

1 **SEC. 5540. RULE OF CONSTRUCTION REGARDING THE USE**
2 **OF MILITARY FORCE.**

3 Nothing in this title may be construed as authorizing
4 the use of military force or the introduction of United
5 States forces into hostilities.

6 **Subtitle B—United States-Ecuador**
7 **Partnership Act of 2022**

8 **SEC. 5541. SHORT TITLE.**

9 This subtitle may be cited as the “United States-Ec-
10 uador Partnership Act of 2022”.

11 **SEC. 5542. SENSE OF CONGRESS.**

12 It is the sense of Congress that—

13 (1) the United States should take additional
14 steps to strengthen its bilateral partnership with Ec-
15 uador, including by providing for robust trade and
16 investment, increasing law enforcement cooperation,
17 renewing the activities of the United States Agency
18 for International Development in Ecuador, and sup-
19 porting Ecuador’s response to and recovery from the
20 COVID–19 pandemic, as necessary and appropriate;
21 and

22 (2) strengthening the United States-Ecuador
23 partnership presents an opportunity to advance core
24 United States national security interests and work
25 with other democratic partners to maintain a pros-
26 perous, politically stable, and democratic Western

1 Hemisphere that is resilient to malign foreign influ-
2 ence.

3 **SEC. 5543. FACILITATING ECONOMIC AND COMMERCIAL**
4 **TIES.**

5 The Secretary of State, in coordination with the Sec-
6 retary of Commerce, the United States Trade Representa-
7 tive, the Secretary of the Treasury, and the heads of other
8 relevant Federal departments and agencies, as appro-
9 priate, shall develop and implement a strategy to strength-
10 en commercial and economic ties between the United
11 States and Ecuador by—

12 (1) promoting cooperation and information
13 sharing to encourage awareness of and increase
14 trade and investment opportunities between the
15 United States and Ecuador;

16 (2) supporting efforts by the Government of
17 Ecuador to promote a more open, transparent, and
18 competitive business environment, including by low-
19 ering trade barriers, implementing policies to reduce
20 trading times, and improving efficiencies to expedite
21 customs operations for importers and exporters of
22 all sizes, in all sectors, and at all ports of entry in
23 Ecuador;

24 (3) establishing frameworks or mechanisms to
25 review the long term financial sustainability and se-

1 security implications of foreign investments in Ecuador in strategic sectors or services;

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3 (4) establishing competitive and transparent infrastructure project selection and procurement processes in Ecuador that promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms;

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8 (5) developing programs to help the Government of Ecuador improve efficiency and transparency in customs administration, including through support for the Government of Ecuador's ongoing efforts to digitize its customs process and accept electronic documents required for the import, export, and transit of goods under specific international standards, as well as related training to expedite customs, security, efficiency, and competitiveness;

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18 (6) spurring digital transformation that would advance—

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20 (A) the provision of digitized government services with the greatest potential to improve transparency, lower business costs, and expand citizens' access to public services and public information; and

1 (B) best practices to mitigate the risks to
2 digital infrastructure by doing business with
3 communication networks and communications
4 supply chains with equipment and services from
5 companies with close ties to or susceptible to
6 pressure from governments or security services
7 without reliable legal checks on governmental
8 powers; and

9 (7) identifying, as appropriate, a role for the
10 United States International Development Finance
11 Corporation, the Millennium Challenge Corporation,
12 the United States Agency for International Develop-
13 ment, and the United States private sector in sup-
14 porting efforts to increase private sector investment
15 and strengthen economic prosperity.

16 **SEC. 5544. PROMOTING INCLUSIVE ECONOMIC DEVELOP-**
17 **MENT.**

18 The Administrator of the United States Agency for
19 International Development, in coordination with the Sec-
20 retary of State and the heads of other relevant Federal
21 departments and agencies, as appropriate, shall develop
22 and implement a strategy and related programs to support
23 inclusive economic development across Ecuador's national
24 territory by—

1 (1) facilitating increased access to public and
2 private financing, equity investments, grants, and
3 market analysis for small and medium-sized busi-
4 nesses;

5 (2) providing technical assistance to local gov-
6 ernments to formulate and enact local development
7 plans that invest in Indigenous and Afro-Ecuadorian
8 communities;

9 (3) connecting rural agricultural networks, in-
10 cluding Indigenous and Afro-Ecuadorian agricultural
11 networks, to consumers in urban centers and export
12 markets, including through infrastructure construc-
13 tion and maintenance programs that are subject to
14 audits and carefully designed to minimize potential
15 environmental harm;

16 (4) partnering with local governments, the pri-
17 vate sector, and local civil society organizations, in-
18 cluding organizations representing marginalized
19 communities and faith-based organizations, to pro-
20 vide skills training and investment in support of ini-
21 tiatives that provide economically viable, legal alter-
22 natives to participating in illegal economies; and

23 (5) connecting small scale fishing enterprises to
24 consumers and export markets, in order to reduce
25 vulnerability to organized criminal networks.

1 **SEC. 5545. COMBATING ILLICIT ECONOMIES, CORRUPTION,**
2 **AND NEGATIVE FOREIGN INFLUENCE.**

3 The Secretary of State, in coordination with the Sec-
4 retary of the Treasury, shall develop and implement a
5 strategy and related programs to increase the capacity of
6 Ecuador's justice system and law enforcement authorities
7 to combat illicit economies, corruption, transnational
8 criminal organizations, and the harmful influence of ma-
9 lign foreign and domestic actors by—

10 (1) providing technical assistance and material
11 support (including, as appropriate, radars, vessels,
12 and communications equipment) to vetted specialized
13 units of Ecuador's national police and the armed
14 services to disrupt, degrade, and dismantle organiza-
15 tions involved in illicit narcotics trafficking,
16 transnational criminal activities, illicit mining, and
17 illegal, unregulated, and unreported fishing, among
18 other illicit activities;

19 (2) providing technical assistance to address
20 challenges related to Ecuador's penitentiary and cor-
21 rections system;

22 (3) strengthening the regulatory framework of
23 mining through collaboration with key Ecuadorian
24 institutions, such as the Interior Ministry's Special
25 Commission for the Control of Illegal Mining and
26 the National Police's Investigative Unit on Mining

1 Crimes, and providing technical assistance in sup-
2 port of their law enforcement activities;

3 (4) providing technical assistance to judges,
4 prosecutors, and ombudsmen to increase capacity to
5 enforce laws against human smuggling and traf-
6 ficking, illicit mining, illegal logging, illegal, unregu-
7 lated, and unreported (IUU) fishing, and other illicit
8 economic activities;

9 (5) providing support to the Government of Ec-
10 uador to prevent illegal, unreported, and unregulated
11 fishing, including through expanding detection and
12 response capabilities, and the use of dark vessel
13 tracing technology;

14 (6) supporting multilateral efforts to stem ille-
15 gal, unreported, and unregulated fishing with neigh-
16 boring countries in South America and within the
17 South Pacific Regional Fisheries Management
18 Organisation;

19 (7) assisting the Government of Ecuador's ef-
20 forts to protect defenders of internationally recog-
21 nized human rights, including through the work of
22 the Office of the Ombudsman of Ecuador, and by
23 encouraging the inclusion of Indigenous and Afro-
24 Ecuadorian communities and civil society organiza-
25 tions in this process;

1 (8) supporting efforts to improve transparency,
2 uphold accountability, and build capacity within the
3 Office of the Comptroller General;

4 (9) enhancing the institutional capacity and
5 technical capabilities of defense and security institu-
6 tions of Ecuador to conduct national or regional se-
7 curity missions, including through regular bilateral
8 and multilateral cooperation, foreign military financ-
9 ing, international military education, and training
10 programs, consistent with applicable Ecuadorian
11 laws and regulations;

12 (10) enhancing port management and maritime
13 security partnerships to disrupt, degrade, and dis-
14 mantle transnational criminal networks and facili-
15 tate the legitimate flow of people, goods, and serv-
16 ices; and

17 (11) strengthening cybersecurity cooperation—

18 (A) to effectively respond to cybersecurity
19 threats, including state-sponsored threats;

20 (B) to share best practices to combat such
21 threats;

22 (C) to help develop and implement infor-
23 mation architectures that respect individual pri-
24 vacy rights and reduce the risk that data col-

1 lected through such systems will be exploited by
2 malign state and non-state actors;

3 (D) to strengthen resilience against
4 cyberattacks; and

5 (E) to strengthen the resilience of critical
6 infrastructure.

7 **SEC. 5546. STRENGTHENING DEMOCRATIC GOVERNANCE.**

8 (a) STRENGTHENING DEMOCRATIC GOVERNANCE.—

9 The Secretary of State, in coordination with the Adminis-
10 trator of the United States Agency for International De-
11 velopment, should develop and implement initiatives to
12 strengthen democratic governance in Ecuador by sup-
13 porting—

14 (1) measures to improve the capacity of na-
15 tional and subnational government institutions to
16 govern through transparent, inclusive, and demo-
17 cratic processes;

18 (2) efforts that measurably enhance the capac-
19 ity of political actors and parties to strengthen
20 democratic institutions and the rule of law;

21 (3) initiatives to strengthen democratic govern-
22 ance, including combating political, administrative,
23 and judicial corruption and improving transparency
24 of the administration of public budgets; and

1 (4) the efforts of civil society organizations and
2 independent media—

3 (A) to conduct oversight of the Govern-
4 ment of Ecuador and the National Assembly of
5 Ecuador;

6 (B) to promote initiatives that strengthen
7 democratic governance, anti-corruption stand-
8 ards, and public and private sector trans-
9 parency; and

10 (C) to foster political engagement between
11 the Government of Ecuador, including the Na-
12 tional Assembly of Ecuador, and all parts of
13 Ecuadorian society, including women, indige-
14 nous communities, and Afro-Ecuadorian com-
15 munities.

16 (b) LEGISLATIVE STRENGTHENING.—The Adminis-
17 trator of the United States Agency for International De-
18 velopment, working through the Consortium for Elections
19 and Political Process Strengthening or any equivalent or
20 successor mechanism, shall develop and implement pro-
21 grams to strengthen the National Assembly of Ecuador
22 by providing training and technical assistance to—

23 (1) members and committee offices of the Na-
24 tional Assembly of Ecuador, including the Ethics
25 Committee and Audit Committee;

1 (2) assist in the creation of entities that can
2 offer comprehensive and independent research and
3 analysis on legislative and oversight matters pending
4 before the National Assembly, including budgetary
5 and economic issues; and

6 (3) improve democratic governance and govern-
7 ment transparency, including through effective legis-
8 lation.

9 (c) **BILATERAL LEGISLATIVE COOPERATION.**—To
10 the degree practicable, in implementing the programs re-
11 quired under subsection (b), the Administrator of the
12 United States Agency for International Development
13 should facilitate meetings and collaboration between mem-
14 bers of the United States Congress and the National As-
15 sembly of Ecuador.

16 **SEC. 5547. FOSTERING CONSERVATION AND STEWARDSHIP.**

17 The Administrator of the United States Agency for
18 International Development, in coordination with the Sec-
19 retary of State and the heads of other relevant Federal
20 departments and agencies, shall develop and implement
21 programs and enhance existing programs, as necessary
22 and appropriate, to improve ecosystem conservation and
23 enhance the effective stewardship of Ecuador’s natural re-
24 sources by—

1 (1) providing technical assistance to Ecuador's
2 Ministry of the Environment to safeguard national
3 parks and protected forests and protected species,
4 while promoting the participation of Indigenous com-
5 munities in this process;

6 (2) strengthening the capacity of communities
7 to access the right to prior consultation, encoded in
8 Article 57 of the Constitution of Ecuador and re-
9 lated laws, executive decrees, administrative acts,
10 and ministerial regulations;

11 (3) supporting Indigenous and Afro-Ecuadorian
12 communities as they raise awareness of threats to
13 biodiverse ancestral lands, including through support
14 for local media in such communities and technical
15 assistance to monitor illicit activities;

16 (4) partnering with the Government of Ecuador
17 in support of reforestation and improving river, lake,
18 and coastal water quality;

19 (5) providing assistance to communities af-
20 fected by illegal mining and deforestation; and

21 (6) fostering mechanisms for cooperation on
22 emergency preparedness and rapid recovery from
23 natural disasters, including by—

24 (A) establishing regional preparedness, re-
25 covery, and emergency management centers to

1 facilitate rapid response to survey and help
2 maintain planning on regional disaster antici-
3 pated needs and possible resources; and

4 (B) training disaster recovery officials on
5 latest techniques and lessons learned from
6 United States experiences.

7 **SEC. 5548. AUTHORIZATION TO TRANSFER EXCESS COAST**
8 **GUARD VESSELS.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that the United States should undertake efforts to
11 expand cooperation with the Government of Ecuador to—

12 (1) ensure protections for the Galápagos Marine
13 Reserve;

14 (2) deter illegal, unreported, and unregulated
15 fishing; and

16 (3) increase interdiction of narcotics trafficking
17 and other forms of illicit trafficking.

18 (b) AUTHORITY TO TRANSFER EXCESS COAST
19 GUARD VESSELS TO THE GOVERNMENT OF ECUADOR.—

20 The President shall conduct a joint assessment with the
21 Government of Ecuador to ensure sufficient capacity ex-
22 ists to maintain Island class cutters. Upon completion of
23 a favorable assessment, the President is authorized to
24 transfer up to two ISLAND class cutters to the Govern-
25 ment of Ecuador as excess defense articles pursuant to

1 the authority of section 516 of the Foreign Assistance Act
2 (22 U.S.C. 2321j).

3 (c) GRANTS NOT COUNTED IN ANNUAL TOTAL OF
4 TRANSFERRED EXCESS DEFENSE ARTICLES.—The value
5 of a vessel transferred to another country on a grant basis
6 pursuant to authority provided by subsection (b) shall not
7 be counted against the aggregate value of excess defense
8 articles transferred in any fiscal year under section 516
9 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

10 (d) COSTS OF TRANSFERS.—Any expense incurred by
11 the United States in connection with a transfer authorized
12 by this section shall be charged to the recipient notwith-
13 standing section 516(e) of the Foreign Assistance Act of
14 1961 (22 U.S.C. 2321j(e)).

15 (e) REPAIR AND REFURBISHMENT IN UNITED
16 STATES SHIPYARDS.—To the maximum extent prac-
17 ticable, the President shall require, as a condition of the
18 transfer of a vessel under this section, that the recipient
19 to which the vessel is transferred have such repair or re-
20 furbishment of the vessel as is needed, before the vessel
21 joins the naval forces of that recipient, performed at a
22 shipyard located in the United States.

23 (f) EXPIRATION OF AUTHORITY.—The authority to
24 transfer a vessel under this section shall expire at the end

1 of the 3-year period beginning on the date of the enact-
2 ment of this Act.

3 **SEC. 5549. REPORTING REQUIREMENTS.**

4 (a) SECRETARY OF STATE.—The Secretary of State,
5 in coordination with the heads of other relevant Federal
6 departments and agencies as described in sections 5543,
7 5545, and 5546(a), shall—

8 (1) not later than 180 days after the date of
9 the enactment of this Act, submit to the appropriate
10 congressional committees a comprehensive strategy
11 to address the requirements described in sections
12 5543, 5545, and 5546(a); and

13 (2) not later than 2 years and 4 years after
14 submitting the comprehensive strategy under para-
15 graph (1), submit to the appropriate congressional
16 committees a report describing the implementation
17 of the strategy.

18 (b) ADMINISTRATOR OF THE UNITED STATES AGEN-
19 CY FOR INTERNATIONAL DEVELOPMENT.—The Adminis-
20 trator of the United States Agency for International De-
21 velopment, in coordination with the heads of other relevant
22 Federal departments and agencies as described in sections
23 5544, 5546(b), and 5547, shall—

24 (1) not later than 180 days after the date of
25 the enactment of this Act, submit to appropriate

1 congressional committees a comprehensive strategy
2 to address the requirements described in sections
3 5544, 5546(b) and 5547; and

4 (2) not later than 2 years and 4 years after
5 submitting the comprehensive strategy under para-
6 graph (1), submit to the appropriate congressional
7 committees a report describing the implementation
8 of the strategy.

9 (c) SUBMISSION.—The strategies and reports re-
10 quired under subsections (a) and (b) may be submitted
11 to the appropriate congressional committees as joint strat-
12 egies and reports.

13 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
14 In this subtitle, the term “appropriate congressional com-
15 mittees” means the Committee on Foreign Relations of
16 the Senate and the Committee on Foreign Affairs and the
17 Committee on Energy and Commerce of the House of
18 Representatives.

19 **SEC. 5550. SUNSET.**

20 This subtitle shall terminate on the date that is 5
21 years after the date of the enactment of this Act.