

AMENDMENT

OFFERED BY M _____

In section 4(a), add at the end the following:

1 (4) ANALYSIS OF CREDIT RISK AND REPAY-
2 MENT RISK.—

3 (A) IN GENERAL.—A loan may not be
4 made under this section, and financial assist-
5 ance may not be made under section 4261(d) of
6 the Employee Retirement Income Security Act
7 of 1974 in connection with such a loan, to a
8 plan unless the Secretary of the Treasury (or
9 the Secretary’s designee) conducts an inde-
10 pendent analysis of the credit risk and repay-
11 ment risk associated with the loan and with
12 such assistance (including whether the plan will
13 be able to provide all benefits promised by the
14 plan during the period ending on the date the
15 loan is due) and determines that there is a high
16 likelihood that the loan and assistance will be
17 repaid and the plan will be able to provide all
18 such benefits.

19 (B) PUBLICATION OF METHODOLOGY.—
20 The Secretary of the Treasury shall publish the

1 underlying methodology and data used in each
2 analysis under subparagraph (A), but shall not
3 publish and shall keep confidential any data
4 that the Secretary determines is not publicly
5 available.

