

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 2578

To support United States investment opportunities, to strengthen bilateral collaboration in addressing criminal elements operating in the Brazilian Amazon, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. KAINE

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening the Rule
5 of Law in the Brazilian Amazon Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **CRIMES.**—The term “crimes” means—

9 (A) any crime related or contributing to
10 the illegal fishing and wildlife trade, illicit min-

1 ing, or illegal logging and land-clearing in the
2 Brazilian Amazon; and

3 (B) associated corruption, financial crimes,
4 and violent crimes.

5 (2) INTERNATIONAL FINANCIAL INSTITU-
6 TIONS.—The term “international financial institu-
7 tions” means—

8 (A) the World Bank Group;

9 (B) the Inter-American Development Bank
10 Group; and

11 (C) the International Monetary Fund.

12 (3) RELEVANT FEDERAL AGENCIES.—The term
13 “relevant Federal agencies” means—

14 (A) the Department of State; and

15 (B) other Federal departments and agen-
16 cies the President has designated as having sig-
17 nificant domestic or foreign affairs equities in
18 identifying investment opportunities in the Bra-
19 zilian Amazon and combating criminal elements
20 in the Brazilian Amazon.

21 **SEC. 3. IDENTIFYING INVESTMENT OPPORTUNITIES IN THE**
22 **BRAZILIAN AMAZON.**

23 (a) BUSINESS DEVELOPMENT.—The Chief Executive
24 Officer of the United States International Development

1 Finance Corporation should consider placing a staff mem-
2 ber in Brazil with duties that include—

3 (1) identifying and implementing more viable
4 economic opportunities in the Brazilian Amazon; and

5 (2) identifying possible investment risks and
6 mitigation measures related to operations and actors
7 that contribute to criminal activity in the Brazilian
8 Amazon.

9 (b) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act, the Chief Executive Officer
11 of the United States International Development Finance
12 Corporation shall submit a report to Congress that de-
13 scribes—

14 (1) the opportunities identified pursuant to sub-
15 section (a)(1); and

16 (2) the most significant barriers to greater in-
17 vestment in sustainable and viable economic oppor-
18 tunities in the Brazilian Amazon.

19 **SEC. 4. COMBATING CRIMINAL ELEMENTS OPERATING IN**
20 **THE BRAZILIAN AMAZON.**

21 (a) IN GENERAL.—The Secretary of State may direct
22 the Assistant Secretary of State for International Nar-
23 cotics and Law Enforcement Affairs, in coordination with
24 relevant Federal agencies and the United States mission
25 in Brazil, to support Brazil's efforts to identify and dis-

1 rupt the complex and transnational criminal networks con-
2 tributing to the destruction of communities and deforest-
3 ation in the Brazilian Amazon by providing capacity build-
4 ing and technical assistance, including—

5 (1) information sharing, training, and capacity-
6 building for Brazilian agencies, including through
7 United States Government agencies;

8 (2) collaborating on tracing funds generated
9 from crimes;

10 (3) supporting investigations of crimes that are
11 associated with deforestation, environmental deg-
12 radation, money laundering, asset laundering, or
13 corruption offenses;

14 (4) assisting with the identification of the pro-
15 ceeds of such crimes to help facilitate asset recovery;
16 and

17 (5) providing appropriate United States assist-
18 ance to funding mechanisms consistent with the
19 goals of this Act.

20 (b) COMMUNITY ASSISTANCE.—The Secretary of
21 State, in consultation with relevant Federal agencies,
22 should provide financial and technical assistance to help
23 prevent crimes by promoting—

24 (1) lawful livelihoods in the Brazilian Amazon;

1 Congress regarding certain drivers of deforestation and
2 environmental degradation in the Brazilian Amazon that
3 includes—

4 (1) a description of the agricultural commod-
5 ities, illegal timber, minerals, and wildlife entering
6 the United States market that are contributing to
7 deforestation and environmental degradation of the
8 Brazilian Amazon;

9 (2) a description of the role of the People's Re-
10 public of China's in facilitating illicit resource ex-
11 traction and environmental degradation, including
12 deforestation, in the Brazilian Amazon;

13 (3) the funding levels and efficacy of United
14 States foreign assistance programs in identifying
15 and disrupting the criminal elements operating in
16 the Brazilian Amazon; and

17 (4) an assessment of the Government of Bra-
18 zil's contributions to countering criminal elements
19 operating in the Brazilian Amazon.

20 **SEC. 6. INTERNATIONAL COOPERATION.**

21 The Secretary of the Treasury should direct the
22 United States executive director to each international fi-
23 nancial institution, in consultation with relevant Federal
24 agencies, to use the voice, vote, and influence of the
25 United States—

- 1 (1) to prioritize promoting broad-based develop-
2 ment in the Brazilian Amazon; and
- 3 (2) to oppose any loans or programs at any
4 such institution that would facilitate or exacerbate
5 deforestation and environmental degradation in the
6 Brazilian Amazon.