

**AMENDMENT TO THE SENATE AMENDMENTS TO  
H.R. 22  
OFFERED BY MR. ROTHFUS OF PENNSYLVANIA**

Page 1032, after line 4, insert the following:

1 **SEC. \_\_\_\_ . GUARANTEE FROM UNITED STATES EXPORTER**  
2 **REQUIRED AS A CONDITION OF PROVIDING**  
3 **GUARANTEE OR EXTENDING CREDIT TO FOR-**  
4 **EIGN PERSON.**

5 Section 2 of the Export-Import Bank Act of 1945  
6 (12 U.S.C. 635), as amended by section 95001 of this Act,  
7 is amended by adding at the end the following:

8 “(1) GUARANTEE FROM UNITED STATES EXPORTER  
9 REQUIRED AS A CONDITION OF PROVIDING GUARANTEE  
10 OR EXTENDING CREDIT TO FOREIGN PERSON.—

11 “(1) IN GENERAL.—The Bank may not provide  
12 a guarantee or extend (or participate in the exten-  
13 sion of credit) to a foreign person in a fiscal year  
14 in connection with the export of goods or services by  
15 a United States company, unless—

16 “(A) the United States company—

17 “(i) guarantees the repayment by the  
18 foreign person of the applicable percentage  
19 for the fiscal year of the amount of the

1                   guarantee or credit provided by the Bank;  
2                   and

3                   “(ii) pledges collateral in an amount  
4                   sufficient to cover the applicable percent-  
5                   age for the fiscal year of the amount guar-  
6                   anteed by the United States company; and

7                   “(B) the guarantee by the United States  
8                   company is senior to any other obligation of the  
9                   United States company.

10                  “(2) APPLICABLE PERCENTAGE DEFINED.—In  
11                  paragraph (1), the term ‘applicable percentage’  
12                  means—

13                         “(A) in the case of fiscal year 2016, 10  
14                         percent;

15                         “(B) in the case of fiscal year 2017, 20  
16                         percent;

17                         “(C) in the case of fiscal year 2018, 30  
18                         percent;

19                         “(D) in the case of fiscal year 2019, 40  
20                         percent;

21                         “(E) in the case of fiscal year 2020, 50  
22                         percent;

23                         “(F) in the case of fiscal year 2021, 60  
24                         percent;

1                   “(G) in the case of fiscal year 2022, 70  
2                   percent;

3                   “(H) in the case of fiscal year 2023, 80  
4                   percent;

5                   “(I) in the case of fiscal year 2024, 90  
6                   percent; and

7                   “(J) in the case of fiscal year 2025 and  
8                   each succeeding fiscal year, 100 percent.

9                   “(3) INAPPLICABILITY TO SMALL BUSINESS EX-  
10                  PORTERS.—Paragraph (1) shall not apply with re-  
11                  spect to the provision of a guarantee or credit in  
12                  connection with an export by a small business con-  
13                  cern (as defined in section 3(a) of the Small Busi-  
14                  ness Act).”.

