

**AMENDMENT TO H.R. 5068**  
**OFFERED BY MS. PRYCE OF OHIO**

Page 14, line 2, strike the close quotation marks and the following period.

Page 14, line 10, strike “10” and insert “15”.

Page 14, after line 2, insert the following:

1           “(C) STAFFING.—To the maximum extent  
2           practicable, the President of the Bank shall en-  
3           sure that qualified minority and women appli-  
4           cants are considered when filling any position in  
5           the office.”.

Page 18, line 10, strike the close quotation marks and the following period.

Page 18, after line 10, insert the following:

6           “(10) At the request of any 2 members of the  
7           Board of Directors, the Chairman shall place an  
8           item on the agenda for consideration by the Board.  
9           Within 30 days after the date such a request is  
10          made, the Chairman shall hold a meeting of the  
11          Board at which the item will be considered.”.

Page 19, line 19, strike “45” and insert “5”.



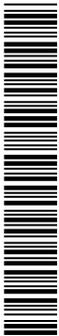
Page 23, strike line 24 and all that follows through line 7 on page 24 and insert the following:

1       (f) PUBLIC DISCLOSURE OF CERTAIN DOCU-  
2 MENTS.—Section 11(a)(1) of the Export-Import Bank of  
3 1945 (12 U.S.C. 635i-5(a)(1)) is amended by inserting  
4 after the first sentence the following: “Such procedures  
5 shall provide for the public disclosure of environmental as-  
6 sessments and supplemental environmental reports re-  
7 quired to be submitted to the Bank, including remediation  
8 or mitigation plans and procedures, and related moni-  
9 toring reports. The preceding sentence shall not be inter-  
10 preted to require the public disclosure of any information  
11 described in section 1905 of title 18, United States  
12 Code.”.

Page 28, line 18, insert “and other entities sponsored by a foreign government” after “agencies”.

Page 31, line 16, insert “or other entities sponsored by a foreign government” after “agencies”.

Page 36, after line 20, insert the following:



1 **SEC. 12. STUDY OF HOW EXPORT-IMPORT BANK COULD AS-**  
2 **SIST UNITED STATES EXPORTERS TO MEET**  
3 **IMPORT NEEDS OF NEW OR IMPOVERISHED**  
4 **DEMOCRACIES; REPORTS.**

5 (a) STUDY.—The Export-Import Bank of the United  
6 States shall conduct a study designed to assess the needs  
7 of new or impoverished democracies such as Liberia and  
8 Haiti, for imports from the United States, and shall deter-  
9 mine what role the Bank can play a role in helping United  
10 States exporters seize the opportunities presented by the  
11 need for such imports.

12 (b) REPORTS TO THE CONGRESS.—

13 (1) INTERIM REPORT.—Within 6 months after  
14 the date of the enactment of this Act, the Bank shall  
15 submit to the Committee on Financial Services of  
16 the House of Representatives and the Committee on  
17 Banking, Housing, and Urban Affairs of the Senate,  
18 in writing, an interim report that contains the re-  
19 sults of the study required by subsection (a).

20 (2) FINAL REPORT.—Within 12 months after  
21 the date of the enactment of this Act, the Bank shall  
22 submit to the Committee on Financial Services of  
23 the House of Representatives and the Committee on  
24 Banking, Housing, and Urban Affairs of the Senate,  
25 in writing a final report that contains the results of  
26 the study required by subsection (a).



1 **SEC. 13. REVIEW OF ENVIRONMENTAL SCREENING RE-**  
2 **QUIREMENT.**

3 (a) IN GENERAL.—Within 6 months after the posi-  
4 tion of Inspector General of the Export-Import Bank of  
5 the United States is filled, the Inspector General of the  
6 Export-Import Bank of the United States shall submit to  
7 the Committee on Resources and the Committee on Finan-  
8 cial Services of the House of Representatives, and to the  
9 Committee on Banking, Housing, and Urban Affairs of  
10 the Senate a report on the implications of limiting the re-  
11 quirement to conduct environmental screenings of projects  
12 proposed to be financed by the Bank to only those involv-  
13 ing at least \$10,000,000.

14 (b) CONTENTS OF REPORT.—The report shall—

15 (1) determine whether the \$10,000,000 limita-  
16 tion prevents the identification of any project that  
17 may have an adverse effect on the environment; and

18 (2) propose guidelines for how project applica-  
19 tions may be screened more effectively to determine  
20 whether a project may have such an effect.

21 **SEC. 14. OFFICE OF RENEWABLE ENERGY PROMOTION.**

22 Section 3 of the Export-Import Bank Act of 1945  
23 (12 U.S.C. 635a), as amended by section 4(a)(1) of this  
24 Act, is amended by adding at the end the following:

25 “(I) OFFICE OF RENEWABLE ENERGY PRO-  
26 MOTION.—



1           “(1) ESTABLISHMENT.—Within 1 year after  
2 the date of the enactment of this subsection, the  
3 President of the Bank shall establish and maintain  
4 in the Bank an office which shall be known as the  
5 ‘Office of Renewable Energy Promotion’ (in this  
6 subsection referred to as the ‘Office’).

7           “(2) FUNCTIONS.—The Office shall be respon-  
8 sible for proactively identifying new opportunities for  
9 renewable energy financing and carrying out section  
10 2(b)(1)(K). In carrying out its function of promoting  
11 renewable energy technologies, the Office should,  
12 among other things, consider the recommendations  
13 made by the Renewable Energy Export Advisory  
14 Committee.

15           “(3) STAFF.— The President of the Bank shall  
16 ensure that the Office has staff with appropriate ex-  
17 pertise in renewable energy technologies.

18           “(4) ANNUAL REPORTS.—The Bank shall sub-  
19 mit annually to the Committee on Resources and the  
20 Committee on Financial Services of the House of  
21 Representatives, and to the Committee on Banking,  
22 Housing, and Urban Affairs of the Senate, a report  
23 that contains, for the fiscal year covered by the  
24 report—



1           “(A) a detailed description of the activities  
2 of the Office; and

3           “(B) an analysis comparing the level of  
4 credit extended by the Bank for renewable en-  
5 ergy projects with the level of credit so ex-  
6 tended for the preceding fiscal year.

7           “(5) RENEWABLE ENERGY TECHNOLOGIES DE-  
8 FINED.—In this subsection, the term ‘renewable en-  
9 ergy technologies’ means technologies for producing  
10 power through the use of solar energy, wind energy,  
11 and energy from biomass, fuel cells, or geothermal  
12 sources, and technologies for producing less than 10  
13 megawatts in hydropower. ”.

14 **SEC. 15. TRANSPARENCY.**

15       (a) IN GENERAL.—Section 2 of the Export-Import  
16 Bank Act of 1945 (12 U.S.C. 635), as amended by section  
17 8(b) of this Act, is amended by adding at the end the fol-  
18 lowing:

19           “(6) PROCEDURES TO REDUCE ADVERSE EF-  
20 FECTS OF LOANS AND GUARANTEES ON INDUSTRIES  
21 AND EMPLOYMENT IN UNITED STATES.—

22           “(A) CONSIDERATION OF ECONOMIC EF-  
23 FECTS OF PROPOSED TRANSACTIONS.— If, in  
24 making a determination under this paragraph  
25 with respect to a loan or guarantee, the Bank



1 conducts a detailed economic impact analysis or  
2 similar study, the analysis or study, as the case  
3 may be, shall include consideration of—

4 “(i) the factors set forth in subpara-  
5 graphs (A) and (B) of paragraph (1); and

6 “(ii) the views of the public and inter-  
7 ested parties.

8 “(B) NOTICE AND COMMENT REQUIRE-  
9 MENTS.—

10 “(i) IN GENERAL.—If, in making a  
11 determination under this subsection with  
12 respect to a loan or guarantee, the Bank  
13 intends to conduct a detailed economic im-  
14 pact analysis or similar study, the Bank  
15 shall cause to be published in the Federal  
16 Register a notice of the intent, and provide  
17 a period of not less than 14 days (which,  
18 on request by any affected party, shall be  
19 extended to a period of not more than 30  
20 days) for the submission to the Bank of  
21 comments on the economic effects of the  
22 provision of the loan or guarantee. In addi-  
23 tion, the Bank shall seek comments on the  
24 effects from the Department of Commerce,  
25 the International Trade Commission, the



1 Office of Management and Budget, the  
2 Committee on Banking, Housing, and  
3 Urban Affairs of the Senate, and the Com-  
4 mittee on Financial Services of the House  
5 of Representatives.

6 “(ii) CONTENT OF NOTICE.—The no-  
7 tice shall include appropriate, nonpropr-  
8 etary information about—

9 “(I) the name of the applicant;

10 “(II) the country to which the  
11 goods involved in the transaction will  
12 be shipped;

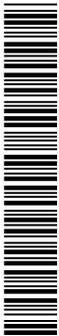
13 “(III) the type of goods being ex-  
14 ported;

15 “(IV) the amount of the loan or  
16 guarantee involved;

17 “(V) the goods that would be  
18 produced as a result of the provision  
19 of the loan or guarantee;

20 “(VI) the amount of increased  
21 production that will result from the  
22 transaction;

23 “(VII) the potential sales market  
24 for the resulting goods;



1 “(VIII) the value of the trans-  
2 action; and

3 “(IX) any other relevant infor-  
4 mation.

5 “(iii) PROCEDURE REGARDING MATE-  
6 RIALLY CHANGED APPLICATIONS.—

7 “(I) IN GENERAL.—If a material  
8 change is made to an application for  
9 a loan or guarantee from the Bank  
10 after a notice with respect to the in-  
11 tent described in clause (i) is pub-  
12 lished under this subparagraph, the  
13 Bank shall cause to be published in  
14 the Federal Register a revised notice  
15 of the intent, and shall provide for a  
16 comment period, as provided in  
17 clauses (i) and (ii).

18 “(II) MATERIAL CHANGE DE-  
19 FINED.—In subclause (I), the term  
20 ‘material change’, with respect to an  
21 application, includes—

22 “(aa) a change of at least  
23 25 percent in the amount of a  
24 loan or guarantee requested in  
25 the application; and



1                   “(bb) a change in the prin-  
2                   cipal product to be produced as a  
3                   result of any transaction that  
4                   would be facilitated by the provi-  
5                   sion of the loan or guarantee.

6                   “(C) REQUIREMENT TO CONSIDER AND  
7                   ADDRESS VIEWS OF ADVERSELY AFFECTED  
8                   PERSONS.—Before taking final action on an ap-  
9                   plication for a loan or guarantee from the Bank  
10                  to which this subsection applies, the Bank shall  
11                  consider and address in writing the views of any  
12                  person who may be substantially adversely af-  
13                  fected by the provision of the loan or guarantee.

14                  “(D) PUBLICATION OF CONCLUSIONS.—  
15                  Within 30 days after a party affected by a final  
16                  decision of the Board of Directors with respect  
17                  to a loan or guarantee makes a written request  
18                  therefor, the Bank shall provide to the affected  
19                  party a non-confidential summary of the facts  
20                  found and conclusions reached in any detailed  
21                  economic impact analysis or similar study con-  
22                  ducted pursuant to subparagraph (B) with re-  
23                  spect to the loan or guarantee, that were sub-  
24                  mitted to the Board of Directors.



1           “(E) RULE OF INTERPRETATION.— This  
2 paragraph shall not be construed to make sub-  
3 chapter II of chapter 5 of title 5, United States  
4 Code, applicable to the Bank.

5           “(F) REGULATIONS.—The Bank shall im-  
6 plement such regulations and procedures as  
7 may be appropriate to carry out this para-  
8 graph.”.

9           (b) CONFORMING AMENDMENT.—Section 2(e)(2)(C)  
10 of such Act (12 U.S.C. 635(e)(2)(C)) is amended by in-  
11 serting “of not less than 14 days (which, on request of  
12 any affected party, shall be extended to a period of not  
13 more than 30 days)” after “comment period”.

Redesignate succeeding sections (and conform the  
table of contents) accordingly.

