

116TH CONGRESS  
2D SESSION

# H. R. 7570

To amend the Better Utilization of Investments Leading to Development Act of 2018 to facilitate increased equity investments under that Act.

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IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2020

Mr. YOHO (for himself and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To amend the Better Utilization of Investments Leading to Development Act of 2018 to facilitate increased equity investments under that Act.

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. FACILITATION OF INCREASED EQUITY INVEST-**  
4 **MENTS UNDER THE BETTER UTILIZATION OF**  
5 **INVESTMENTS LEADING TO DEVELOPMENT**  
6 **ACT OF 2018.**

7 (a) **APPLICABILITY OF FEDERAL CREDIT REFORM**  
8 **ACT OF 1990.**—Section 1421(c) of the Better Utilization  
9 of Investments Leading to Development Act of 2018 (22

1 U.S.C. 9621(c) is amended by adding at the end the fol-  
2 lowing:

3 “(7) APPLICABILITY OF FEDERAL CREDIT RE-  
4 FORM ACT OF 1990.—

5 “(A) IN GENERAL.—Subject to subpara-  
6 graphs (B) and (C), support provided under  
7 paragraph (1) with respect to a project shall be  
8 considered to be a Federal credit program that  
9 is subject to the Federal Credit Reform Act of  
10 1990 (2 U.S.C. 661 et seq.) for purposes of ap-  
11 plying the requirements of such Act to such  
12 support.

13 “(B) DETERMINATION OF COST.—

14 “(i) IN GENERAL.—For purposes of  
15 section 502(5) of the Federal Credit Re-  
16 form Act of 1990 (2 U.S.C. 661a(5) et  
17 seq.) the cost of support provided under  
18 paragraph (1) with respect to a project  
19 shall be the net present value, at the time  
20 when funds are disbursed to provide the  
21 support, of the following estimated cash  
22 flows:

23 “(I) The purchase price of the  
24 support.

1                   “(II) Dividends, redemptions,  
2                   and other shareholder distributions  
3                   during the term of the support.

4                   “(III) Proceeds received upon a  
5                   sale, redemption, or other liquidation  
6                   of the support.

7                   “(IV) Adjustments for risk of es-  
8                   timated losses, if any.

9                   “(ii) CHANGES IN TERMS IN-  
10                  CLUDED.—The estimated cash flows de-  
11                  scribed in subclauses (I) through (IV) of  
12                  clause (i) shall include the effects of  
13                  changes in terms resulting from the exer-  
14                  cise of options included in the agreement  
15                  to provide the support.

16                  “(C) REESTIMATE OF COST.—When the  
17                  estimated cost of support provided under para-  
18                  graph (1) with respect to a project made in a  
19                  single fiscal year is reestimated in a subsequent  
20                  year, the difference between the reestimated  
21                  cost and the previous cost estimate shall be  
22                  paid from the balances available in the Cor-  
23                  porate Capital Account established under sec-  
24                  tion 1434.”.

1 (b) FUNDING FOR CORPORATE CAPITAL ACCOUNT.—  
2 Section 1434(b) of the Better Utilization of Investments  
3 Leading to Development Act of 2018 (22 U.S.C. 9634(b))  
4 is amended—

5 (1) in paragraph (5), by striking “and” at the  
6 end;

7 (2) by redesignating paragraph (6) as para-  
8 graph (7); and

9 (3) by inserting after paragraph (5) the fol-  
10 lowing:

11 “(7) receipts of reestimated costs received pur-  
12 suant to section 1421(c).”.

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