOREIGN COM-
5 PETITION.—Section 2(b) of the Export-Import Bank Act
6 of 1945 (12 U.S.C. 635(b)) is amended by adding at the
7 end the following:

8 “(14) PROHIBITION ON ASSISTANCE FOR TRANS-
9 ACTION THAT DOES NOT MEET FOREIGN COMPETI-
10 TION.—The Bank shall not guarantee, insure, or extend
11 (or participate in the extension of) credit involving any
12 transaction, with respect to which credit assistance from
13 the Bank is first sought after the effective date of this
14 paragraph, that does not meet competition from a foreign,
15 officially sponsored, export credit agency.”.

16 (b) ANNUAL CERTIFICATION THAT EACH PROVISION
17 BY THE BANK OF CREDIT ASSISTANCE IS MADE TO MEET

1 FOREIGN COMPETITION.—Section 8(h) of such Act (12
2 U.S.C. 535g(h)) is amended to read as follows:

3 “(h) CERTIFICATION THAT EACH PROVISION OF
4 CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COM-
5 PETITION.—The Bank shall include in its annual report
6 to the Congress under subsection (a) a certification that—

7 “(1) each provision by the Bank of a loan,
8 guarantee, or insurance, with respect to which credit
9 assistance from the Bank was first sought after the
10 effective date of this subsection, in the period cov-
11 ered by the report was made to meet competition
12 from a foreign, officially sponsored, export credit
13 agency; and

14 “(2) no such provision was made to fill market
15 gaps that the private sector is not willing or able to
16 meet.”.

