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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

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 HOUSE OF REPRESENTATIVES

Mrs. KIM of California introduced the following bill; which was 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”.

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

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

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

5 “(A) IN GENERAL.—If”; and

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

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

13 “(i) facilitates the replacement of or
14 competition with a product or service pro-
15 vided by—

16 “(I) an entity on the Entity List
17 of the Bureau of Industry and Secu-
18 rity described under section 744.16 of
19 title 15, Code of Federal Regulations;
20 or

21 “(II) a person—

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

1 “(bb) with respect to which
2 one or more persons described
3 under subclause (I), individually
4 or in the aggregate, directly or
5 indirectly, hold at least 50 per-
6 cent of the outstanding voting in-
7 terest; or
8 “(ii) was provided pursuant to the
9 Program on China and Transformational
10 Exports established under section 2(l).”.