

MOTION TO RECOMMIT H.R. 4863

OFFERED BY M__ . _____

M__ . _____ moves to recommit the bill H.R. 4863 to the Committee on Financial Services with instructions to report the same to the House forthwith with the following amendment:

Page 33, after line 22, insert the following:

1 **SEC. ____ . LIMITATION ON FINANCIAL ASSISTANCE FOR**
2 **THE CHINESE GOVERNMENT.**

3 Section 2 of the Export-Import Bank Act of 1945
4 (12 U.S.C. 635), as amended by the preceding provisions
5 of this Act, is amended by adding at the end the following:

6 “(n) LIMITATION ON FINANCIAL ASSISTANCE FOR
7 THE CHINESE GOVERNMENT.—

8 “(1) IN GENERAL.—The Agency may not pro-
9 vide a loan, guarantee, or insurance benefitting the
10 Government of China (whether as a lender, obligor,
11 or end user), with respect to which credit assistance
12 from the Agency is first sought after the effective
13 date of this subsection, if the lender, obligor, or end
14 user knowingly provides significant financial, mate-
15 rial, technological, or other support to, or significant

1 goods or services in support of any of the following
2 policies, activities, or entities of the Government of
3 China:

4 “(A) The People’s Liberation Army.

5 “(B) The Ministry of State Security.

6 “(C) The Belt and Road Initiative (or any
7 successor or comparable initiative of that gov-
8 ernment).

9 “(D) Gross violations of internationally
10 recognized human rights (as defined in section
11 502B of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2304(d)(1))), including such viola-
13 tions with respect to ethnic or religious minori-
14 ties in China.

15 “(E) The theft of United States intellec-
16 tual property or the illicit transfer of technology
17 from a United States person.

18 “(2) EXEMPTION.—Paragraph (1) shall not
19 apply to a loan, guarantee, or insurance which—

20 “(A) would enable exports directly by
21 United States small business concerns; or

22 “(B) is required for the export of humani-
23 tarian goods or services, including lifesaving,
24 rescue, and medical equipment (such as ambu-

1 lances, firefighting vehicles, hospital supplies,
2 and medical devices).

3 “(3) PRESIDENTIAL WAIVER.—The President
4 may waive any requirement of paragraph (1) for up
5 to 1 year at a time, on reporting in writing to the
6 committees specified in paragraph (1) that the waiv-
7 er is essential to the national interest of the United
8 States, with a detailed explanation of the reasons
9 therefor.

10 “(4) DEFINITIONS.—In paragraph (1):

11 “(A) GOVERNMENT OF CHINA.—The term
12 ‘Government of China’ means—

13 “(i) the state and the Government of
14 China, as well as any political subdivision,
15 agency, or instrumentality thereof;

16 “(ii) any entity owned or controlled,
17 directly or indirectly, by any of the fore-
18 going, including any corporation, partner-
19 ship, association, or other entity in which
20 any of the foregoing owns a 50 percent or
21 greater interest or a controlling interest,
22 and any entity which is otherwise con-
23 trolled by any of the foregoing;

24 “(iii) any person that is or has been
25 acting or purporting to act, directly or in-

1 directly, for or on behalf of any of the fore-
2 going; and

3 “(iv) any other person which the Sec-
4 retary of the Treasury determines is in-
5 cluded in any of the foregoing.

6 “(B) KNOWINGLY.—The term ‘knowingly’,
7 with respect to conduct, a circumstance, or a
8 result, means that a person has actual knowl-
9 edge, or should have known, of the conduct, the
10 circumstance, or the result.”.

