

119TH CONGRESS
1ST SESSION

S. _____

To amend the Export-Import Bank Act of 1945 to exclude certain financing from the calculation of the default rate for purposes of determining when the lending cap under such Act applies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Export-Import Bank Act of 1945 to exclude certain financing from the calculation of the default rate for purposes of determining when the lending cap under such Act applies, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Exports
5 Against China Act”.

6 **SEC. 2. EXCLUSION OF CERTAIN FINANCING.**

7 Section 6(a)(3) of the Export-Import Bank Act of
8 1945 (12 U.S.C. 635e(a)(3)) is amended—

1 (1) by striking “If” and inserting the following:

2 “(A) IN GENERAL.—If”; and

3 (2) by adding at the end the following:

4 “(B) EXCLUSION OF CERTAIN FINANC-
5 ING.—For purposes of this paragraph, the rate
6 calculated under section 8(g)(1) shall not in-
7 clude an entity in default if the Bank deter-
8 mines that the financing provided to the enti-
9 ty—

10 “(i) facilitates the replacement of or
11 competition with a product or service pro-
12 vided by—

13 “(I) an entity on the Entity List
14 maintained by the Bureau of Industry
15 and Security of the Department of
16 Commerce and set forth in Supple-
17 ment No. 4 to part 744 of title 15,
18 Code of Federal Regulations; or

19 “(II) a person—

20 “(aa) on the list of specially
21 designated nationals and blocked
22 persons maintained by the Office
23 of Foreign Assets Control of the
24 Department of the Treasury; or

1 “(bb) with respect to which
2 one or more persons described in
3 item (aa), individually or in the
4 aggregate, directly or indirectly,
5 hold at least 50 percent of the
6 outstanding voting interest; or

7 “(ii) was provided pursuant to the
8 Program on China and Transformational
9 Exports established under section 2(l).”.