

108TH CONGRESS  
1ST SESSION

# H. R. 3145

To amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2003

Mr. HYDE (for himself and Mr. LANTOS) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, 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 “Overseas Private In-  
5 vestment Corporation Amendments Act of 2003”.

6 **SEC. 2. ISSUING AUTHORITY.**

7 Section 235(a)(2) of the Foreign Assistance Act of  
8 1961 (22 U.S.C. 2195(a)(2)) is amended by striking  
9 “2003” and inserting “2007”.

1 **SEC. 3. TECHNICAL CORRECTIONS.**

2 (a) ADMINISTRATIVE COSTS.—Section 235(a)(1)(B)  
3 of the Foreign Assistance Act of 1961 (22 U.S.C.  
4 2195(a)(1)(B)) is amended by striking “subsidy cost” and  
5 inserting “subsidy and administrative costs”.

6 (b) NONCREDIT ACCOUNT REVOLVING FUND.—Sec-  
7 tion 235(c) of the Foreign Assistance Act of 1961 (22  
8 U.S.C. 2195(c)) is amended—

9 (1) in the first sentence—

10 (A) by striking “an insurance and guar-  
11 anty fund, which shall have separate accounts  
12 to be known as the Insurance Reserve and the  
13 Guaranty Reserve, which reserves” and insert-  
14 ing “a noncredit account revolving fund,  
15 which”; and

16 (B) by striking “such reserves have” and  
17 inserting “of the fund has”;

18 (2) by striking the third sentence; and

19 (3) in the last sentence, by striking “reserves”  
20 and inserting “fund”.

21 (c) PAYMENTS TO DISCHARGE LIABILITIES.—Section  
22 235(d) of the Foreign Assistance Act of 1961 (22 U.S.C.  
23 2195(d)) is amended—

24 (1) in the first sentence, by striking “Insurance  
25 Reserve, as long as such reserve” and inserting

1 “noncredit account revolving fund, as long as such  
2 fund”; and

3 (2) in the second sentence, by striking “or  
4 under similar predecessor guaranty authority” and  
5 all that follows through “subsection (f) of this sec-  
6 tion” and inserting “or 234(c) shall be paid in ac-  
7 cordance with the Federal Credit Reform Act of  
8 1990”.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
10 235(f) of the Foreign Assistance Act of 1961 (22 U.S.C.  
11 2195(f)) is amended—

12 (1) in the first sentence, by striking “insurance  
13 and guaranty fund” and inserting “noncredit ac-  
14 count revolving fund”; and

15 (2) by striking “Insurance Reserve” each place  
16 it appears and inserting “noncredit account revolv-  
17 ing fund”.

18 (e) BOARD OF DIRECTORS.—Section 233(b) of the  
19 Foreign Assistance Act of 1961 (22 U.S.C. 2193(b)) is  
20 amended in the second paragraph—

21 (1) by striking “officials” and inserting “prin-  
22 cipal officers”;

23 (2) by inserting “whose duties relate to the pro-  
24 grams of the Corporation” after “United States”;  
25 and

1           (3) by striking “an official” and inserting “one  
2           such officer”.

3 **SEC. 4. INVESTMENT INSURANCE.**

4           (a) EXPROPRIATION OR CONFISCATION.—Section  
5 234(a)(1)(B) of the Foreign Assistance Act of 1961 (22  
6 U.S.C. 2194(a)(1)(B)) is amended by inserting “or any  
7 political subdivision thereof” after “government”.

8           (b) DEFINITION OF EXPROPRIATION.—Section  
9 238(b) of the Foreign Assistance Act of 1961 (22 U.S.C.  
10 2198(b)) is amended by inserting “, a political subdivision  
11 of a foreign government, or a corporation owned or con-  
12 trolled by a foreign government,” after “government”.

13 **SEC. 5. LOCAL CURRENCY GUARANTY.**

14           (a) LOCAL CURRENCY GUARANTY.—Section 234 of  
15 the Foreign Assistance Act of 1961 (22 U.S.C. 2194) is  
16 amended by adding at the end the following:

17           “(h) LOCAL CURRENCY GUARANTIES FOR ELIGIBLE  
18 INVESTORS.—To issue to—

19                   “(1) eligible investors, or

20                   “(2) local financial institutions,

21 guaranties, denominated in currencies other than United  
22 States dollars, of loans and other investments made to  
23 projects sponsored by or significantly involving eligible in-  
24 vestors, assuring against loss due to such risks and upon  
25 such terms and conditions as the Corporation may deter-

1 mine, for projects that the Corporation determines to have  
2 significant developmental effects or as the Corporation de-  
3 termines to be necessary or appropriate to carry out the  
4 purposes of this title.”.

5 (b) DEFINITION OF LOCAL FINANCIAL INSTITU-  
6 TION.—Section 238 of the Foreign Assistance Act of 1961  
7 (22 U.S.C. 2198) is amended—

8 (1) in subsection (d), by striking “and” after  
9 the semicolon;

10 (2) in subsection (f), by striking the period at  
11 the end and inserting “; and”; and

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

13 “(g) the term ‘local financial institution’—

14 “(1) means any bank or financial institu-  
15 tion that is organized under the laws of any  
16 country or area in which the Corporation oper-  
17 ates; but

18 “(2) does not include a branch, however  
19 organized, of a bank or other financial institu-  
20 tion that is organized under the laws of a coun-  
21 try in which the Corporation does not operate.”.

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