

118TH CONGRESS
2D SESSION

S. 3878

To establish a regional trade, investment, and people-to-people partnership of countries in the Western Hemisphere to stimulate growth and integration through viable long-term private sector development, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2024

Mr. CASSIDY (for himself and Mr. BENNET) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To establish a regional trade, investment, and people-to-people partnership of countries in the Western Hemisphere to stimulate growth and integration through viable long-term private sector development, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Americas Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—E-GOVERNANCE IN THE AMERICAS

- Sec. 101. Americas Institute for Digital Governance.
- Sec. 102. E-governance framework.
- Sec. 103. Additional duties of Institute.
- Sec. 104. Funding.

TITLE II—TRADE AND INVESTMENT FOR THE AMERICAS

Subtitle A—Administration

- Sec. 201. Partnership agreements.
- Sec. 202. Americas Partnership business advisory board.
- Sec. 203. Administration.
- Sec. 204. Americas Partnership Secretariat.
- Sec. 205. Report.

Subtitle B—Trade

CHAPTER 1—RE-SHORING AND NEAR-SHORING

- Sec. 211. Sense of Congress.
- Sec. 212. Incentives for re-shoring and near-shoring of businesses from People's Republic of China.
- Sec. 213. Tax credit for qualifying re-shoring and near-shoring expenses.

CHAPTER 2—FREE TRADE EXPANSION

- Sec. 221. Tariff reciprocity under GATT 1994.
- Sec. 222. Expansion of USMCA or establishment of other regional trade agreement.
- Sec. 223. Americas Partnership Threshold Program.
- Sec. 224. Expansion of beneficiaries under United States-Caribbean Basin Trade Partnership Act.
- Sec. 225. Exclusion of certain countries from certain preferential trade treatment.
- Sec. 226. Extension of trade promotion authority to Americas partner countries for purposes of expansion of USMCA.

CHAPTER 3—TEXTILE AND APPAREL

- Sec. 231. Textile and apparel grant program.
- Sec. 232. Textile reuse and recycling programs.
- Sec. 233. Textile production verification teams.
- Sec. 234. Tax benefits for apparel and home textile products.
- Sec. 235. Treatment of fibers, fabrics, and yarns not available in commercial quantities in Americas partner countries.

CHAPTER 4—TRADE ENFORCEMENT

- Sec. 241. Establishment of special enforcement unit of U.S. Customs and Border Protection to monitor the implementation of Uyghur Forced Labor Prevention Act.
- Sec. 242. Authorization of payments to whistleblowers relating to money laundering or illicit financial transactions.

- Sec. 243. Establishment of borders and ports protection program.
 Sec. 244. Establishment of mutual recognition agreements and trade transparency units.

Subtitle C—Investment

- Sec. 251. Sense of Congress.
 Sec. 252. BUILD Americas Unit.
 Sec. 253. Americas Partnership Enterprise Fund.
 Sec. 254. Near-shoring of strategic supply chains and transformational energy investments.

Subtitle D—People-to-People Activities

- Sec. 261. Humanitarian and business development assistance.
 Sec. 262. Department of State.
 Sec. 263. Peace Corps.
 Sec. 264. American University of the Americas.
 Sec. 265. United States Agency for International Development Caribbean and Latin American Scholarship Program III.
 Sec. 266. Concern for Advanced Retired and Elderly nonimmigrant visa program for aliens who provide direct care for elderly populations.
 Sec. 267. Sense of Congress on TN visa program.
 Sec. 268. Assessment of visa waiver program eligibility for Uruguay and Costa Rica.
 Sec. 269. Radio Free Americas.
 Sec. 270. Biennial presidential summit.

TITLE III—REVENUE AND FINANCIAL MANAGEMENT

- Sec. 301. Re-shoring and Near-shoring Account.
 Sec. 302. Modification of treatment of de minimis entries of articles.

TITLE IV—REPORTING AND BRANDING

- Sec. 401. Annual report on Americas program.
 Sec. 402. Branding and marketing for Americas program.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) AMERICAS PARTNER COUNTRY.—The term
 4 “Americas partner country” means a county that
 5 has entered into a partnership agreement under sec-
 6 tion 201.

7 (2) AMERICAS PROGRAM.—The term “Americas
 8 program” means the provision of assistance to and

1 other activities relating to Americas partner coun-
2 tries under title II or amendments made by title II.

3 (3) BUILD AMERICAS UNIT.—The term
4 “BUILD Americas Unit” means the unit of the
5 United States International Development Finance
6 Corporation established under section 1416 of the
7 BUILD Act of 2018, as added by section 252.

8 (4) NEAR-SHORE.—The term “near-shore”—

9 (A) with respect to an entity, means to
10 move not less than the equivalent of $\frac{2}{3}$ of the
11 operations of the entity from the People’s Re-
12 public of China to one or more Americas part-
13 ner countries or other countries as provided for
14 under title II; and

15 (B) with respect to a good or service,
16 means to move not less than the equivalent of
17 $\frac{2}{3}$ of the production of the good or service from
18 the People’s Republic of China to such coun-
19 tries.

20 (5) RE-SHORE.—The term “re-shore”—

21 (A) with respect to an entity, means to
22 move not less than the equivalent of $\frac{2}{3}$ of the
23 operations of the entity from the People’s Re-
24 public of China to the United States; and

1 (B) with respect to a good or service,
2 means to move not less than the equivalent of
3 $\frac{2}{3}$ of the production of the good or service from
4 the People’s Republic of China to the United
5 States.

6 (6) UNITED STATES BUSINESS.—The term
7 “United States business” means an entity—

8 (A) organized under the laws of the United
9 States or any jurisdiction within the United
10 States;

11 (B) with its headquarters based in the
12 United States (as determined on the date that
13 is 180 days after the date of the enactment of
14 this Act); and

15 (C) with more than 25 percent of its busi-
16 ness inside the United States.

17 (7) UNITED STATES PERSON.—

18 (A) IN GENERAL.—The term “United
19 States person” means—

20 (i) an individual who is a citizen or
21 resident of the United States; or

22 (ii) an entity organized under the laws
23 of the United States or any jurisdiction
24 within the United States.

1 (B) RESIDENT.—For purposes of subpara-
2 graph (A)(i), an individual is a resident of the
3 United States if the individual is authorized to
4 be employed in the United States.

5 (8) USMCA.—The term “USMCA” has the
6 meaning given that term in section 3 of the United
7 States-Mexico-Canada Agreement Implementation
8 Act (19 U.S.C. 4502).

9 (9) USMCA COUNTRY.—The term “USMCA
10 country” has the meaning given that term in section
11 202(a) of the United States-Mexico-Canada Agree-
12 ment Implementation Act (19 U.S.C. 4531(a)).

13 **TITLE I—E-GOVERNANCE IN THE**
14 **AMERICAS**

15 **SEC. 101. AMERICAS INSTITUTE FOR DIGITAL GOVERN-**
16 **ANCE.**

17 (a) ESTABLISHMENT.—There is established a non-
18 profit organization within the United States to be known
19 as the “Americas Institute for Digital Governance” (in
20 this title referred as the “Institute”), which shall be re-
21 sponsible for the development and maintenance of the e-
22 governance framework established under section 102.

23 (b) BOARD OF DIRECTORS.—

1 (1) IN GENERAL.—There shall be in the Insti-
2 tute a Board of Directors (in this section referred to
3 as the “Board”).

4 (2) MEMBERSHIP.—

5 (A) IN GENERAL.—The President shall re-
6 quest the head of government of each Americas
7 partner country to appoint one member of the
8 Board.

9 (B) APPOINTMENT PROCESS.—

10 (i) UNITED STATES.—The President
11 shall appoint the member of the Board
12 representing the United States.

13 (ii) OTHER COUNTRIES.—The Presi-
14 dent shall request the head of government
15 of each Americas partner country to deter-
16 mine a process for appointing the member
17 of the Board to represent that country.

18 (C) TERMS.—A member of the Board shall
19 serve on the Board for not more than 4 years.

20 (D) REMOVAL.—

21 (i) REMOVAL BY COUNTRY REP-
22 RESENTED.—A member of the Board shall
23 serve at the discretion of the Americas
24 partner country the member represents
25 and may be removed pursuant to a process

1 determined by the government of that
2 country.

3 (ii) REMOVAL BY BOARD.—A member
4 of the Board may be removed by a vote of
5 $\frac{2}{3}$ of the members of the Board.

6 (E) VACANCIES.—In the event that a
7 member of the Board is removed under sub-
8 paragraph (D) or dies or is otherwise deemed
9 unable to serve the remainder of the term of
10 the member, the government of the Americas
11 partner country the member represented shall
12 appoint an individual to serve out the remain-
13 der of that term pursuant to a process deter-
14 mined by that government.

15 (F) ETHICS REQUIREMENTS.—

16 (i) FINANCIAL DISCLOSURE.—A mem-
17 ber of the Board shall fully disclose the fi-
18 nancial assets of the member and divest
19 from any holdings, such as stocks or other
20 equities, that relate to any private entity
21 that conducts business with the Institute.

22 (ii) BLIND TRUST REQUIREMENT.—A
23 member of the Board shall place the assets
24 of the member in a blind trust for the du-

1 ration of the term of the member on the
2 Board.

3 (iii) PROHIBITION ON NEPOTISM.—An
4 individual may not be appointed as a mem-
5 ber of the Board if a relative of the indi-
6 vidual is an elected official in an Americas
7 partner country.

8 (iv) ADDITIONAL REQUIREMENTS.—
9 The Board may impose such other ethics
10 and disclosure requirements as the Board
11 considers appropriate.

12 (3) REPRESENTATION.—Each member of the
13 Board shall have an equal vote in all matters.

14 (4) MEETINGS; QUORUM.—

15 (A) FREQUENCY OF MEETINGS.—The
16 Board shall meet not less frequently than once
17 every 90 days.

18 (B) QUORUM.—Members of the Board rep-
19 resenting a majority of the total votes on the
20 Board are required to be present to constitute
21 a quorum.

22 (5) CHAIRPERSON.—There shall be a chair-
23 person of the Board, who shall—

24 (A) be elected by a majority vote of the
25 Board from among members of the Board; and

1 (B) preside over meetings of the Board.

2 (6) CALCULATION OF VOTES.—For purposes of
3 determining a majority vote of the Board, vacancies
4 that have not been filled shall not be counted toward
5 any total.

6 (7) ACCESS TO INFORMATION.—A member of
7 the Board may request information from the Insti-
8 tute and provide that information to the government
9 of the Americas partner country the member rep-
10 resents unless the chairperson of the Board deter-
11 mines that sharing that information may violate the
12 privacy of a user of the e-governance system, endan-
13 ger cyber security, or violate any applicable law.

14 (c) STAFF.—

15 (1) CHIEF EXECUTIVE.—There shall be a Chief
16 Executive of the Institute, who—

17 (A) shall—

18 (i) be elected and appointed by the
19 majority vote of the Board; and

20 (ii) be vested with the full executive
21 authority of the Institute; and

22 (B) may be removed by a majority vote of
23 the Board.

24 (2) ADDITIONAL EMPLOYEES.—

1 (A) IN GENERAL.—The Chief Executive
2 may—

3 (i) appoint such employees, including
4 managers, assistant managers, officers, at-
5 torneys, and agents, as the Chief Executive
6 considers necessary;

7 (ii) define the compensation (subject
8 to subparagraph (B)) and duties of those
9 employees; and

10 (iii) establish a system of organization
11 to fix responsibility and promote efficiency.

12 (B) SALARIES.—The salaries of officers
13 and employees of the Institute shall be equiva-
14 lent to the salaries provided for under the Gen-
15 eral Schedule under section 5332 of title 5,
16 United States Code.

17 (C) SALARY CAP.—No regular officer or
18 employee of the Institute may receive a salary
19 that exceeds the salary of the Chief Executive.

20 (d) CORPORATE POWERS.—Except as otherwise spe-
21 cifically provided in this Act, the Institute—

22 (1) shall have succession in its corporate name;

23 (2) may sue and be sued in its corporate name;

24 (3) may adopt and use a corporate seal, which
25 shall be judicially noticed;

1 (4) may make contracts;

2 (5) may adopt, amend, and repeal bylaws; and

3 (6) may purchase or lease, hold, and dispose of
4 such real and personal property as the Institute
5 deems necessary or convenient in the transaction of
6 its business.

7 (e) NONPROFIT ORGANIZATION DEFINED.—In this
8 section, the term “nonprofit organization” means an orga-
9 nization—

10 (1) described in section 501(c)(3) of the Inter-
11 nal Revenue Code of 1986; and

12 (2) exempt from tax under section 501(a) of
13 such Code.

14 **SEC. 102. E-GOVERNANCE FRAMEWORK.**

15 (a) DEVELOPMENT.—The Institute shall develop and
16 maintain a comprehensive e-governance framework for
17 Americas partner countries.

18 (b) PURPOSE.—The purpose of the e-governance
19 framework developed under subsection (a) shall be to allow
20 for the development of interoperable services to harmonize
21 and facilitate the delivery of effective and transparent gov-
22 ernment services within and between Americas partner
23 countries.

1 (c) PRINCIPLES.—In developing the e-governance
2 framework under subsection (a), the Institute shall ensure
3 that the framework adheres to the following principles:

4 (1) INTEROPERABILITY.—The framework shall
5 be designed to allow different government systems
6 to, when appropriate, seamlessly share data with
7 each other, consistent with applicable laws and pri-
8 vacy restrictions under subsection (d).

9 (2) DECENTRALIZATION.—The framework
10 should seek to avoid centralized control over data,
11 and should allow the government of each Americas
12 partner country to maintain control over its own
13 data while still facilitating cross-border data sharing.
14 Data control and hosting under the framework
15 should be consistent with local law and international
16 agreements. Nothing in this paragraph may be con-
17 strued to contravene or supercede laws or agree-
18 ments in effect before the date of the enactment of
19 this Act.

20 (3) OPEN STANDARDS.—The framework should,
21 to the greatest extent practicable, be built on open
22 standards that are freely available to the public.

23 (4) DATA SOVEREIGNTY.—The framework
24 should ensure that each Americas partner country

1 maintains control over the data of citizens of that
2 country.

3 (5) PUBLIC-PRIVATE PARTNERSHIPS.—The
4 framework should allow for the collaboration of pub-
5 lic and private entities in the development, design,
6 and maintenance of e-governance systems.

7 (6) OPEN SOURCE.—Systems developed by the
8 Institute should, to the extent practicable, be open
9 source. Systems developed by Americas partner
10 countries are encouraged to be open source as well.

11 (7) ADAPTATION.—The framework shall ac-
12 count, consistent with other provisions of this Act,
13 for existing e-governance systems developed by
14 Americas partner countries, including by adopting,
15 in part or in whole, existing e-governance systems as
16 part of the framework or as reference implementa-
17 tions within the framework.

18 (d) PRIVACY.—The e-governance framework devel-
19 oped under subsection (a) shall incorporate privacy best-
20 practices, including as follows:

21 (1) DATA MINIMIZATION.—Systems developed
22 under the framework should collect only the minimal
23 set of data necessary for a given purpose and with-
24 out any additional processing unnecessary for ful-
25 filling that purpose.

1 (2) DATA PROTECTION.—The Institute shall de-
2 fine necessary access controls for data and require
3 encryption of data where appropriate.

4 (3) DATA RETENTION.—The Institute shall de-
5 velop and publish a data retention policy, which
6 shall—

7 (A) be honored by any system operating
8 under the framework;

9 (B) include a disclosure of—

10 (i) what user information is stored by
11 a particular system;

12 (ii) whether that information is
13 encrypted; and

14 (iii) for how long the information is
15 stored; and

16 (C) provide for the Institute to provide, in
17 a timely fashion, all data held related to an in-
18 dividual or entity upon the request of the indi-
19 vidual or entity.

20 (4) DATA DELETION.—Systems developed
21 under the framework shall, to the greatest extent
22 practicable, include a mechanism by which—

23 (A) a user may request that any system
24 operating under the framework delete any data
25 on the user; and

1 (B) such a request is honored within 72
2 hours, except as required by other applicable
3 law.

4 (5) DATA CORRECTION.—Systems developed
5 under the framework shall, to the greatest extent
6 practicable, incorporate mechanisms under which—

7 (A) a user may request to correct inac-
8 curate data in the framework related to the
9 user; and

10 (B) such a request is honored within 72
11 hours after the correct data has been verified.

12 (6) OTHER PRIVACY PRACTICES.—The Institute
13 may develop and enforce such other privacy prac-
14 tices as the Institute considers appropriate.

15 (e) CYBER SECURITY.—The e-governance framework
16 developed under subsection (a) shall incorporate cyber se-
17 curity best practices, including the following:

18 (1) Appropriate access controls and user au-
19 thentication, which may—

20 (A) vary by service according to the sensi-
21 tivity of the data involved; and

22 (B) include the integration of any national
23 electronic identification systems of Americas
24 partner countries.

1 (2) Regular penetration testing by an outside
2 organization certified by the Institute, to be con-
3 ducted not less frequently than once a year.

4 (3) Provision of a common vulnerability disclo-
5 sure policy for systems operating under the frame-
6 work.

7 (4) Such other cyber security best practices as
8 the Institute considers appropriate.

9 (f) ENFORCEMENT.—

10 (1) AUDITS.—Each system of an Americas
11 partner country operating under the e-governance
12 framework developed under subsection (a) shall un-
13 dergo annual audits by an outside organization cer-
14 tified by the Institute. That audit shall assess the
15 compliance of the system with the privacy and secu-
16 rity requirements of this section and such other re-
17 quirements as the Institute considers necessary.

18 (2) EFFECT OF NONCOMPLIANCE.—If an audit
19 conducted under paragraph (1) indicates that a sys-
20 tem or systems of an Americas partner country are
21 substantially noncompliant with the privacy and se-
22 curity requirements of this section, the Institute
23 may—

24 (A) designate the system or systems as
25 noncompliant;

1 (B) recommend that other Americas part-
2 ner countries take such actions as may be nec-
3 essary to protect the privacy and security of the
4 systems and data of those countries; and

5 (C) withhold, in part or in whole, further
6 assistance to the country the system or systems
7 of which are designated as noncompliant, in-
8 cluding revoking privileges or access to any
9 services or shared infrastructure of the Insti-
10 tute, until such a time as the Institute deter-
11 mines that the system or systems are compli-
12 ant.

13 (3) ALLOWANCES FOR NONCOMPLIANCE.—

14 (A) IN GENERAL.—The Institute may cer-
15 tify as partially or wholly compliant any system
16 of an Americas partner country if the Institute
17 determines that the country is making a good
18 faith effort at compliance, but has not fully
19 achieved compliance with all the requirements
20 of this section.

21 (B) ELEMENTS.—A certification under
22 subparagraph (A) may include a certification
23 that a system is temporarily compliant—

24 (i) during—

1 (I) the development of the sys-
2 tem;

3 (II) partial deployments of the
4 system; or

5 (III) deployments of minimum
6 viable products; or

7 (ii) if the Institute determines that
8 compliance with the requirements of this
9 section would substantially hinder the abil-
10 ity of a country to effectively provide crit-
11 ical services to citizens of the country and
12 there is no practical path to achieve com-
13 pliance and effectively provide such serv-
14 ices.

15 (4) SUSPENSION OF PARTNERSHIP.—If the par-
16 ticipation of a country in a partnership agreement is
17 suspended under section 201(d), the Institute—

18 (A) may terminate the provision of any
19 services or assistance to the country; and

20 (B) may take such steps as are necessary
21 to ensure any systems affected by the termi-
22 nation are transitioned appropriately to mini-
23 mize disruptions to the citizens of that country.

24 (g) MULTILINGUAL FUNCTIONALITY.—The Institute
25 shall ensure that all resources necessary to develop sys-

1 tems compliant with the e-governance framework devel-
2 oped under subsection (a) are available in all necessary
3 languages.

4 **SEC. 103. ADDITIONAL DUTIES OF INSTITUTE.**

5 (a) INTERNATIONAL COOPERATION.—The Institute
6 shall seek to promote collaboration between Americas
7 partner countries on the development, standardization,
8 and deployment of e-governance systems, including such
9 systems developed outside the e-governance framework de-
10 veloped under section 102 and systems developed before
11 the implementation of this Act.

12 (b) DEVELOPMENT PROCESS.—The Institute shall be
13 responsible for assisting Americas partner countries in the
14 development and deployment of e-governance systems in
15 compliance with the e-governance framework developed
16 under section 102. Such assistance may include the fol-
17 lowing:

18 (1) The development or adoption, in collabora-
19 tion with appropriate national and international
20 standards organizations, of technical standards nec-
21 essary to promote the efficient development of sys-
22 tems under the framework.

23 (2) The development of reference implementa-
24 tions for e-government services, as the Institute con-
25 siders appropriate.

1 (3) The development and maintenance of infra-
2 structure that may be shared by multiple services,
3 including across multiple Americas partner coun-
4 tries, as the Institute and such countries consider
5 appropriate.

6 (4) Providing technical assistance to Americas
7 partner countries in the development of services,
8 which may include entering into contracts for devel-
9 oping and hosting services on behalf of such coun-
10 tries. Such contracts may include terms for an
11 Americas partner country to provide the Institute
12 with funding for development and hosting services.

13 (5) The procurement or licensing, as the Insti-
14 tute considers appropriate, of commercial technology
15 that may be shared with Americas partner countries
16 and used for the delivery of services.

17 (6) Providing for the certification of organiza-
18 tions to carry out the auditing and penetration test-
19 ing required by section 102(e).

20 (7) Partnering with private sector entities for
21 the provision, development, maintenance, or hosting
22 of services, or other such assistance as the Institute
23 considers necessary.

24 (8) Providing financing to facilitate the develop-
25 ment or modernization of a system, subject to such

1 accountability mechanisms as the Institute considers
2 necessary to ensure funds are spent efficiently and
3 appropriately.

4 (9) Accounting for the development of emerging
5 technologies, including artificial intelligence, and, to
6 the extent necessary, incorporating such technologies
7 into systems developed by or with Americas partner
8 countries or making recommendations for how those
9 countries may incorporate or regulate such tech-
10 nologies.

11 (10) Other matters as the Institute considers
12 appropriate.

13 (c) PROCUREMENT RESTRICTION.—

14 (1) IN GENERAL.—The Institute shall ensure
15 that no system or product operating under the e-
16 governance framework developed under section 102
17 is involved in any contract for the development of a
18 service as part of the e-governance framework, or
19 shares any data, with an individual or entity resid-
20 ing in or acting on behalf of the Russian Federation,
21 the People’s Republic of China, Iran, North Korea,
22 Venezuela, Cuba, or such other countries as the In-
23 stitute considers necessary to protect the privacy
24 and security of the citizens of Americas partner
25 countries.

1 (2) AUTHORITY TO EXCLUDE OTHER INDIVID-
2 UALS, ENTITIES, AND PRODUCTS.—The Institute
3 may, as the Institute considers necessary to protect
4 the privacy and security of the citizens of Americas
5 partner countries, prohibit any system described in
6 paragraph (1) from entering into any contract for
7 the development of a service as part of the e-govern-
8 ance framework, or sharing any data—

9 (A) with an individual or entity that does
10 not reside in a country described in paragraph
11 (1); or

12 (B) using a product not from such a coun-
13 try.

14 **SEC. 104. FUNDING.**

15 (a) AUTHORIZATION OF APPROPRIATIONS FOR INSTI-
16 TUTE.—There are authorized to be appropriated
17 \$10,000,000 to establish the Institute.

18 (b) ADDITIONAL FUNDING.—Such sums as may be
19 necessary to carry out this title shall be made available
20 from the Re-shoring and Near-shoring Account estab-
21 lished under section 301.

1 **TITLE II—TRADE AND INVEST-**
2 **MENT FOR THE AMERICAS**
3 **Subtitle A—Administration**

4 **SEC. 201. PARTNERSHIP AGREEMENTS.**

5 (a) AUTHORITY TO ENTER INTO PARTNERSHIP
6 AGREEMENTS.—

7 (1) IN GENERAL.—The Secretary of State may
8 enter into partnership agreements with countries in
9 the Western Hemisphere, which shall serve as the
10 gateway into accession of additional countries to the
11 USMCA under section 222.

12 (2) INCLUSIONS.—A partnership agreement en-
13 tered into under paragraph (1) shall include protec-
14 tions for democracy and human rights and anti-cor-
15 ruption measures consistent with the Inter-American
16 Democratic Charter and the International Covenant
17 on Civil and Political Rights.

18 (3) CONSULTATIONS.—The Secretary shall—

19 (A) consult with Congress during negotia-
20 tions for a partnership agreement under para-
21 graph (1); and

22 (B) notify Congress not less than 15 days
23 before signing the partnership agreement.

1 (4) INELIGIBLE COUNTRIES.—The Secretary
2 may not enter into a partnership agreement under
3 paragraph (1) with a country—

4 (A) that is a member of the Bolivarian Al-
5 liance for the Peoples of Our America;

6 (B) the government of which is listed
7 under subparagraph (C) of section 110(b)(1) of
8 the Trafficking Victims Protection Act of 2000
9 (22 U.S.C. 7107(b)(1)) (commonly referred to
10 as “tier 3”) in the most recent report on traf-
11 ficking in persons required under such section
12 (commonly referred to as the “Trafficking in
13 Persons Report”); or

14 (C) the government of which is not—

15 (i) committed to the fight against ter-
16 rorism; or

17 (ii) in compliance with the terms of
18 the Inter-American Democratic Charter of
19 the Organization of American States.

20 (b) COMMITMENTS.—A partner country shall commit
21 to abide by the terms of the partnership agreement en-
22 tered into under subsection (a).

23 (c) SUSPENSION.—

24 (1) IN GENERAL.—The Secretary of State shall
25 move to suspend the participation of a country in a

1 partnership agreement entered into under subsection
2 (a) at the end of the one-year period beginning on
3 the date on which the Secretary of State, in coordi-
4 nation with the heads of other relevant agencies and
5 upon consultation with Congress, determines that
6 the country is in violation of the commitments of the
7 country under subsection (b) or is ineligible under
8 subsection (a)(4), unless the country comes into
9 compliance with those commitments and becomes eli-
10 gible before the end of that period.

11 (2) NOTIFICATION TO THE SECRETARIAT.—

12 Upon making a determination described in para-
13 graph (1) with respect to a country, the Secretary
14 of State shall provide a notice of the determination,
15 to be considered at the next scheduled meeting of
16 the Americas Partnership Secretariat established
17 under section 204, along with a list of deficiencies
18 the government of the country could remedy to come
19 back into compliance with the commitments of the
20 country under subsection (b) and to become eligible
21 under subsection (a)(4). The text of the notice and
22 the list shall be provided to—

23 (A) the permanent representative of the
24 government of the country at the Secretariat;

1 (B) the government of each Americas part-
2 ner country; and

3 (C) the Committee on Finance of the Sen-
4 ate and the Committee on Ways and Means of
5 the House of Representatives.

6 (3) VISIT REQUIRED.—Before the Secretary of
7 State makes a motion under paragraph (1) with re-
8 spect to a country, the Deputy Assistant Secretary
9 of State for the Americas Partnership established
10 under section 203(c)(1) shall seek a formal visit
11 from the Americas Partnership Secretariat to the
12 country to explain the reasons for the motion under
13 paragraph (1).

14 (4) EFFECT OF SUSPENSION.—

15 (A) IN GENERAL.—If the participation of a
16 country in a partnership agreement entered into
17 under subsection (a) is suspended under para-
18 graph (1)—

19 (i) the provisions of this title and the
20 amendments made by this title shall not
21 apply with respect to the country during
22 the period of suspension; and

23 (ii) the Secretary of State shall use
24 the voice and vote of the United States in
25 any appropriate multilateral forum to pres-

1 sure the government of that country to
2 take the actions necessary to come into
3 compliance with the eligibility requirements
4 under subsection (c).

5 (B) RULE OF CONSTRUCTION.—The sus-
6 pension of the participation of a country in a
7 partnership agreement under paragraph (1)
8 may not be construed to affect the relationship
9 of that country to any country, other than the
10 United States, that is a party or a potential
11 party to the USMCA.

12 (d) INITIAL PARTNER COUNTRIES.—The first coun-
13 tries with which the Secretary of State shall seek to enter
14 into partnership agreements under subsection (a) shall be
15 countries identified under the Americas Partnership for
16 Economic Prosperity (APEP) executive program that are
17 not ineligible under subsection (a)(4).

18 (e) COUNTRIES SEEKING PARTNERSHIP AGREE-
19 MENTS.—

20 (1) NOTIFICATION.—A country seeking to enter
21 into a partnership agreement under subsection (a)
22 shall submit a notification to the Secretary of State
23 indicating the desire of the country to enter into
24 such an agreement.

25 (2) RESPONSE.—

1 (A) IN GENERAL.—Not later than 180
2 days after receiving a notification under para-
3 graph (1) from a country, the Secretary shall—

4 (i) make a determination with respect
5 to whether or not to enter into a partner-
6 ship agreement with the country; and

7 (ii) notify the country of the deter-
8 mination.

9 (B) INCLUSION IN NEGATIVE RESPONSE.—

10 If the Secretary determines under subpara-
11 graph (A) not to enter into a partnership agree-
12 ment with a country, the Secretary shall notify
13 the country in writing of the reasons for the de-
14 termination and the steps the country can take
15 to become eligible for a partnership agreement.

16 (f) GRANT PROGRAM.—The Secretary of State may
17 provide grants, using amounts available for other grant
18 programs of the Department of State, to countries to as-
19 sist those countries to become eligible for partnership
20 agreements under this section.

21 **SEC. 202. AMERICAS PARTNERSHIP BUSINESS ADVISORY**
22 **BOARD.**

23 (a) ESTABLISHMENT.—The Americas Partnership
24 Secretariat established under section 204 shall establish
25 a business advisory board, which will meet periodically, on

1 an ad hoc basis, at the Secretariat to inform discussions
2 on the business environments of Americas partner coun-
3 tries.

4 (b) COMPOSITION.—The business advisory board es-
5 tablished under subsection (a) shall be composed of rep-
6 resentatives of private sector entities, civil society organi-
7 zations, and labor organizations from Americas partner
8 countries.

9 (c) ADVISORY TOPICS.—The business advisory board
10 established under subsection (a) may provide advice to
11 Americas partner countries through the Secretariat on the
12 following topics relating to the business environment in
13 Americas partner countries:

14 (1) Regulatory hurdles.

15 (2) Labor issues.

16 (3) Dispute resolution challenges.

17 (4) Legal hurdles to investment.

18 (5) Alignment on regulation related to key
19 emerging technologies such as artificial intelligence.

20 (6) Harmonization of reference price systems.

21 (7) Other issues affecting the business commu-
22 nity in Americas partner countries.

23 (d) COORDINATION.—The business advisory board
24 established under subsection (a) shall coordinate with the

1 central regulatory coordinating bodies referred to in Arti-
2 cle 28.3 of the USMCA.

3 (e) ANNUAL REPORT.—Not less frequently than an-
4 nually, the business advisory board established under sub-
5 section (a) shall submit to the Secretariat a report on the
6 business environment in Americas partner countries, in-
7 cluding opportunities and challenges to investment.

8 **SEC. 203. ADMINISTRATION.**

9 (a) DEPARTMENT OF COMMERCE.—

10 (1) DEPUTY UNDER SECRETARY OF COM-
11 MERCE.—

12 (A) IN GENERAL.—There shall be in the
13 International Trade Administration of the De-
14 partment of Commerce a Deputy Under Sec-
15 retary responsible for administration of the re-
16 sponsibilities of the Department of Commerce
17 under this title.

18 (B) WORKING GROUP.—The Deputy Under
19 Secretary established under subparagraph (A)
20 shall establish a permanent working group,
21 composed of representatives of the relevant
22 agencies, to collaborate on matters relating to
23 the administration of this title and the amend-
24 ments made by this title.

1 (2) INTERNATIONAL TRADE ADMINISTRA-
2 TION.—The Under Secretary may increase the num-
3 ber of employees of the International Trade Admin-
4 istration by the number necessary to administer this
5 title and the amendments made by this title.

6 (3) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—

8 (A) IN GENERAL.—The Director General
9 of the United States and Foreign Commercial
10 Service (established by section 2301 of the Ex-
11 port Enhancement Act of 1988 (15 U.S.C.
12 4721)) may assign additional commercial
13 attachés to serve at the United States embas-
14 sies in each Americas partner countries to over-
15 see coordination and reporting under partner-
16 ship agreements entered into under section 201.

17 (B) ROLE OF COMMERCIAL ATTACHÉS.—A
18 commercial attaché assigned to an Americas
19 partner country under subparagraph (A)
20 shall—

21 (i) coordinate with the Department of
22 the Treasury with respect to loans pro-
23 vided under section 212(a) to incentivize
24 re-shoring and near-shoring;

1 (ii) be the lead officer on the country
2 team, under the Chief of Mission, respon-
3 sible for implementation of the partnership
4 agreement entered into under section 201
5 with that country; and

6 (iii) carry out such other duties as the
7 Director General or the Chief of Mission
8 may assign for successful implementation
9 of the Americas program.

10 (4) AUTHORIZATION OF APPROPRIATIONS.—

11 (A) IN GENERAL.—There shall be available
12 to the Secretary of Commerce, from the Re-
13 shoring and Near-shoring Account established
14 under section 301, \$10,000,000 for each of fis-
15 cal years of 2024, 2025, and 2026 to admin-
16 ister this title and the amendments made by
17 this title.

18 (B) AVAILABILITY OF FUNDS.—Amounts
19 made available pursuant to subparagraph (A)
20 shall be available until expended.

21 (b) OFFICE OF UNITED STATES TRADE REPRESENT-
22 ATIVE.—

23 (1) IN GENERAL.—There shall be in the Office
24 of the United States Trade Representative an As-

1 sistant United States Trade Representative for the
2 Americas Partnership, who shall—

3 (A) be responsible for negotiations with re-
4 spect to—

5 (i) the accession of countries to the
6 USMCA pursuant to the mechanism devel-
7 oped pursuant to section 222(b); and

8 (ii) designation of Americas partner
9 countries as CBTPA beneficiary countries
10 (as defined in section 213(b)(5) of the Car-
11 ibbean Basin Economic Recovery Act, as
12 amended by section 224);

13 (B) hire the staff necessary to support ne-
14 gotiations described in subparagraph (A); and

15 (C) coordinate closely with the Under Sec-
16 retary with respect to administration of this
17 title.

18 (2) AUTHORIZATION OF APPROPRIATIONS.—

19 (A) IN GENERAL.—There shall be available
20 to the United States Trade Representative,
21 from the Re-shoring and Near-shoring Account
22 established under section 301, \$5,000,000 for
23 each of fiscal years of 2024, 2025, and 2026 to
24 administer this title and the amendments made
25 by this title.

1 (B) AVAILABILITY OF FUNDS.—Amounts
2 made available pursuant to subparagraph (A)
3 shall be available until expended.

4 (c) DEPARTMENT OF STATE.—

5 (1) DEPUTY ASSISTANT SECRETARY FOR THE
6 AMERICAS PARTNERSHIP.—There shall be in the Bu-
7 reau for Western Hemisphere Affairs of the Depart-
8 ment of State a Deputy Assistant Secretary for the
9 Americas Partnership, who—

10 (A) may be the United States representa-
11 tive to the Americas Partnership Secretariat;
12 and

13 (B) shall, in coordination with the Under
14 Secretary, coordinate people-to-people efforts
15 under this title on behalf of the Department of
16 State.

17 (2) ADDITIONAL CIVIL SERVICE OFFICERS.—
18 The Secretary of State may hire sufficient civil serv-
19 ice officers to fulfill the successful management of
20 the efforts described in paragraph (1).

21 (3) ADDITIONAL FOREIGN AFFAIRS OFFI-
22 CERS.—The Secretary of State may hire additional
23 foreign affairs officers, relative to the number of
24 such officers on the day before the date of the enact-

1 ment of this Act, to support the implementation of
2 this title.

3 (4) AUTHORIZATION OF APPROPRIATIONS.—

4 (A) IN GENERAL.—There shall be available
5 to the Secretary of State, from the Re-shoring
6 and Near-shoring Account established under
7 section 301, \$10,000,000 for each of fiscal
8 years of 2024, 2025, and 2026 to administer
9 this title and the amendments made by this
10 title.

11 (B) AVAILABILITY OF FUNDS.—Amounts
12 made available pursuant to subparagraph (A)
13 shall be available until expended.

14 (d) UNITED STATES AGENCY FOR INTERNATIONAL
15 DEVELOPMENT.—

16 (1) DEPUTY ASSISTANT ADMINISTRATOR FOR
17 THE AMERICAS PARTNERSHIP.—There shall be in
18 the Bureau for Latin America and the Caribbean of
19 the United States Agency for International Develop-
20 ment a Deputy Assistant Administrator for the
21 Americas Partnership, who shall, in coordination
22 with the Under Secretary, coordinate development,
23 humanitarian, and people-to-people efforts under
24 this title on behalf of the United States Agency for
25 International Development.

1 (2) ADDITIONAL FOREIGN SERVICE OFFICERS
2 AND OTHER EMPLOYEES.—The Administrator of the
3 United States Agency for International Development
4 may hire additional foreign service officers, relative
5 to the number of such officers on the day before the
6 date of the enactment of this Act, to support the im-
7 plementation of this title.

8 (3) AUTHORIZATION OF APPROPRIATIONS.—

9 (A) IN GENERAL.—There shall be available
10 to the Administrator, from the Re-shoring and
11 Near-shoring Account established under section
12 301, \$10,000,000 for each of fiscal years of
13 2024, 2025, and 2026 to administer this title
14 and the amendments made by this title.

15 (B) AVAILABILITY OF FUNDS.—Amounts
16 made available pursuant to subparagraph (A)
17 shall be available until expended.

18 (e) OTHER BUREAUS AND OFFICES.—The Presi-
19 dent—

20 (1) may establish such additional bureaus and
21 offices as the President considers appropriate to im-
22 plement this title; and

23 (2) shall ensure that a description of any such
24 bureaus and offices is included in the annual report
25 required by section 205.

1 (f) AVAILABILITY OF FUNDS.—Amounts shall be
2 made available to carry out this section from the Re-shor-
3 ing and Near-shoring Account established under section
4 301.

5 **SEC. 204. AMERICAS PARTNERSHIP SECRETARIAT.**

6 (a) ESTABLISHMENT.—Not later than 180 day after
7 the date of the enactment of this Act, there shall be estab-
8 lished in the United States the “Americas Partnership
9 Secretariat” (in this section referred to as the “Secre-
10 tariat”).

11 (b) DUTIES.—The Secretariat shall be responsible for
12 duties including—

13 (1) coordinating diplomatic, economic, and peo-
14 ple-to-people efforts of the Americas partner coun-
15 tries under this title and the amendments made by
16 this title;

17 (2) carrying out efforts to build and advance
18 partnerships between city mayors and other sub-
19 national government leaders from Americas partner
20 countries, civil society organizations, and private sec-
21 tor entities to expand subnational diplomacy; and

22 (3) providing policy and technical support
23 through dialogue, research, and other structured en-
24 gagements.

1 (c) MEMBERSHIP.—The membership of the Secre-
2 tariat shall be comprised of representatives from the gov-
3 ernments of Americas partner countries. Selection of such
4 representatives shall be determined by the governments of
5 the Americas partner countries.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There shall be available to
8 the Secretariat, from the Re-shoring and Near-shor-
9 ing Account established under section 301,
10 \$10,000,000 for each of fiscal years of 2024, 2025,
11 and 2026 to carry out the duties of the Secretariat
12 under this title and the amendments made by this
13 title.

14 (2) AVAILABILITY OF FUNDS.—Amounts made
15 available pursuant to subparagraph (A) shall be
16 available until expended.

17 **SEC. 205. REPORT.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of the enactment of this Act, and annually thereafter,
20 the Under Secretary shall submit to the appropriate con-
21 gressional committees a report on efforts carried out
22 under this title.

23 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
24 DEFINED.—In this section, the term “appropriate con-
25 gressional committees” means—

1 (1) the Committee on Finance and the Com-
2 mittee on Foreign Relations of the Senate; and

3 (2) the Committee on Ways and Means and the
4 Committee on Foreign Affairs of the House of Rep-
5 resentatives.

6 **Subtitle B—Trade**

7 **CHAPTER 1—RE-SHORING AND NEAR-** 8 **SHORING**

9 **SEC. 211. SENSE OF CONGRESS.**

10 (a) IN GENERAL.—It is the sense of Congress that
11 the re-shoring and near-shoring of industry from China
12 into the United States is in the national security interest
13 of the United States and therefore falls under the national
14 security exceptions under article XXI of the GATT 1994.

15 (b) GATT 1994 DEFINED.—In this section, the term
16 “GATT 1994” has the meaning given that term in section
17 2 of the Uruguay Round Agreements Act (19 U.S.C.
18 3501).

19 **SEC. 212. INCENTIVES FOR RE-SHORING AND NEAR-SHOR-** 20 **ING OF BUSINESSES FROM PEOPLE’S REPUB-** 21 **LIC OF CHINA.**

22 (a) LOANS AND GRANTS.—

23 (1) LENDING AUTHORITY.—

24 (A) IN GENERAL.—The Secretary may
25 provide loans to covered entities.

1 (B) AMOUNT.—The total amount of loans
2 that may be provided under subparagraph (A)
3 may not exceed \$70,000,000,000.

4 (C) COVERAGE OF LOANS.—Loans pro-
5 vided to covered entities under subparagraph
6 (A) may be used for—

7 (i) the costs of moving inventory,
8 equipment, and supplies from the People’s
9 Republic of China to the United States, an
10 Americas partner country, or another
11 country benefitting from a strategic supply
12 chain identified under section 254;

13 (ii) the costs of training workers in
14 the United States, an Americas partner
15 country, or a country benefitting from a
16 strategic supply chain identified under sec-
17 tion 254;

18 (iii) the costs of constructing facilities
19 in the United States, an Americas partner
20 country, or a country benefitting from a
21 strategic supply chain identified under sec-
22 tion 254;

23 (iv) other costs directly related to re-
24 shoring or near-shoring; or

1 (v) loans, guarantees, and other in-
2 struments (excluding grants) approved by
3 the BUILD Americas Unit or the Amer-
4 icas Enterprise Fund designated under
5 section 253.

6 (2) GRANT AUTHORITY.—

7 (A) IN GENERAL.—The Secretary of Com-
8 merce shall administer a grant program to
9 award grants to covered entities.

10 (B) FUNDING.—Funding for grants under
11 the grant program required under subpara-
12 graph (A) shall be derived solely from the Re-
13 Shoring and Near-Shoring Account established
14 under section 301.

15 (3) ADMINISTRATION.—

16 (A) IN THE UNITED STATES.—The Sec-
17 retary or the Secretary of Commerce, as the
18 case may be, may enter into arrangements with
19 commercial banks, credit unions, or other enti-
20 ties in the United States as identified by the
21 Secretary to administer loans authorized under
22 paragraph (1) or grants authorized under para-
23 graph (2) for covered entities to re-shore.

24 (B) OUTSIDE THE UNITED STATES.—The
25 Secretary or the Secretary of Commerce, as the

1 case may be, may enter into arrangements with
2 the BUILD Americas Unit or regional banks to
3 administer loans authorized under paragraph
4 (1) or grants authorized under paragraph (2)
5 for covered entities to near-shore.

6 (C) DEPOSIT OF INTEREST.—The Sec-
7 retary shall deposit any profits earned on inter-
8 est bearing loans authorized under paragraph
9 (1) in the Re-Shoring and Near-Shoring Ac-
10 count established under section 301.

11 (D) REPORT.—Not later than one year
12 after the date of the enactment of this Act, the
13 Secretary shall submit to Congress a report on
14 the progress of the arrangements entered into
15 under this paragraph.

16 (4) ANNUAL REPORTS.—

17 (A) IN GENERAL.—Not later than one year
18 after the date of the enactment of this Act, and
19 annually thereafter, the Board of Governors of
20 each commercial bank with respect to which the
21 Secretary or the Secretary of Commerce has en-
22 tered into an arrangement under paragraph (4)
23 and the BUILD Americas Unit shall submit to
24 the Under Secretary a report on the adminis-

1 tration by each such entity of loans or grants
2 under this subsection, including—

3 (i) a description of the loans issued or
4 grants awarded;

5 (ii) the repayment rates for any such
6 loans;

7 (iii) an assessment of successful re-
8 shoring and near-shoring projects;

9 (iv) a description of any lessons
10 learned; and

11 (v) the balance sheets for any such
12 loans.

13 (B) TRANSMITTAL TO CONGRESS.—The
14 Under Secretary of Commerce for International
15 Trade shall include the information provided in
16 reports under subparagraph (A) in the annual
17 report required under section 401.

18 (b) DUTY-FREE STATUS.—Notwithstanding any
19 other provision of law, covered entities approved under
20 subsection (c) are eligible for a one-time duty-free import
21 of articles into the United States that are imported for
22 the sole and express purposes of re-shoring or near-shor-
23 ing.

24 (c) PROCESS FOR APPROVAL.—

1 (1) NOTICE.—An entity that seeks to re-shore
2 or near-shore may submit notice of the intent of the
3 entity to re-shore or near-shore, as the case may be,
4 along with such paperwork as the Secretary may
5 consider appropriate demonstrating that intent.

6 (2) APPROVAL.—The Secretary, in consultation
7 with the Trade Representative, shall approve entities
8 that have submitted notice under paragraph (1) to
9 re-shore or near-shore pursuant to such procedures
10 as the Secretary considers appropriate.

11 (3) USE OF CONTRACTOR.—If an entity uses a
12 contract company for the production of goods or
13 services in the People’s Republic of China, the ap-
14 proval of the entity under paragraph (2) shall not
15 take effect until the entity notifies the Secretary and
16 the Secretary confirms that a replacement contract
17 has been awarded in the United States or an Amer-
18 icas partner country.

19 (d) TERMINATION AND PENALTY.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (4), a covered entity approved under sub-
22 section (c) to re-shore or near-shore shall have 5
23 years following that approval to complete re-shoring
24 or near-shoring, as the case may be, of the business

1 of that entity, which may include the moving of ma-
2 terials, personnel, and production.

3 (2) TERMINATION OF BENEFITS.—Except as
4 provided in paragraph (4), a covered entity is not el-
5 ible for benefits under this section on or after the
6 date that is 5 years after the date on which the enti-
7 ty is approved under subsection (d).

8 (3) PENALTY.—Except as provided in para-
9 graph (4), at the end of the 5-year period under
10 paragraph (1), a covered entity that has not com-
11 pleted the re-shoring or near-shoring, as the case
12 may be, of the business of the entity shall owe to the
13 United States—

14 (A) the total amount of duties the entity
15 would have owed for imports into the United
16 States but for the application of subsection (b);

17 (B) the total amount of any other benefits
18 accrued to the entity under this section, as de-
19 termined by the Secretary in consultation with
20 the Trade Representative; and

21 (C) a penalty equal to 10 percent of the
22 amounts determined under subparagraphs (A)
23 and (B).

1 (4) EXTENSION AND WAIVER.—If the Secretary
2 determines that extraordinary circumstances exist,
3 on a case-by-case basis, the Secretary may—

4 (A) extend by a period of two years the
5 deadlines under paragraphs (1) and (2); or

6 (B) waive the amounts owed under para-
7 graph (3).

8 (e) TREATMENT OF DEFAULTS.—

9 (1) JUDICIAL PROCEEDINGS.—The United
10 States shall disregard any ruling against a covered
11 entity or a government of an Americas partner coun-
12 try that pertains to a default on obligations in the
13 People’s Republic of China relating to re-shoring or
14 near-shoring activities approved under this section.

15 (2) INTERNATIONAL VENUES.—The President
16 shall use the voice and vote of the United States at
17 multilateral institutions to—

18 (A) oppose the consideration of defaults on
19 obligations in the People’s Republic of China
20 relating to re-shoring or near-shoring activities
21 approved under this section when measuring
22 credit ratings of covered entities; and

23 (B) disregard sovereign debt defaults and
24 other similar actions when measuring credit
25 valuations of Americas partner countries relat-

1 ing to debts and amounts received from the
2 People’s Republic of China.

3 (f) FINDINGS AND SENSE OF CONGRESS.—

4 (1) FINDINGS.—Congress makes the following
5 findings:

6 (A) The United States Trade Representa-
7 tive stated in a hearing that, “The United
8 States has repeatedly sought and obtained com-
9 mitments from China, only to find that follow-
10 through or real change remains elusive.”.

11 (B) The Government of the People’s Re-
12 public of China continues to apply the rules
13 only when they are beneficial to them.

14 (2) SENSE OF CONGRESS.—It is the sense of
15 Congress that—

16 (A) companies approved for re-shoring or
17 near-shoring by the Secretary should be pro-
18 tected from legal asset forfeiture by the Peo-
19 ple’s Republic of China; and

20 (B) covered entities and transactions by
21 covered entities are subject to the national secu-
22 rity exceptions under article XXI of the GATT
23 1994 (as defined in section 2 of the Uruguay
24 Round Agreements Act (19 U.S.C. 3501)).

25 (g) DEFINITIONS.—In this section:

1 (1) COVERED ENTITY.—The term “covered en-
2 tity” means an entity that has submitted notice of
3 the intent of the entity to re-shore or near-shore
4 under subsection (c)(1) and has been approved for
5 re-shoring or near-shoring under subsection (c)(2).

6 (2) SECRETARY.—The term “Secretary” means
7 the Secretary of the Treasury.

8 (3) TRADE REPRESENTATIVE.—The term
9 “Trade Representative” means the United States
10 Trade Representative.

11 **SEC. 213. TAX CREDIT FOR QUALIFYING RE-SHORING AND**
12 **NEAR-SHORING EXPENSES.**

13 (a) IN GENERAL.—Subpart D of part IV of sub-
14 chapter A of chapter 1 of the Internal Revenue Code of
15 1986 is amended by adding at the end the following new
16 section:

17 **“SEC. 45BB. QUALIFYING RE-SHORING AND NEAR-SHORING**
18 **EXPENSES.**

19 “(a) IN GENERAL.—For purposes of section 38, the
20 qualifying re-shoring and near-shoring expense credit for
21 any taxable year is an amount equal to the sum of—

22 “(1) 50 percent of the qualified re-shoring
23 project expenses of the taxpayer, and

24 “(2) 35 percent of the qualified near-shoring
25 project expenses of the taxpayer.

1 “(b) DEFINITIONS.—For purposes of this section—

2 “(1) QUALIFYING RE-SHORING PROJECT EX-
3 PENSES.—

4 “(A) IN GENERAL.—The term ‘qualifying
5 re-shoring project expenses’ means any eligible
6 expenses which are—

7 “(i) made pursuant to a qualified re-
8 shoring project, and

9 “(ii) certified by the Secretary under
10 subsection (c) as eligible for the credit
11 under this section.

12 “(B) QUALIFYING RE-SHORING
13 PROJECT.—The term ‘qualifying re-shoring
14 project’ means a project under which $\frac{2}{3}$ or
15 more of the operations of a trade or business of
16 the taxpayer is moved from the People’s Repub-
17 lic of China to the United States.

18 “(2) QUALIFYING NEAR-SHORING PROJECT EX-
19 PENSES.—

20 “(A) IN GENERAL.—The term ‘qualifying
21 near-shoring project expenses’ means any eligi-
22 ble expenses which are—

23 “(i) made pursuant to a qualified
24 near-shoring project, and

1 “(ii) certified by the Secretary under
2 subsection (c) as eligible for the credit
3 under this section.

4 “(B) QUALIFYING NEAR-SHORING
5 PROJECT.—For purposes of this subpart, the
6 term ‘qualifying near-shoring project’ means a
7 project under which $\frac{2}{3}$ or more of the oper-
8 ations of a trade or business of the taxpayer is
9 moved from the People’s Republic of China to
10 an Americas partner country.

11 “(3) ELIGIBLE EXPENSES.—The term ‘eligible
12 expenses’ means any expenses paid or incurred in
13 connection with moving the operations of the trade
14 or businesses.

15 “(4) AMERICAS PARTNER COUNTRY.—For pur-
16 poses of this section, the term ‘Americas partner
17 country’ has the meaning given such term under sec-
18 tion 2 of the Americas Act.

19 “(c) QUALIFYING RE-SHORING AND NEAR-SHORING
20 PROJECT PROGRAM.—

21 “(1) ESTABLISHMENT.—

22 “(A) IN GENERAL.—Not later than 180
23 days after the date of enactment of this section,
24 the Secretary, in consultation with the United
25 States Trade Representative, shall establish a

1 qualifying re-shoring and near-shoring project
2 program to consider and award certifications
3 for eligible expenses among taxpayers with
4 qualifying re-shoring projects and qualifying
5 near-shoring projects.

6 “(B) LIMITATION.—

7 “(i) IN GENERAL.—The total amount
8 of credits that may be allocated under the
9 program shall not exceed \$5,000,000,000.

10 “(ii) SENSE OF CONGRESS.—It is the
11 sense of Congress that the limitation under
12 clause (i) should be increased after the
13 date on which the Secretary notifies the
14 Committee on Finance of the Senate and
15 the Committee on Ways and Means of the
16 House of Representatives that 80 percent
17 of such limitation has been allocated.

18 “(2) CERTIFICATION.—

19 “(A) APPLICATION PERIOD.—Each appli-
20 cant for certification under this paragraph shall
21 submit an application containing such informa-
22 tion as the Secretary may require.

23 “(B) TIME FOR MAKING EXPENSES.—Each
24 applicant for certification shall have 5 years
25 from the date of acceptance by the Secretary of

1 the application to pay or incur the eligible ex-
2 penses certified under the program.

3 “(3) SELECTION CRITERIA.—In determining
4 which qualifying re-shoring projects and qualifying
5 near-shoring projects to certify under this section,
6 the Secretary—

7 “(A) shall take into consideration—

8 “(i) projects which create strategic
9 supply chains, products, or entities (as
10 identified under section 254(b) of the
11 Americas Act) within the United States,

12 “(ii) projects which create strategic
13 supply chains, products, or entities (as so
14 identified) within an Americas partner
15 country, and

16 “(iii) projects which create other in-
17 dustries within the United States or a
18 Americas partner country,

19 “(B) shall take into consideration which
20 projects—

21 “(i) will provide the greatest domestic
22 job creation (both direct and indirect),

23 “(ii) will create capital investment,
24 and

25 “(iii) will increase manufacturing.

1 “(4) DISCLOSURE OF ALLOCATIONS.—The Sec-
2 retary shall, upon making a certification under this
3 subsection, publicly disclose the identity of the appli-
4 cant and the amount of the credit with respect to
5 such applicant.

6 “(d) RECAPTURE.—

7 “(1) IN GENERAL.—If there is an applicable
8 transaction before the close of the 10-year period be-
9 ginning with the first day of the taxable year for
10 which a credit is allowed under this section, then the
11 tax under this chapter for the taxable year in which
12 such transaction occurs shall be increased by the ag-
13 gregate decrease in the credits allowed under section
14 38 for all prior taxable years which would have re-
15 sulted solely from reducing to zero any credit deter-
16 mined under subsection (a).

17 “(2) EXCEPTION.—Paragraph (1) shall not
18 apply if the applicable taxpayer demonstrates to the
19 satisfaction of the Secretary that the applicable
20 transaction has been ceased or abandoned within 45
21 days of a determination and notice by the Secretary.

22 “(3) APPLICABLE TRANSACTION.—The term
23 ‘applicable transaction’ means, any significant trans-
24 action (as determined by the Secretary, in coordina-
25 tion with the Secretary of Commerce and the Sec-

1 retary of Defense) involving the material expansion
2 in the People’s Republic of China of the operations
3 of the same or similar a trade or business with re-
4 spect to which the qualifying re-shoring project or
5 qualifying near-shoring project relates.

6 “(4) REGULATIONS AND GUIDANCE.—The Sec-
7 retary shall issue such regulations or other guidance
8 as the Secretary determines necessary or appropriate
9 to carry out the purposes of this paragraph, includ-
10 ing regulations or other guidance which provide for
11 requirements for recordkeeping or information re-
12 porting for purposes of administering the require-
13 ments of this paragraph.

14 “(e) DENIAL OF DOUBLE BENEFIT.—

15 “(1) IN GENERAL.—In the case of the amount
16 of the credit determined under this section, no de-
17 duction or credit shall be allowed for such amount
18 under any other provision of this chapter.

19 “(2) BASIS ADJUSTMENT.—For purposes of
20 this subtitle, if a credit is allowed under this section
21 with respect to any property, the basis of such prop-
22 erty shall be reduced by the amount of the credit so
23 allowed.

1 “(f) REGULATIONS.—The Secretary shall prescribe
2 regulations necessary to carry out the purposes of this sec-
3 tion.”.

4 (b) CREDIT TO BE PART OF GENERAL BUSINESS
5 CREDIT.—Subsection (b) of section 38 of the Internal
6 Revenue Code of 1986 is amended by striking “plus” at
7 the end of paragraph (40), by striking the period at the
8 end of paragraph (41) and inserting “, plus”, and by add-
9 ing at the end the following new paragraph:

10 “(42) the qualifying re-shoring and near-shor-
11 ing expense credit determined under section
12 45BB(a).”.

13 (c) CLERICAL AMENDMENT.—The table of sections
14 for subpart D of part IV of subchapter A of chapter 1
15 of such Code is amended by adding at the end the fol-
16 lowing new item:

“Sec. 45BB. Qualifying re-shoring and near-shoring expenses.”.

17 (d) EFFECTIVE DATE.—The amendments made by
18 this section shall apply to amounts paid or incurred in tax-
19 able years beginning after the date of the enactment of
20 this Act.

21 **CHAPTER 2—FREE TRADE EXPANSION**

22 **SEC. 221. TARIFF RECIPROCITY UNDER GATT 1994.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the United States has one of the lowest ap-
2 plied duty rates in the world, with bound duty rates
3 set in parity to applied rates;

4 (2) in using article XXVIII of GATT 1994 to
5 renegotiate bound duty rates, the United States can
6 gain flexibility in its tariff schedules, which will pro-
7 vide certainty to treaty-based tariff countries under
8 free trade agreements and provide maneuverability
9 in the case of egregious behavior by other WTO
10 members, including the People’s Republic of China;
11 and

12 (3) having the lowest bound duty rates has re-
13 sulted in unsustainable trade deficits that have be-
14 come an issue for the national security of the United
15 States.

16 (b) INCREASE OF RATES AND RECIPROCITY.—

17 (1) INCREASE OF RATES.—The Trade Rep-
18 resentative shall increase average bound duty rates
19 to reflect reciprocal duty rates on goods listed under
20 the Harmonized Tariff Schedule of the United
21 States among WTO members.

22 (2) APPLICATION.—In increasing bound duty
23 rates under paragraph (1), the Trade Representative
24 is not required to raise applied duty rates.

25 (c) NEGOTIATIONS TO INCREASE DUTIES.—

1 (1) IN GENERAL.—The Trade Representative
2 shall commence negotiations under article XXVIII of
3 GATT 1994 to increase bound duty rates on all
4 goods.

5 (2) PRIORITIZING.—In carrying out negotia-
6 tions under paragraph (1), the Trade Representative
7 shall—

8 (A) prioritize the increase of bound duty
9 rates on—

10 (i) goods entering the United States
11 from countries identified as bad faith ac-
12 tors by the Secretary of the Treasury for
13 exclusion of de minimis access; and

14 (ii) goods entering the United States
15 causing significant harm to industry in the
16 United States, as determined by the Trade
17 Representative; and

18 (B) commit to increase rates of duties on
19 imports into the United States if other coun-
20 tries do not decrease their rates in line with
21 those rates in Schedule XX, including through
22 consideration of national averages of duty reci-
23 procity.

24 (d) DEFINITIONS.—In this section:

1 (1) APPLIED DUTY RATE.—The term “applied
2 duty rate” means the actual duty rate applied to a
3 good.

4 (2) BOUND DUTY RATE.—The term “bound
5 duty rate” means the maximum duty rate that may
6 be applied to a good.

7 (3) GATT 1994; SCHEDULE XX; WTO MEM-
8 BER.—The terms “GATT 1994”, “Schedule XX”,
9 and “WTO member” have the meanings given those
10 terms in section 2 of the Uruguay Round Agree-
11 ments Act (19 U.S.C. 3501).

12 (4) TRADE REPRESENTATIVE.—The term
13 “Trade Representative” means the United States
14 Trade Representative.

15 **SEC. 222. EXPANSION OF USMCA OR ESTABLISHMENT OF**
16 **OTHER REGIONAL TRADE AGREEMENT.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the USMCA represents the gold standard
20 for trade agreements, to which other trade agree-
21 ments should aspire;

22 (2) the USMCA includes high standards on pri-
23 vacy, intellectual property, labor, the environment,
24 and dispute resolution;

1 (3) dispute resolution mechanisms of the
2 USMCA, the rapid response mechanism in par-
3 ticular, are effective tools to solve investment and
4 labor disputes and should be strengthened and in-
5 cluded in any expansion of the USMCA or alter-
6 native trade harmonization mechanism;

7 (4) the accession of additional high-standard
8 economies to the USMCA would represent a benefit
9 both to the Western Hemisphere and to the United
10 States;

11 (5) the periodic review of the USMCA required
12 in 2026 represents an opportunity to negotiate with
13 USMCA countries to create an adhesion mechanism
14 for advanced economies in the Western Hemisphere
15 to join the USMCA;

16 (6) Costa Rica and Uruguay, both high-income
17 countries as defined by the World Bank, represent
18 ideal candidates to pilot an accession process for the
19 USMCA, due to—

20 (A) the stated desire of those countries to
21 join the USMCA;

22 (B) the advanced state of the economies of
23 those countries as determined by the
24 Organisation for Economic Co-operation and
25 Development; and

1 (C) the comparatively small nature of the
2 populations and economies of those countries;
3 and

4 (7) the United States, working closely with
5 USMCA countries and other free trade agreement
6 partners in the Western Hemisphere, should study
7 the potential benefits of aligning rules of origin and
8 allowing for cumulation in strategically selected sec-
9 tors.

10 (b) DEVELOPMENT OF ACCESSION MECHANISM.—

11 (1) IN GENERAL.—The United States Trade
12 Representative, in conducting the periodic review of
13 the USMCA required to be conducted in 2026, may
14 seek agreement with USMCA countries to develop a
15 mechanism for accession of additional countries to
16 the USMCA.

17 (2) TREATMENT OF CAFTA–DR COUNTRIES.—

18 (A) RULES OF ORIGIN FOR TEXTILE AND
19 APPAREL GOODS.—For purposes of the acces-
20 sion to the USMCA pursuant to the mechanism
21 developed under paragraph (1) of any CAFTA–
22 DR country, the rules of origin under CAFTA–
23 DR for textile and apparel goods shall remain
24 in place for that country during—

1 (i) the 5-year period following formal
2 accession of that country to the USMCA;
3 and

4 (ii) an additional 5-year period if de-
5 termined appropriate pursuant to the
6 study conducted under subsection (c).

7 (B) STUDY ON TEXTILE AND APPAREL IM-
8 PACT.—Not later than 5 years after the acces-
9 sion of a CAFTA–DR country to the USMCA
10 pursuant to the mechanism developed under
11 paragraph (1), the United States International
12 Trade Commission shall commission a study to
13 analyze the impact of that accession on the tex-
14 tile and apparel sector of that country and
15 CAFTA–DR as a whole, highlighting both neg-
16 ative and positive repercussions to the trade
17 and apparel manufacturing environment.

18 (C) DEFINITIONS.—In this paragraph:

19 (i) CAFTA–DR.—The term
20 “CAFTA–DR” means the Dominican Re-
21 public-Central America-United States Free
22 Trade Agreement—

23 (I) entered into on August 5,
24 2004, between the Government of the
25 United States and the Governments of

1 Costa Rica, the Dominican Republic,
2 El Salvador, Guatemala, Honduras,
3 and Nicaragua, and submitted to Con-
4 gress on June 23, 2005; and

5 (II) approved by Congress under
6 section 101(a)(1) of the Dominican
7 Republic-Central American-United
8 States Free Trade Agreement Imple-
9 mentation Act (19 U.S.C.
10 4011(a)(1)).

11 (ii) CAFTA–DR COUNTRY.—The
12 term “CAFTA–DR country” means Costa
13 Rica, the Dominican Republic, El Sal-
14 vador, Guatemala, Honduras, or Nica-
15 ragua.

16 (c) STUDY.—

17 (1) IN GENERAL.—The Secretary of the Treas-
18 ury shall conduct a study on the feasibility and ad-
19 visability of expanding the USMCA or carrying out
20 other trade-related approaches for—

21 (A) harmonization;

22 (B) cumulation;

23 (C) co-creation; and

24 (D) intra-regional trade, investment, and
25 standards harmonization.

1 (2) REPORT.—Not later than one year after the
2 date of the enactment of this Act, the Secretary of
3 the Treasury shall submit to Congress a report on
4 the study conducted under paragraph (1).

5 (d) SENSE OF CONGRESS ON RETENTION OF BENE-
6 FITS AND RESPONSIBILITIES.—It is the sense of Congress
7 that Americas partner countries that benefit from free
8 trade agreements with the United States or trade pref-
9 erences programs of the United States will retain the ben-
10 efits and responsibilities of those agreements until and un-
11 less they accede to the USMCA through the process devel-
12 oped pursuant to this section.

13 **SEC. 223. AMERICAS PARTNERSHIP THRESHOLD PROGRAM.**

14 (a) IN GENERAL.—There is established within the
15 Department of Commerce a program to be known as the
16 Americas Partnership Threshold Program under which
17 the Secretary of Commerce shall work with Americas part-
18 ner countries—

19 (1) to prepare those countries for a possible
20 process for accession to the USMCA; and

21 (2) to bring those countries up to the standards
22 of the USMCA.

23 (b) ASSESSMENT.—

24 (1) IN GENERAL.—In carrying out the program
25 required under subsection (a), the United States

1 Trade Representative shall conduct an assessment of
2 each Americas partner country related to the trade-
3 related standards of each such country, which shall
4 include—

5 (A) an identification of shortcomings that
6 would impede accession to the USMCA; and

7 (B) a programmatic strategy to bring each
8 such country into compliance with the stand-
9 ards of the USMCA.

10 (2) SUBMISSION OF ASSESSMENT.—The United
11 States Trade Representative shall submit any as-
12 sessment conducted under paragraph (1) to—

13 (A) the Deputy Under Secretary of Com-
14 merce for International Trade and the Execu-
15 tive Secretariat of the Department of Com-
16 merce; and

17 (B) the Committee on Finance of the Sen-
18 ate and the Committee on Ways and Means of
19 the House of Representatives.

20 (c) ADMINISTRATION.—The Secretary of Commerce,
21 in coordination with the Secretary of State and the Ad-
22 ministrator of the United States Agency for International
23 Development, shall implement this section through acqui-
24 sition or assistance mechanisms.

1 (d) FUNDING.—Amounts required to carry out this
2 section shall be derived from the Re-Shoring and Near-
3 Shoring Account established under section 301.

4 **SEC. 224. EXPANSION OF BENEFICIARIES UNDER UNITED**
5 **STATES-CARIBBEAN BASIN TRADE PARTNER-**
6 **SHIP ACT.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that trade preferences under the Caribbean Basin
9 Economic Recovery Act (19 U.S.C. 2701 et seq.) should
10 be extended to Americas partner countries that do not
11 benefit from any trade preference agreement with the
12 United States as a stop-gap measure before accession to
13 the USMCA or another regional trade agreement under
14 section 222.

15 (b) EXPANSION.—

16 (1) IN GENERAL.—Section 213(b)(5)(B) of the
17 Caribbean Basin Economic Recovery Act (19 U.S.C.
18 2703(b)(5)(B)) is amended—

19 (A) in the matter preceding clause (i)—

20 (i) by striking “means any” and in-
21 sserting “means Uruguay, Ecuador, and
22 any”; and

23 (ii) by inserting “or Americas partner
24 country, as defined in section 2 of the

1 Americas Act,” before “which the Presi-
2 dent”; and

3 (B) in clause (i), in the matter preceding
4 subclause (I), by striking “beneficiary”.

5 (2) NEGOTIATION.—In negotiating any expan-
6 sion to trade preferences under the Caribbean Basin
7 Economic Recovery Act (19 U.S.C. 2701 et seq.),
8 the United States Trade Representative shall ex-
9 clude preferences for goods that harm producers in
10 the United States.

11 **SEC. 225. EXCLUSION OF CERTAIN COUNTRIES FROM CER-**
12 **TAIN PREFERENTIAL TRADE TREATMENT.**

13 Notwithstanding any other provision of law, countries
14 that are members of the Bolivarian Alliance for the Peo-
15 ples of Our America, as determined by the President, are
16 ineligible for preferential trade treatment pursuant to—

17 (1) section 213(b) of the Caribbean Basin Eco-
18 nomic Recovery Act (19 U.S.C. 2703(b));

19 (2) any provision of, or amendment made by,
20 this Act; and

21 (3) any free trade agreement with respect to
22 which the United States is a party.

1 **SEC. 226. EXTENSION OF TRADE PROMOTION AUTHORITY**
2 **TO AMERICAS PARTNER COUNTRIES FOR**
3 **PURPOSES OF EXPANSION OF USMCA.**

4 (a) AGREEMENTS REGARDING TARIFF BARRIERS.—

5 (1) IN GENERAL.—For purposes of advancing
6 trade with Americas partner countries, whenever the
7 President determines that one or more existing du-
8 ties or other import restrictions of an Americas part-
9 ner country or the United States are unduly bur-
10 dening and restricting the foreign trade of the
11 United States and that the purposes, policies, prior-
12 ities, and objectives of expanding the USMCA to in-
13 clude that country will be promoted thereby, the
14 President—

15 (A) may enter into trade agreements with
16 an Americas partner country for the purposes
17 of the accession of that country into the
18 USMCA; and

19 (B) may proclaim such modification or
20 continuance of any existing duty, such continu-
21 ance of existing duty free or excise treatment,
22 or such additional duties as the President deter-
23 mines to be required or appropriate to carry out
24 that trade agreement.

1 (2) CONGRESSIONAL APPROVAL.—The Presi-
2 dent shall seek approval from Congress to enter into
3 a trade agreement under this subsection.

4 (b) AGREEMENTS REGARDING TARIFF AND NON-
5 TARIFF BARRIERS.—

6 (1) AGREEMENTS.—

7 (A) IN GENERAL.—Whenever the Presi-
8 dent determines that one or more existing du-
9 ties or any other import restriction of an Amer-
10 icas partner country or the United States or
11 any other barrier to, or other distortion of,
12 international trade unduly burdens or restricts
13 the foreign trade of the United States or ad-
14 versely affects the United States economy or
15 the imposition of any such barrier or distortion
16 is likely to result in such a burden, restriction,
17 or effect, and that the purposes, policies, prior-
18 ities, and objectives of expanding the USMCA
19 to include that country will be promoted there-
20 by, the President may enter into a trade agree-
21 ment described in subparagraph (B).

22 (B) TRADE AGREEMENT DESCRIBED.—A
23 trade agreement described in this subparagraph
24 is a trade agreement with an Americas partner

1 country or Americas partner countries pro-
2 viding for—

3 (i) the reduction or elimination of a
4 duty, restriction, barrier, or other distor-
5 tion; or

6 (ii) the prohibition of, or limitation on
7 the imposition of, such barrier or other dis-
8 tortion.

9 (2) CONDITIONS.—A trade agreement may be
10 entered into under this subsection only if such
11 agreement makes progress in meeting the objectives
12 of the USMCA and the Caribbean Basin Economic
13 Recovery Act (19 U.S.C. 2701 et seq.).

14 (3) BILLS QUALIFYING FOR TRADE AUTHORI-
15 TIES PROCEDURES.—

16 (A) IN GENERAL.—The provisions of sec-
17 tion 151 of the Trade Act of 1974 (19 U.S.C.
18 2191) apply to a bill of either House of Con-
19 gress that contains provisions described in sub-
20 paragraph (B) to the same extent as such sec-
21 tion 151 applies to implementing bills under
22 that section.

23 (B) PROVISIONS DESCRIBED.—The provi-
24 sions described in this subparagraph are—

1 (i) a provision approving a trade
2 agreement entered into under this sub-
3 section and approving the statement of ad-
4 ministrative action, if any, proposed to im-
5 plement such trade agreement; and

6 (ii) if changes in existing laws or new
7 statutory authority are required to imple-
8 ment that trade agreement, only those pro-
9 visions as are strictly necessary or appro-
10 priate to implement that trade agreement,
11 either repealing or amending existing laws
12 or providing new statutory authority.

13 (c) NEGOTIATIONS.—

14 (1) IN GENERAL.—The President may carry
15 out negotiations with Americas partner countries for
16 purposes of entering into a trade agreement under
17 this section.

18 (2) SECTORS.—Sectors included in negotiations
19 under paragraph (1) shall include agriculture, crit-
20 ical minerals, commercial services, intellectual prop-
21 erty rights, industrial and capital goods, government
22 procurement, information technology products, envi-
23 ronmental technology and services, medical equip-
24 ment and services, civil aircraft, digital products and

1 services, emerging technologies, and infrastructure
2 products.

3 (3) CONSIDERATION OF NEGOTIATING OBJEC-
4 TIVES.—In conducting negotiations under paragraph
5 (1), the President shall take into account all of the
6 negotiating objectives set forth in section 102 of the
7 Bipartisan Congressional Trade Priorities and Ac-
8 countability Act of 2015 (19 U.S.C. 4201).

9 (d) ANNUAL REPORT.—Not later than 180 days after
10 the date of the enactment of this Act, and annually there-
11 after, the President shall submit to the Committee on Fi-
12 nance of the Senate and the Committee on Ways and
13 Means of the House of Representatives a report on the
14 implementation of this section, including—

15 (1) a description of any negotiations entered
16 into with countries that seek to accede to the
17 USMCA;

18 (2) a description of any negotiations entered
19 into with countries that seek to be a CBTPA bene-
20 ficiary country, as defined in section 213(b)(5) of
21 the Caribbean Basin Economic Recovery Act (19
22 U.S.C. 2703(b)(5)), as amended by section 224;

23 (3) a description of any trade agreements en-
24 tered into pursuant to the authority under this sec-
25 tion; and

1 (4) a full list of duties and duty-free items
2 under trade agreements entered into pursuant to the
3 authority under this section.

4 **CHAPTER 3—TEXTILE AND APPAREL**

5 **SEC. 231. TEXTILE AND APPAREL GRANT PROGRAM.**

6 (a) IN GENERAL.—The Secretary of Commerce shall
7 establish a program under which the Secretary shall award
8 grants to textile or apparel manufacturers that are
9 headquartered in the United States or an Americas part-
10 ner country to help offset the considerable financial re-
11 sources needed to expand or modernize domestic textile
12 and apparel supply chain capacity.

13 (b) USE OF GRANT AMOUNTS.—A textile or apparel
14 manufacturer in receipt of a grant awarded under this sec-
15 tion shall use the amounts of that grant for new facilities
16 or equipment, to retool old equipment, or to create or ex-
17 pand operations for textile and apparel production in the
18 United States or an Americas partner country.

19 (c) ADMINISTRATION.—In carrying out this section,
20 the Secretary—

21 (1) shall permit advances of grant amounts to
22 manufacturers as qualifying expenditures are made
23 or prior to expenditures being placed in service;

24 (2) shall require a manufacturer to comply with
25 safety, labor, and environmental standards specified

1 by the Secretary, in consultation with the Secretary
2 of Labor, the Administrator of the Environmental
3 Protection Agency, and the Director of the National
4 Institute of Standards and Technology; and

5 (3) may scale the amount of a grant depending
6 on incremental employment achieved by the manu-
7 facturer.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Secretary of Com-
10 merce \$150,000,000 each year for 5 years to carry out
11 the program under this section, of which—

12 (1) \$75,000,000 shall be used to carry out the
13 program in the United States; and

14 (2) \$75,000,000 shall be used to carry out the
15 program in Americas partner countries.

16 **SEC. 232. TEXTILE REUSE AND RECYCLING PROGRAMS.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) textiles make up more than 10 percent of
20 global greenhouse gas emissions; and

21 (2) textiles are the single most common product
22 made with slave labor in the People’s Republic of
23 China.

24 (b) PRIORITY ACCESS TO GRANTS AND LOANS FOR
25 TEXTILE REUSE AND RECYCLING.—The Secretary of the

1 Treasury shall give priority access to grants or loans of
2 amounts under the Re-Shoring and Near-Shoring Account
3 established under section 301 for persons seeking to carry
4 out programs to reuse or recycle covered products.

5 (c) PROGRAM FOR MANUFACTURING SUPPORT AND
6 PROVISION OF COMPONENTS AND MACHINERY.—

7 (1) IN GENERAL.—The Secretary of Commerce
8 shall establish a program under which the Secretary
9 provides grants and loans for the purpose of—

10 (A) establishing new or expanding or retro-
11 fitting existing facilities and providing low-car-
12 bon emissions transportation for collection, drop
13 off or mail back, sorting, pre-processing, reuse,
14 or recycling of covered products; and

15 (B) providing components, chemicals, sol-
16 vents, or machinery necessary for the transpor-
17 tation, collection, mail back, sorting, pre-proc-
18 essing, reuse, or recycling of covered products.

19 (2) FUNDING.—

20 (A) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There is authorized to be appropriated,
22 from the Re-shoring and Near-shoring Account
23 established under section 301, \$3,000,000,000
24 to carry out the program under paragraph (1).

1 (B) LOANS.—Of the amounts available
2 under the lending authority under section
3 212(a)(1), \$10,000,000,000 shall be available
4 for loans under the program under paragraph
5 (1).

6 (d) INNOVATION PROGRAM.—

7 (1) IN GENERAL.—The President shall carry
8 out an innovation program for research and develop-
9 ment related to textile reuse and recycling.

10 (2) AUTHORIZATION OF APPROPRIATIONS.—

11 There is authorized to be appropriated
12 \$1,000,000,000 to carry out the innovation program
13 required under paragraph (1).

14 (e) PUBLIC EDUCATION PROGRAM.—

15 (1) IN GENERAL.—The President shall carry
16 out a public education program on the dangers of
17 fast fashion.

18 (2) AUTHORIZATION OF APPROPRIATIONS.—

19 There is authorized to be appropriated
20 \$100,000,000 to carry out the public education pro-
21 gram required under paragraph (1).

22 (f) RECYCLED CERTIFICATION PROCESS.—For pur-
23 poses of carrying out this section, the President shall en-
24 sure that all recycled finished textiles are certified under

1 a globally recognized independent third-party assurance
2 process.

3 (g) FUNDING.—The Secretary of State may expend
4 such sums as may be necessary from the Re-shoring and
5 Near-shoring Account established under section 301 to
6 carry out this section.

7 (h) DEFINITIONS.—In this section:

8 (1) COVERED PRODUCT.—The term “covered
9 product” means—

10 (A) textiles that are no longer wanted by
11 an individual after purchase or cannot be sold
12 by a business through retail;

13 (B) recycled secondary textile raw mate-
14 rials and fibers; or

15 (C) recycled finished textile products.

16 (2) PRE-PROCESSING.—The term “pre-proc-
17 essing”, with respect to a covered product, means
18 preparing that product to be fit for recycling, which
19 may include detrimming or other manual, mechan-
20 ical, or chemical means.

21 (3) RECYCLE.—

22 (A) IN GENERAL.—The term “recycle”,
23 with respect to covered products, means signifi-
24 cantly transforming those products into new

1 finished or unfinished goods for use of those
2 products in that form.

3 (B) TRANSFORMATION.—A transformation
4 under subparagraph (A) can take place through
5 the deconstruction of a covered product for use
6 in manufacturing new materials out of that
7 product, whether through mechanical or ad-
8 vanced recycling methods.

9 (C) CERTIFICATION.—A covered product
10 qualifies as a recycled good for purposes of this
11 paragraph as certified by a globally recognized
12 independent third-party assurance process man-
13 aged according to the waste hierarchy for waste
14 management developed by the United Nations
15 and the Environmental Protection Agency.

16 (4) REUSE.—The term “reuse”, with respect to
17 covered products that are finished textile goods,
18 means resale, repair, rental, or upcycling (also
19 known as remanufacturing) of those goods.

20 (5) SORTING.—The term “sorting”, with re-
21 spect to covered products, means manually or me-
22 chanically sorting those products for reuse or recy-
23 cling.

24 (6) TEXTILE.—The term “textile” means ap-
25 parel, footwear, accessories, and household linens.

1 **SEC. 233. TEXTILE PRODUCTION VERIFICATION TEAMS.**

2 (a) IN GENERAL.—The Commissioner of U.S. Cus-
3 toms and Border Protection shall deploy to Americas part-
4 ner countries permanent textile production verification
5 teams to ensure the integrity of the textile supply chains
6 of those countries.

7 (b) VISITS.—

8 (1) COUNTRIES.—Textile production
9 verification teams under subsection (a) shall by de-
10 ployed to an Americas partner country not less fre-
11 quently than twice each year.

12 (2) COMPANIES.—Textile production
13 verification teams under subsection (a) may not visit
14 the same company in consecutive visits to a country
15 unless following up on a previous positive determina-
16 tion of malfeasance.

17 (3) MINIMUM NUMBER OF INSPECTIONS.—Tex-
18 tile production verification teams under subsection
19 (a) shall conduct inspections of not fewer than 15
20 individual production facilities during each deploy-
21 ment required under paragraph (1).

22 **SEC. 234. TAX BENEFITS FOR APPAREL AND HOME TEXTILE**
23 **PRODUCTS.**

24 (a) EXCLUSION OF INCOME FROM SALES OF CER-
25 TAIN PRODUCTS.—

1 (1) IN GENERAL.—Part III of subchapter B of
2 chapter 1 of the Internal Revenue Code of 1986 is
3 amended by inserting after section 139I the fol-
4 lowing new sections:

5 **“SEC. 139J. SALES OF FINISHED TEXTILE PRODUCTS IM-**
6 **PORTED FROM QUALIFYING WESTERN HEMI-**
7 **SPHERE COUNTRIES.**

8 “(a) IN GENERAL.—In the case of a corporation,
9 gross income shall not include any income from the quali-
10 fying domestic sale of qualified finished textile products.

11 “(b) QUALIFYING DOMESTIC SALE.—For purposes of
12 this section—

13 “(1) IN GENERAL.—The term ‘qualifying do-
14 mestic sale’ means any sale or exchange within the
15 United States.

16 “(2) RELATED PERSONS.—

17 “(A) IN GENERAL.—Such term shall not
18 include any sale to a related person.

19 “(B) RELATED PERSON.—For purposes of
20 subparagraph (A), a person shall be treated as
21 related to another person if such persons are
22 treated as a single employer under subsection
23 (a) or (b) of section 52 or subsection (m) or (o)
24 of section 414, except that determinations
25 under subsections (a) and (b) of section 52

1 shall be made without regard to section
2 1563(b).

3 “(c) QUALIFIED FINISHED TEXTILE PRODUCTS.—

4 For purposes of this section—

5 “(1) IN GENERAL.—The term ‘qualified fin-
6 ished textile products’ means any inventory property
7 (as defined in section 865(i)(1)) which—

8 “(A) is a finished textile product, and

9 “(B) is—

10 “(i) an originating good under section
11 202(e) of the United States-Mexico-Can-
12 ada Agreement Implementation Act (19
13 U.S.C. 4531), section 203(b) of the Do-
14 minican Republic-Central America-United
15 States Free Trade Agreement Implementa-
16 tion Act (19 U.S.C. 4033(b)), or a com-
17 parable provision of an Act to implement a
18 free trade agreement between the United
19 States and a qualifying Western Hemi-
20 sphere country, or

21 “(ii) an eligible article under section
22 213 of the Caribbean Basin Economic Re-
23 covery Act (19 U.S.C. 2703).

24 “(2) FINISHED TEXTILE PRODUCT.—The term
25 ‘finished textile product’ means a product put up for

1 retail sale that is classifiable under chapters 50
2 through 63 of the Harmonized Tariff Schedule of
3 the United States.

4 “(3) QUALIFYING WESTERN HEMISPHERE
5 COUNTRY.— The term ‘qualifying Western Hemi-
6 sphere country’ means any country—

7 “(A) which is located in the Western
8 Hemisphere, and

9 “(B) with which the United States has a
10 free trade agreement in effect.

11 **“SEC. 139K. TEXTILE FIBER PRODUCTS EXPORTED TO**
12 **QUALIFYING WESTERN HEMISPHERE COUN-**
13 **TRIES.**

14 “(a) IN GENERAL.—In the case of a corporation,
15 gross income shall not include any income from the quali-
16 fying foreign sale of any qualified textile fiber product.

17 “(b) QUALIFYING FOREIGN SALE.—For purposes of
18 this section—

19 “(1) IN GENERAL.—The term ‘qualifying for-
20 eign sale’ means any sale or exchange which the tax-
21 payer establishes to the satisfaction of the Secretary
22 is for any use, disposition, or consumption within a
23 qualifying Western Hemisphere country (as defined
24 in section 139J).

1 “(2) SPECIAL RULES.—For purposes of this
2 subsection, rules similar to the rules of subpara-
3 graphs (B)(i) and (C)(i) of section 250(b)(5) shall
4 apply.

5 “(c) QUALIFIED TEXTILE FIBER PRODUCT.—For
6 purposes of this section—

7 “(1) IN GENERAL.—The term ‘qualifying textile
8 fiber product’ means any textile fiber product
9 which—

10 “(A) was manufactured, produced, or
11 grown by the taxpayer in whole within the
12 United States, or

13 “(B) is an originating good under section
14 202(c) of the United States-Mexico-Canada
15 Agreement Implementation Act (19 U.S.C.
16 4531), section 203(b) of the Dominican Repub-
17 lic-Central America-United States Free Trade
18 Agreement Implementation Act (19 U.S.C.
19 4033(b)), or a comparable provision of an Act
20 to implement a free trade agreement between
21 the United States and a qualifying Western
22 Hemisphere country (as defined in section
23 139J).

24 “(2) TEXTILE FIBER PRODUCT.—The term
25 ‘textile fiber product’ means—

1 “(A) any manufactured fiber, whether in
2 the finished or unfinished state, used or in-
3 tended for use in household or industrial textile
4 articles,

5 “(B) any yarn or fabric, whether in the
6 finished or unfinished state, used or intended
7 for use in apparel, household, or industrial tex-
8 tile articles, and

9 “(C) any household or industrial textile ar-
10 ticle made in whole or in part of fiber, yarn, or
11 fabric.”.

12 (2) NET OPERATING LOSSES.—Section 172(d)
13 of the Internal Revenue Code of 1986 is amended by
14 adding at the end the following new paragraph:

15 “(10) EXCLUSIONS FOR CERTAIN TEXTILE
16 PRODUCTS.—Gross income shall be determined with-
17 out regard to section 139J and 139K.”.

18 (3) CLERICAL AMENDMENT.—The table of sec-
19 tions for part III of subchapter B of chapter 1 of
20 such Code is amended by inserting after the item re-
21 lating to section 139I the following new items:

“Sec. 139J. Sales of finished textile products imported from qualifying Western Hemisphere countries.

“Sec. 139K. Textile fiber products exported to qualifying Western Hemisphere countries.”.

1 (4) **EFFECTIVE DATE.**—The amendments made
2 by this subsection shall apply to taxable years begin-
3 ning after the date of the enactment of this Act.

4 (b) **DEDUCTION FOR DOMESTIC PRODUCTION OF**
5 **TEXTILE FIBER PRODUCTS.**—

6 (1) **IN GENERAL.**—Part VIII of subchapter B
7 of chapter 1 of the Internal Revenue Code of 1986
8 is amended by adding at the end the following new
9 section:

10 **“SEC. 251. INCOME ATTRIBUTABLE TO DOMESTIC TEXTILE**
11 **PRODUCTION ACTIVITIES.**

12 “(a) **IN GENERAL.**—In the case of a corporation,
13 there shall be allowed as a deduction an amount equal to
14 9 percent of the lesser of—

15 “(1) the qualified textile production activities
16 income of the taxpayer for the taxable year, or

17 “(2) taxable income (determined without regard
18 to this section) for the taxable year.

19 “(b) **DEDUCTION LIMITED TO WAGES PAID.**—

20 “(1) **IN GENERAL.**—The amount of the deduc-
21 tion allowable under subsection (a) for any taxable
22 year shall not exceed 50 percent of the W–2 wages
23 of the taxpayer for the taxable year.

24 “(2) **W–2 WAGES.**—For purposes of this sec-
25 tion—

1 “(A) IN GENERAL.—The term ‘W-2
2 wages’ means, with respect to any person for
3 any taxable year of such person, the sum of the
4 amounts described in paragraphs (3) and (8) of
5 section 6051(a) paid by such person with re-
6 spect to employment of employees by such per-
7 son during the calendar year ending during
8 such taxable year.

9 “(B) LIMITATION TO WAGES ATTRIB-
10 UTABLE TO DOMESTIC TEXTILE PRODUC-
11 TION.—Such term shall not include any amount
12 which is not properly allocable to domestic tex-
13 tile production gross receipts for purposes of
14 subsection (c)(1).

15 “(C) RETURN REQUIREMENT.—Such term
16 shall not include any amount which is not prop-
17 erly included in a return filed with the Social
18 Security Administration on or before the 60th
19 day after the due date (including extensions)
20 for such return.

21 “(3) ACQUISITIONS, DISPOSITIONS, AND SHORT
22 TAXABLE YEARS.—The Secretary shall provide for
23 the application of this subsection in cases of a short
24 taxable year or where the taxpayer acquires, or dis-
25 poses of, the major portion of a trade or business or

1 the major portion of a separate unit of a trade or
2 business during the taxable year.

3 “(c) QUALIFIED TEXTILE PRODUCTION ACTIVITIES
4 INCOME.—For purposes of this section—

5 “(1) IN GENERAL.—The term ‘qualified textile
6 production activities income’ for any taxable year
7 means an amount equal to the excess (if any) of—

8 “(A) the taxpayer’s domestic textile pro-
9 duction gross receipts for such taxable year,
10 over

11 “(B) the sum of—

12 “(i) the cost of goods sold that are al-
13 locable to such receipts, and

14 “(ii) other expenses, losses, or deduc-
15 tions (other than the deduction allowed
16 under this section), which are properly al-
17 locable to such receipts.

18 “(2) ALLOCATION METHOD.—The Secretary
19 shall prescribe rules for the proper allocation of
20 items described in paragraph (1) for purposes of de-
21 termining qualified textile production activities in-
22 come. Such rules shall provide for the proper alloca-
23 tion of items whether or not such items are directly
24 allocable to domestic textile production gross re-
25 ceipts.

1 “(3) SPECIAL RULES FOR DETERMINING
2 COSTS.—

3 “(A) IN GENERAL.—For purposes of deter-
4 mining costs under clause (i) of paragraph
5 (1)(B), any item or service brought into the
6 United States shall be treated as acquired by
7 purchase, and its cost shall be treated as not
8 less than its value immediately after it entered
9 the United States. A similar rule shall apply in
10 determining the adjusted basis of leased or
11 rented property where the lease or rental gives
12 rise to domestic textile production gross re-
13 ceipts.

14 “(B) EXPORTS FOR FURTHER MANUFAC-
15 TURE.—In the case of any property described
16 in subparagraph (A) that had been exported by
17 the taxpayer for further manufacture, the in-
18 crease in cost or adjusted basis under subpara-
19 graph (A) shall not exceed the difference be-
20 tween the value of the property when exported
21 and the value of the property when brought
22 back into the United States after the further
23 manufacture.

24 “(4) DOMESTIC TEXTILE PRODUCTION GROSS
25 RECEIPTS.—

1 “(A) IN GENERAL.—The term ‘domestic
2 textile production gross receipts’ means the
3 gross receipts of the taxpayer which are derived
4 from any lease, rental, license, sale, exchange,
5 or other disposition of textile fiber product (as
6 defined in section 139K) which was manufac-
7 tured, produced, or grown by the taxpayer in
8 whole or in significant part within the United
9 States.

10 “(B) EXCEPTION.—Such term shall not in-
11 clude any gross receipts—

12 “(i) from the qualifying foreign sale
13 (as defined in section 139K) of qualifying
14 textile fiber products (as defined in such
15 section), or

16 “(ii) from activities described in sec-
17 tion 199B(b)(1)(A).

18 “(C) SPECIAL RULE FOR CERTAIN GOV-
19 ERNMENT CONTRACTS.—Gross receipts derived
20 from the manufacture or production of any
21 property described in subparagraph (A) shall be
22 treated as meeting the requirements of subpara-
23 graph (A) if—

1 “(i) such property is manufactured or
2 produced by the taxpayer pursuant to a
3 contract with the Federal Government, and

4 “(ii) the Federal Acquisition Regula-
5 tion requires that title or risk of loss with
6 respect to such property be transferred to
7 the Federal Government before the manu-
8 facture or production of such property is
9 complete.

10 “(D) PARTNERSHIPS OWNED BY EX-
11 PANDED AFFILIATED GROUPS.—For purposes
12 of this paragraph, if all of the interests in the
13 capital and profits of a partnership are owned
14 by members of a single expanded affiliated
15 group at all times during the taxable year of
16 such partnership, the partnership and all mem-
17 bers of such group shall be treated as a single
18 taxpayer during such period.

19 “(5) RELATED PERSONS.—

20 “(A) IN GENERAL.—The term ‘domestic
21 textile production gross receipts’ shall not in-
22 clude any gross receipts of the taxpayer derived
23 from property leased, licensed, or rented by the
24 taxpayer for use by any related person.

1 “(B) RELATED PERSON.—For purposes of
2 subparagraph (A), a person shall be treated as
3 related to another person if such persons are
4 treated as a single employer under subsection
5 (a) or (b) of section 52 or subsection (m) or (o)
6 of section 414, except that determinations
7 under subsections (a) and (b) of section 52
8 shall be made without regard to section
9 1563(b).

10 “(d) DEFINITIONS AND SPECIAL RULES.—

11 “(1) SPECIAL RULE FOR AFFILIATED
12 GROUPS.—

13 “(A) IN GENERAL.—All members of an ex-
14 panded affiliated group shall be treated as a
15 single corporation for purposes of this section.

16 “(B) EXPANDED AFFILIATED GROUP.—
17 For purposes of this section, the term ‘ex-
18 panded affiliated group’ means an affiliated
19 group as defined in section 1504(a), deter-
20 mined—

21 “(i) by substituting ‘more than 50
22 percent’ for ‘at least 80 percent’ each place
23 it appears, and

24 “(ii) without regard to paragraphs (2)
25 and (4) of section 1504(b).

1 “(C) ALLOCATION OF DEDUCTION.—Ex-
2 cept as provided in regulations, the deduction
3 under subsection (a) shall be allocated among
4 the members of the expanded affiliated group in
5 proportion to each member’s respective amount
6 (if any) of qualified textile production activities
7 income.

8 “(2) TRADE OR BUSINESS REQUIREMENT.—
9 This section shall be applied by only taking into ac-
10 count items which are attributable to the actual con-
11 duct of a trade or business.

12 “(3) UNRELATED BUSINESS TAXABLE IN-
13 COME.—For purposes of determining the tax im-
14 posed by section 511, subsection (a)(1)(B) shall be
15 applied by substituting ‘unrelated business taxable
16 income’ for ‘taxable income’.

17 “(4) REGULATIONS.—The Secretary shall pre-
18 scribe such regulations as are necessary to carry out
19 the purposes of this section, including regulations
20 which prevent more than 1 taxpayer from being al-
21 lowed a deduction under this section with respect to
22 any activity described in subsection (e)(4)(A).”.

23 (2) CONFORMING AMENDMENTS.—

1 (A)(i) Section 74(d)(2)(B) of the Internal
2 Revenue Code of 1986 is amended by inserting
3 “251,” after “221,”.

4 (ii) Section 246(b)(1) of such Code is
5 amended by inserting “251,” after
6 “243(a)(1),”.

7 (iii) Section 469(i)(3)(E)(iii) of such Code
8 is amended by inserting “251,” after “250,”.

9 (B) Section 170(b)(2)(D) of such Code is
10 amended by striking the period at the end of
11 clause (v) and inserting “, and” and by adding
12 at the end the following new clause:

13 “(vi) section 251.”.

14 (C) Section 172(d) of such Code, as
15 amended by this Act, is amended by adding at
16 the end the following new paragraph:

17 “(11) The deduction under section 251 shall
18 not be allowed.”.

19 (3) CLERICAL AMENDMENT.—The table of sec-
20 tions for part VIII of subchapter B of chapter 1 of
21 such Code is amended by adding at the end the fol-
22 lowing new item:

“Sec. 251. Income attributable to domestic textile production activities.”.

23 (4) EFFECTIVE DATE.—The amendments made
24 by this subsection shall apply to taxable years begin-
25 ning after the date of the enactment of this Act.

1 (c) DEDUCTION FOR REUSED AND RECYCLED TEX-
2 TILES.—

3 (1) IN GENERAL.—Part VI of subchapter B of
4 the Internal Revenue Code of 1986 is amended by
5 adding at the end the following new section:

6 **“SEC. 199B. TEXTILE REUSE AND RECYCLING ACTIVITY IN-**
7 **COME.**

8 “(a) IN GENERAL.—There shall be allowed a deduc-
9 tion equal to 15 percent of the qualified textile reuse and
10 recycling activity income of the taxpayer for the taxable
11 year.

12 “(b) QUALIFIED TEXTILE REUSE AND RECYCLING
13 ACTIVITY INCOME.—For purposes of this section—

14 “(1) IN GENERAL.—The term ‘qualified textile
15 reuse and recycling activity income’ means the ex-
16 cess (if any) of—

17 “(A) the gross income of the taxpayer de-
18 rived in the course of a trade or business
19 from—

20 “(i) the resale, repair, rental, or re-
21 manufacturing of finished textile products,

22 “(ii) the transformation of otherwise
23 unsalable textile fiber products into new
24 finished or unfinished goods,

1 “(iii) the collection of textile fiber
2 products,

3 “(iv) the sorting of finished textile
4 products and textile fiber products for ac-
5 tivities described in clause (i) or (ii), and

6 “(v) the preparation of textile fiber
7 products for activities described in clause
8 (ii), over

9 “(B) the deductions (including taxes) prop-
10 erly allocable to such gross income.

11 “(2) FINISHED TEXTILE PRODUCTS.—The term
12 ‘finished textile products’ has the meaning given
13 such term under section 139J(c).

14 “(3) TEXTILE FIBER PRODUCTS.—The term
15 ‘textile fiber products’ has the meaning given such
16 term under section 139K(c).

17 “(c) SPECIAL RULES.—

18 “(1) APPLICATION TO PARTNERSHIPS AND S
19 CORPORATIONS.—In the case of a partnership or S
20 corporation—

21 “(A) this section shall be applied at the
22 partner or shareholder level, and

23 “(B) each partner or shareholder shall
24 take into account such person’s allocable share

1 of each qualified item of income, gain, deduc-
2 tion, and loss.

3 “(2) COORDINATION WITH MINIMUM TAX.—For
4 purposes of determining alternative minimum tax-
5 able income under section 55, qualified textile reuse
6 and recycling activity income shall be determined
7 without regard to any adjustments under sections 56
8 through 59.”.

9 (2) COORDINATION WITH DEDUCTION FOR
10 QUALIFIED BUSINESS INCOME.—Section
11 199A(c)(3)(B) of the Internal Revenue Code of
12 1986 is amended by redesignating clause (vii) as
13 clause (viii) and by inserting after clause (vi) the fol-
14 lowing new clause:

15 “(vii) Any item of income, gain, de-
16 duction, or loss taken into account under
17 section 199B(b)(1).”.

18 (3) CONFORMING AMENDMENTS.—

19 (A)(i) Section 74(d)(2)(B) of the Internal
20 Revenue Code of 1986 is amended by inserting
21 “199B,” after “137,”.

22 (ii) Section 86(b)(2)(A) of such Code is
23 amended by inserting “199B,” after “137,”.

24 (iii) Section 135(c)(4)(A) of such Code is
25 amended by inserting “199B,” after “137,”.

1 (iv) Section 137(b)(3)(A) of such Code is
2 amended by inserting “199B,” before “221,”.

3 (v) Section 219(g)(3)(A)(ii) of such Code
4 is amended by inserting “199B,” after “137,”.

5 (vi) Section 221(b)(2)(C)(i) of such Code
6 is amended by inserting “199B,” before “911,”.

7 (vii) Section 246(b)(1) of such Code is
8 amended by inserting “199B,” after “199A,”.

9 (viii) Section 469(i)(3)(E)(iii) of such Code
10 is amended by inserting “199B,” before “219,”.

11 (B) Section 170(b)(2)(D) of such Code, as
12 amended by subsection (b), is amended by
13 striking the period at the end of clause (vi) and
14 inserting “, and” and by adding at the end the
15 following new clause:

16 “(vii) section 199B.”.

17 (C) Section 172(d) of such Code, as
18 amended by subsection (b), is amended by add-
19 ing at the end the following new paragraph:

20 “(12) The deduction under section 199B shall
21 not be allowed.”.

22 (4) CLERICAL AMENDMENT.—The table of sec-
23 tions for part VI of subchapter B of chapter 1 of
24 such Code is amended by adding at the end the fol-
25 lowing new item:

“Sec. 199B. Textile reuse and recycling activity income.”.

1 (5) EFFECTIVE DATE.—The amendments made
2 by this subsection shall apply to taxable years begin-
3 ning after the date of the enactment of this Act.

4 **SEC. 235. TREATMENT OF FIBERS, FABRICS, AND YARNS**
5 **NOT AVAILABLE IN COMMERCIAL QUAN-**
6 **TITIES IN AMERICAS PARTNER COUNTRIES.**

7 (a) MODIFICATIONS TO COMMERCIAL AVAILABILITY
8 REQUEST PROCEDURES.—

9 (1) REGULATIONS ON APPROVAL OF COMMER-
10 CIAL AVAILABILITY REQUESTS.—Not later than 180
11 days after the date of the enactment of this Act, the
12 Committee for the Implementation of Textile Agree-
13 ments established by Executive Order 11651 (7
14 U.S.C. 1854 note) (in this section referred to as the
15 “Committee”) shall prescribe regulations—

16 (A) specifying the necessary conditions for
17 the approval, in limited quantities, of commer-
18 cial availability requests under existing and fu-
19 ture free trade agreements with countries in the
20 Western Hemisphere; and

21 (B) providing for procedures for the ap-
22 proval of those requests.

23 (2) REQUIREMENT TO PRODUCE SAMPLES RE-
24 LATING TO COMMERCIAL AVAILABILITY RE-
25 QUESTS.—The Committee shall seek to modify pro-

1 cedures relating to commercial availability requests
2 under free trade agreements in effect as of the date
3 of the enactment of this Act with countries in the
4 Western Hemisphere to require a producer of a
5 fiber, yarn, or fabric that is the subject of such a
6 request to produce a physical sample of the fiber,
7 yarn, or fabric to its exact specification not later
8 than 90 days after receiving a request to prove pro-
9 duction capability.

10 (3) APPLICABILITY OF MODIFICATIONS.—A
11 modification to conditions or procedures relating to
12 commercial availability requests under paragraph (1)
13 or (2) may only be applied to a commercial avail-
14 ability request relating to fiber, yarn, or fabric that
15 will be used for further production in an Americas
16 partner country.

17 (b) STUDY ON CONSIDERATION OF PRICE IN COM-
18 Mercial Availability Requests.—

19 (1) IN GENERAL.—The United States Inter-
20 national Trade Commission (in this section referred
21 to as the “Commission”) shall—

22 (A) conduct a study on if and how price
23 should be among the criteria considered by the
24 Committee when determining commercial avail-

1 ability of a fiber, yarn, or fabric in response to
2 a commercial availability request; and

3 (B) not later than 180 days after the date
4 of the enactment of this Act—

5 (i) submit a report on the results of
6 the study to the Committee on Finance of
7 the Senate and the Committee on Ways
8 and Means of the House of Representa-
9 tives; and

10 (ii) publish the report on a publicly
11 accessible internet website of the Commis-
12 sion.

13 (2) REQUIREMENTS.—In conducting the study
14 required by paragraph (1), the Commission shall—

15 (A) assess fibers, yarns, and fabrics indi-
16 vidualy; and

17 (B) consider not fewer than 10 fibers, 10
18 yarns, and 10 fabrics, for sufficient sampling
19 comparison.

20 (c) AMERICAS PARTNER COUNTRY COMMERCIAL
21 AVAILABILITY LIST.—

22 (1) IN GENERAL.—The Deputy Under Sec-
23 retary of Commerce established under section 203(a)
24 shall, as soon as practicable after the date of the en-
25 actment of this Act, establish an Americas partner

1 country commercial availability list for textile arti-
2 cles described in paragraph (2) and known, as of
3 such date of enactment, to not be commercially
4 available within Americas partner countries for pur-
5 poses of commercial availability requests.

6 (2) TEXTILE ARTICLES DESCRIBED.—Textile
7 articles described in this paragraph are the fol-
8 lowing:

9 (A) Articles listed in Annex 3.25 of the
10 Dominican Republic-Central America-United
11 States Free Trade Agreement.

12 (B) Articles listed in Annex 3–B of the
13 United States-Colombia Trade Promotion
14 Agreement.

15 (C) Articles listed in Annex 3.25 of the
16 United States-Panama Trade Promotion Agree-
17 ment.

18 (D) Articles listed in Annex 3–B of the
19 United States-Peru Trade Promotion Agree-
20 ment.

21 (E) Articles listed in Appendix 1 to Annex
22 4–A of the Trans-Pacific Partnership Agree-
23 ment.

24 (F) Certain knit fabrics of 100 percent
25 man-made fiber fleece classified under sub-

1 heading 6001.22.00 of the Harmonized Tariff
2 Schedule of the United States.

3 (G) Certain woven fabrics of 100 percent
4 polyester classified under subheading 5407.52
5 of that Schedule.

6 (3) AUTOMATIC ADDITIONS.—An article de-
7 scribed in any of subparagraphs (A) through (D) of
8 paragraph (2) after the date of the enactment of
9 this Act shall automatically be added to the list es-
10 tablished under paragraph (1).

11 (4) TIME ON LIST.—

12 (A) IN GENERAL.—An article described in
13 any of subparagraphs (E) through (G) of para-
14 graph (2) shall be removed from the list estab-
15 lished under paragraph (1) on the date that is
16 5 years after the date of the enactment of this
17 Act unless—

18 (i) by that date, the article is covered
19 by an annex specified in any of subpara-
20 graphs (A) through (D) of paragraph (2)
21 or a comparable annex of a free trade
22 agreement with a country in the Western
23 Hemisphere entered into after such date of
24 enactment; or

1 (ii) the Commissioner determines
2 under subparagraph (B) that the article
3 remains commercially unavailable in Amer-
4 icas partner countries.

5 (B) INVESTIGATION.—After an article de-
6 scribed in any of subparagraphs (E) through
7 (G) of paragraph (2) has been on the list estab-
8 lished under paragraph (1) for 4 years, the
9 Commission may investigate whether the article
10 remains commercially unavailable in Americas
11 partner countries.

12 (5) INTERNATIONAL TRADE COMMISSION DE-
13 TERMINATION.—Upon the request of a producer, in
14 an Americas partner country, of an article on the
15 list established under paragraph (1), the Deputy
16 Under Secretary shall remove the article from the
17 list if—

18 (A) the Commission determines the article
19 is commercially available in the United States;
20 or

21 (B) not later than 90 days after submit-
22 ting the request, the producer can provide to
23 the Commission a physical sample to prove pro-
24 duction capability.

1 (6) PEOPLE’S REPUBLIC OF CHINA PRODUCT
2 EXCEPTION.—Fibers, yarns, and fabrics originating
3 from the People’s Republic of China, as determined
4 pursuant to section 102.21 of title 19, Code of Fed-
5 eral Regulations (or a successor regulation), are not
6 eligible, in whole or in part, for inclusion on the list
7 established under paragraph (1).

8 (d) COMMERCIAL AVAILABILITY REQUEST DE-
9 FINED.—In this section, the term “commercial availability
10 request” means a request to modify the rules of origin
11 with respect to a textile article under a free trade agree-
12 ment to address the lack of commercial availability of a
13 fiber, yarn, or fabric in the countries that are parties to
14 the agreement.

15 **CHAPTER 4—TRADE ENFORCEMENT**

16 **SEC. 241. ESTABLISHMENT OF SPECIAL ENFORCEMENT**

17 **UNIT OF U.S. CUSTOMS AND BORDER PRO-** 18 **TECTION TO MONITOR THE IMPLEMENTA-** 19 **TION OF UYGHUR FORCED LABOR PREVEN-** 20 **TION ACT.**

21 (a) ESTABLISHMENT.—There is established in the
22 Office of International Affairs of U.S. Customs and Bor-
23 der Protection a special enforcement unit tasked with
24 monitoring the implementation by the United States of the
25 Act entitled “An Act to ensure that goods made with

1 forced labor in the Xinjiang Autonomous Region of the
2 People’s Republic of China do not enter the United States
3 market, and for other purposes”, approved December 23,
4 2021 (Public Law 117–78; 135 Stat. 1525) (commonly
5 referred to as the “Uyghur Forced Labor Prevention
6 Act”).

7 (b) COORDINATION.—The special enforcement unit
8 established under subsection (a) shall coordinate with the
9 trade remedy law enforcement unit of U.S. Customs and
10 Border Protection.

11 (c) STAFF.—

12 (1) AGENTS.—The special enforcement unit es-
13 tablished under subsection (a) shall deploy agents as
14 necessary for the effective functioning of the unit.

15 (2) POSITIONS AT EMBASSIES.—The special en-
16 forcement unit established under subsection (a) may
17 deploy permanent NSDD–38 positions stationed at
18 each embassy of the United States in an Americas
19 partner country for the coordination of the efforts of
20 the unit.

1 **SEC. 242. AUTHORIZATION OF PAYMENTS TO WHISTLE-**
2 **BLOWERS RELATING TO MONEY LAUN-**
3 **DERING OR ILLICIT FINANCIAL TRANS-**
4 **ACTIONS.**

5 The Executive Associate Director of Homeland Secu-
6 rity Investigations may pay to whistleblowers who disclose
7 to the Secretary of Homeland Security any violations of
8 laws prohibiting money laundering or illicit financial
9 transactions an amount not to exceed 30 percent of the
10 value of any assets seized in connection with such viola-
11 tions.

12 **SEC. 243. ESTABLISHMENT OF BORDERS AND PORTS PRO-**
13 **TECTION PROGRAM.**

14 (a) IN GENERAL.—The Commissioner, in consulta-
15 tion with the Secretary of State, the Secretary of Home-
16 land Security, and the heads of such other Federal agen-
17 cies as the President considers appropriate, shall establish
18 a program to be known as the Borders and Ports Protec-
19 tion Program (referred to in this section as the “Pro-
20 gram”).

21 (b) BORDERS AND PORTS PROTECTION UNIT.—

22 (1) IN GENERAL.—Under the Program, the
23 Commissioner shall assist Americas partner coun-
24 tries selected by the Commissioner in the establish-
25 ment of a borders and ports protection unit.

1 (2) CONSULTATION WITH CONGRESS.—In se-
2 lecting Americas partner countries under paragraph
3 (1), the Commissioner shall consult with Congress.

4 (c) ELEMENTS OF PROGRAM.—In carrying out the
5 Program, the Commissioner may support the efforts of
6 customs administrations and border security agencies of
7 Americas partner countries selected under subsection (b)
8 to create a borders and ports protection unit composed
9 of a sufficient number of officers, including officers of the
10 United States and officers of the Americas partner coun-
11 try, as identified by the Commissioner, who will—

12 (1) report to the local customs administrations
13 and border security agencies in that country;

14 (2) be responsible for surge support and phys-
15 ical protection of borders, ports, strategic depots,
16 hubs, and key commodities, such as basic foodstuffs,
17 gasoline, diesel, and other strategic goods, in that
18 country;

19 (3) under the authority of officials in that coun-
20 try, carry out non-investigative customs functions,
21 such as—

22 (A) ensuring the effective continuity of
23 port operations;

24 (B) facilitating legitimate trade and com-
25 merce; and

1 (C) detecting and interdicting customs vio-
2 lations, such as illicit smuggling of contraband;

3 (4) when cross-border violations of law are iden-
4 tified, notify and coordinate directly with customs
5 and other law enforcement and security agencies in
6 that country that are responsible for conducting in-
7 vestigations of illicit cross-border smuggling of-
8 fenses;

9 (5) refer cross-border violations of law to the
10 Transnational Criminal Investigative Units of
11 Homeland Security Investigations; and

12 (6) carry out any other duties identified by the
13 Commissioner.

14 (d) TRANSNATIONAL CRIMINAL INVESTIGATIVE
15 UNITS.—The Secretary of Homeland Security, acting
16 through the Executive Associate Director of Homeland Se-
17 curity Investigations, shall establish Transnational Crimi-
18 nal Investigative Units in each Americas partner country.

19 (e) TRAINING AND EQUIPMENT.—To the extent au-
20 thorized under existing provisions of law, the Commis-
21 sioner may provide to an Americas partner country se-
22 lected under subsection (b) training, oversight, equipment,
23 and remuneration from U.S. Customs and Border Protec-
24 tion for the purposes specified in subsection (c) to provide
25 lethal and non-lethal assistance, such as training and

1 equipment, including personal protective equipment, ar-
2 mored vehicles, and weapons, to entities that are—

3 (1) identified by the local customs offices in
4 that country;

5 (2) coordinated and deconflicted through the
6 law enforcement working group of the United States
7 Embassy in that country; and

8 (3) approved by the Commissioner.

9 (f) MANAGEMENT.—

10 (1) IN GENERAL.—Under the Program, the
11 Commissioner, in coordination with the Secretary of
12 State and the Secretary of Homeland Security,
13 shall—

14 (A) deploy officers of U.S. Customs and
15 Border Protection to each Americas partner
16 country selected under subsection (b), who
17 shall—

18 (i) report to the chief of mission;

19 (ii) monitor the activities, on behalf of
20 the Department of Homeland Security, of
21 the borders and ports protection unit of
22 that country;

23 (iii) coordinate activities with—

1 (I) the law enforcement working
2 group of the United States Embassy
3 in that country;

4 (II) the attache of Homeland Se-
5 curity Investigations covering that
6 country; and

7 (III) the Transnational Criminal
8 Investigative Unit for that country;

9 (iv) coordinate and deconflict all
10 training and equipment requests with the
11 law enforcement working group of the
12 United States Embassy in that country
13 and the attache of Homeland Security In-
14 vestigations covering that country; and

15 (v) ensure that all cross-border viola-
16 tions of law are referred for investigation
17 to the Transnational Criminal Investigative
18 Unit for that country; and

19 (B) hire a defense contractor that has
20 completed all registrations and clearances re-
21 quired by the United States Government to de-
22 ploy a team of armed experts to assist in the
23 recruitment, vetting, and training of agents of
24 the borders and ports protection unit of that
25 country.

1 (2) HIRING OF AGENTS.—When possible, the
2 Secretary shall hire agents for the borders and ports
3 protection unit of an Americas partner country se-
4 lected under subsection (b) from among agents of
5 the security services of that country.

6 (g) SECURITY ISSUES.—The Secretary of State shall
7 enhance the security of borders and ports protection units
8 established under this section by following the model of
9 the Special Program for Embassy Augmentation Response
10 (SPEAR) used by the Diplomatic Security Service to pro-
11 tect embassies of the United States and other facilities in
12 high-threat environments.

13 (h) REMUNERATION.—Under the Program, the Sec-
14 retary of State, working through the contractor hired pur-
15 suant to subsection (f)(1)(B), shall provide appropriate re-
16 muneration for agents of borders and ports protection
17 units, including—

18 (1) wages based on appropriate pay scales of
19 the United Nations; and

20 (2) a life insurance policy.

21 (i) DESIGNATION OF UNITS IN NON-AMERICAS
22 PARTNER COUNTRIES.—

23 (1) IN GENERAL.—Notwithstanding any other
24 provision of law, except as provided in paragraph

25 (2), the President may designate a borders and

1 ports protection unit under the Program in a coun-
 2 try that is not an Americas partner country selected
 3 under subsection (b) if the President determines
 4 that it is in the national security interest of the
 5 United States to do so.

6 (2) EXCEPTION.—The President may not des-
 7 ignate a borders and ports protection unit under the
 8 Program in a country that is a member of the
 9 Bolivarian Alliance for the Peoples of Our America.

10 (j) REPORT.—Not later than 90 days after the date
 11 of the enactment of this Act, and annually thereafter, the
 12 Secretary of State shall submit to the Committee on Fi-
 13 nance and the Committee on Homeland Security and Gov-
 14 ernmental Affairs of the Senate and the Committee on
 15 Ways and Means of the House of Representatives a report
 16 on the Program.

17 (k) COMMISSIONER DEFINED.—In this section, the
 18 term “Commissioner” means the Commissioner of U.S.
 19 Customs and Border Protection.

20 **SEC. 244. ESTABLISHMENT OF MUTUAL RECOGNITION**
 21 **AGREEMENTS AND TRADE TRANSPARENCY**
 22 **UNITS.**

23 (a) IN GENERAL.—If not already in place with re-
 24 spect to an Americas partner country, not later than one
 25 year after entering into a partnership agreement pursuant

1 to section 201 with that country, the Commissioner shall
2 establish a mutual recognition agreement and a trade
3 transparency unit with the customs administration of that
4 country as part of the ongoing Customs and Trade Part-
5 nership Against Terrorism program of U.S. Customs and
6 Border Protection.

7 (b) PROCESS.—Immediately upon the date of the en-
8 actment of this Act, the Commissioner shall begin an expe-
9 dited process of establishing mutual recognition agree-
10 ments and trade transparency units between the United
11 States and customs offices of Americas partner countries.

12 (c) INTEROPERABILITY OF AGREEMENTS.—The
13 Commissioner, in consultation with the Secretary of Com-
14 merce, shall ensure that data sharing conducted under a
15 mutual recognition agreement established under this sec-
16 tion is interoperable with the e-governance system estab-
17 lished under title I.

18 (d) HARMONIZATION OF DATA COLLECTED UNDER
19 AGREEMENTS.—In coordination with the Americas Part-
20 nership Business Advisory Board established under sec-
21 tion 202, trade and customs bodies shall harmonize col-
22 lected data under mutual recognition agreements entered
23 into under this section, including data related to the fol-
24 lowing:

25 (1) Weight.

1 (2) Quantity.

2 (3) Value.

3 (4) Elements necessary for imports and exports.

4 (5) Common identifiers matching imports and
5 exports.

6 (e) DEFINITIONS.—In this section:

7 (1) COMMISSIONER.—The term “Commis-
8 sioner” means the Commissioner of U.S. Customs
9 and Border Protection.

10 (2) MUTUAL RECOGNITION AGREEMENT.—The
11 term “mutual recognition agreement” means a docu-
12 ment of arrangement between U.S. Customs and
13 Border Protection and a customs administration of
14 a foreign country that provides the platform for the
15 exchange of membership information and recognizes
16 the compatibility of the respective supply chain secu-
17 rity programs of that country and the United States.

18 **Subtitle C—Investment**

19 **SEC. 251. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) Americas partner countries need significant
22 investment in infrastructure and trade ecosystems to
23 compete in the 21st century;

24 (2) slave-based subsidized trade in the People’s
25 Republic of China takes advantage of such need,

1 abusing the principles of free trade to advance the
2 national security interests of the People's Republic
3 of China and predate upon other countries;

4 (3) environmental degradation by the People's
5 Republic of China, especially through dirty, coal-pro-
6 duced electricity, gives products manufactured in the
7 People's Republic of China an unfair advantage over
8 products manufactured in countries with inter-
9 nationally accepted environmental standards;

10 (4) theft of intellectual property rights, World
11 Trade Organization violations, and other abuses by
12 the People's Republic of China make competition
13 with the Government of the People's Republic of
14 China and state-owned entities unbalanced;

15 (5) a trade-based response to the trade behavior
16 of the People's Republic of China, which uses cor-
17 ruption and perverse incentives, must include invest-
18 ment incentives, retaliatory tariffs, fixing the de-
19 minimis trade loophole found in section 321 of the
20 Tariff Act of 1930 (19 U.S.C. 1321), which is effec-
21 tively a free trade agreement with the Chinese Com-
22 munist Party, and other offsets to catalyze move-
23 ment of supply chains and productivity back to the
24 Western Hemisphere; and

1 (6) promoting development and challenging the
2 People’s Republic of China will require flexibility, re-
3 sponsiveness, creativity, and risk-taking, which are
4 the ethos of the investment corporation.

5 **SEC. 252. BUILD AMERICAS UNIT.**

6 Title I of the BUILD Act of 2018 (22 U.S.C. 9611
7 et seq.) is amended by adding at the end the following
8 new section:

9 **“SEC. 1416. BUILD AMERICAS UNIT.**

10 “(a) ESTABLISHMENT.—There is established in the
11 Corporation a BUILD Americas Unit (in this division re-
12 ferred to as the ‘Unit’).

13 “(b) PURPOSE.—The purposes of the Unit are as fol-
14 lows:

15 “(1) To advance the interests of the United
16 States Government.

17 “(2) To near-shore industries from the People’s
18 Republic of China.

19 “(3) To support the development of large scale
20 infrastructure ecosystems for the purposes of rapid
21 industrialization of the Western Hemisphere.

22 “(4) To support the relocation of strategic sup-
23 ply chains (as that term is defined in section 254 of
24 the Americas Act).

1 “(c) COUNTRIES OF OPERATION.—The Unit shall op-
2 erate in all Americas partner countries (as that term is
3 defined in section 2 of the Americas Act), without regard
4 to the income limitations described in section 1412(c)(2).

5 “(d) FUNDING.—Such sums as may be necessary to
6 carry out this section shall be made available from the Re-
7 shoring and Near-shoring Account established under sec-
8 tion 301 and the amounts authorized under section
9 212(a)(2) of the Americas Act.

10 “(e) DEPUTY CHIEF EXECUTIVE OFFICER.—

11 “(1) APPOINTMENT.—There shall be in the
12 Unit, a Deputy Chief Executive Officer for the
13 Americas (in this section referred to as the ‘Deputy
14 Chief’), who shall be appointed by the President, by
15 and with the advice and consent of the Senate, and
16 who shall report to the Deputy Under Secretary of
17 Commerce for the Americas Partnership.

18 “(2) COMPENSATION.—The Deputy Chief shall
19 be compensated at a rate equivalent to level I of the
20 Executive Schedule under section 5312 of title 5,
21 United States Code.

22 “(f) PERSONNEL MANAGEMENT AUTHORITY.—

23 “(1) STAFFING.—

24 “(A) IN GENERAL.—Without regard to any
25 provision of title 5, United States Code, gov-

1 erning the appointment of employees in the civil
2 service, the Deputy Chief may appoint—

3 “(i) such individuals as necessary to
4 provide not fewer than 2 staff members
5 from the Unit to each Americas partner
6 country;

7 “(ii) such individuals as necessary to
8 serve as program managers under this sec-
9 tion; and

10 “(iii) such other individuals as may be
11 necessary to enable the Unit to perform its
12 duties.

13 “(B) PROGRAM MANAGER QUALIFICA-
14 TIONS.—Individuals appointed as program
15 managers under subparagraph (A)(ii) shall
16 have—

17 “(i) demonstrated experience and ex-
18 pertise in securities in the private sector;

19 “(ii) an appropriate securities license,
20 as determined by the Deputy Chief; and

21 “(iii) held the position of investment
22 banker as commonly understood for hiring
23 at private entities.

24 “(2) COMPENSATION.—Notwithstanding any
25 provision of title 5, United States Code, governing

1 the rates of pay or classification of employees in the
2 executive branch, the Deputy Chief may prescribe
3 the rates of basic pay for program managers ap-
4 pointed under paragraph (1)(A)(ii) at a rate not in
5 excess of a rate equal to 150 percent of the max-
6 imum rate of basic pay authorized for positions at
7 level I of the Executive Schedule under section 5312
8 of title 5, United States Code.

9 “(3) EVALUATIONS OF PROGRAM MANAGERS.—

10 “(A) IN GENERAL.—The Deputy Adminis-
11 trator for Programs shall establish criteria to
12 evaluate the effectiveness of program managers,
13 which shall include measuring the economic
14 success of portfolio instruments approved by
15 program managers.

16 “(B) DISMISSAL.—Upon the determination
17 that a program manager fails to meet the cri-
18 teria described in subparagraph (A), the Dep-
19 uty Administrator for Programs may rec-
20 ommend the dismissal of such program man-
21 ager, who may be dismissed at the discretion of
22 the Chief Administrator.

23 “(4) LIMITATION ON TERM OF APPOINT-
24 MENT.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), the service of a program
3 manager appointed under paragraph (1)(A)(ii)
4 may not exceed 5 years.

5 “(B) EXTENSION.—The Deputy Chief
6 may, in the case of a particular program man-
7 ager appointed under paragraph (1)(A)(ii), ex-
8 tend the period to which service is limited under
9 subparagraph (A) by up to 2 years if the Dep-
10 uty Chief determines that such action is nec-
11 essary to promote the efficiency of the Unit, as
12 applicable.

13 “(g) AUTHORITIES RELATING TO PROVISION OF
14 SUPPORT.—

15 “(1) IN GENERAL.—The authorities in this sub-
16 section shall only be exercised to—

17 “(A) carry out of the policy of the United
18 States in section 251 of the Americas Act and
19 the purposes of the Unit in subsection (b);

20 “(B) mitigate risks to United States tax-
21 payers by sharing risks with the private sector
22 and qualifying sovereign entities through co-fi-
23 nancing and structuring of tools; and

24 “(C) ensure that support provided under
25 this section is additional to private sector re-

1 sources by mobilizing private capital that would
2 otherwise not be deployed without such support.

3 “(2) CONSIDERATIONS.—In exercising the au-
4 thorities in this subsection, the Unit—

5 “(A) shall consider—

6 “(i) whether an activity will maximize
7 the profits of the entity receiving support
8 under this subsection;

9 “(ii) the potential return on invest-
10 ment of an activity;

11 “(iii) the sustainability of the eco-
12 nomic model of the entity receiving support
13 under this subsection;

14 “(iv) any secondary economic impact
15 of the activity and whether such impact
16 will spur additional clusters of investment;

17 “(v) whether taxation can be used to
18 generate revenue for public entities receiv-
19 ing support under this subsection; and

20 “(vi) the feasibility of economic suc-
21 cess for the entity receiving support under
22 this subsection; and

23 “(B) may not consider external factors
24 that will not impact the economic success of an
25 activity.

1 “(3) GRANTS.—

2 “(A) IN GENERAL.—The Unit may award
3 grants to United States businesses and entities
4 and governments in Americas partner countries
5 under such terms and conditions as the Unit
6 shall prescribe to carry out the purposes of the
7 Americas Act.

8 “(B) APPLICATION REQUIREMENT.—A
9 grant under this paragraph may be made only
10 to a United States business, a for profit or not-
11 for profit entity registered in an Americas part-
12 ner country, or a government of such a country
13 (including a local government) that submits to
14 the Unit an application at such time, in such
15 manner, and containing or accompanied by
16 such information as the Unit may reasonably
17 require.

18 “(C) PRIORITY.—In approving applications
19 under this paragraph, the Unit shall give pri-
20 ority to applications that demonstrate the devel-
21 opment of a private sector activity that will ad-
22 vance the economic objectives of the Unit de-
23 scribed in subsection (b).

24 “(D) APPROVAL LIMITS.—Under this para-
25 graph—

1 “(i) program managers may approve
2 grants of not more than \$4,999,999;

3 “(ii) the Deputy Chief may approve
4 grants of not less than \$5,000,000 and not
5 more than \$49,999,999; and

6 “(iii) the Deputy Assistant Secretary
7 for the Americas Partnership may approve
8 grants of not less than \$50,000,000.

9 “(E) REPORTING.—

10 “(i) IN GENERAL.—The Unit shall—

11 “(I) use the e-governance frame-
12 work established under title I for
13 management of and reporting on
14 grants; and

15 “(II) protect all restricted per-
16 sonal information (as that term is de-
17 fined in section 119 of title 18,
18 United States Code) collected under
19 clause (ii).

20 “(ii) COLLECTION OF INFORMA-
21 TION.—The Corporation shall carry out
22 clause (i) by collecting information with re-
23 spect to each such grant, including—

24 “(I) the beneficiary of the grant;

25 “(II) the amount;

1 “(III) the location of activities
2 funded by the grant;

3 “(IV) a description of the activi-
4 ties funded by the grant;

5 “(V) a justification for approving
6 the grant;

7 “(VI) the amount of funds pro-
8 vided for an activity by the beneficiary
9 of the grant;

10 “(VII) a description of any other
11 financial support from the Unit;

12 “(VIII) a description of how
13 awarding the grant is anticipated to
14 combat the influence of the People’s
15 Republic of China in the Western
16 Hemisphere; and

17 “(IX) a description of how the
18 grant overlaps with any other finan-
19 cial support provided by persons other
20 than the Unit.

21 “(4) LOANS AND GUARANTIES.—

22 “(A) IN GENERAL.—The Unit may make
23 loans or guaranties in accordance with the
24 guidelines in subparagraph (B) and upon such
25 other terms and conditions as the Deputy As-

1 sistant Secretary for the Americas Partnership
2 may determine.

3 “(B) GUIDELINES FOR THE ISSUANCE OF
4 LOANS.—

5 “(i) APPROVAL LIMITS.—Under this
6 paragraph—

7 “(I) program managers may ap-
8 prove loans and guaranties of not
9 more than \$4,999,999;

10 “(II) the Deputy Chief may ap-
11 prove loans and guaranties of not less
12 than \$5,000,000 and not more than
13 \$49,999,999; and

14 “(III) the Deputy Assistant Sec-
15 retary for the Americas Partnership
16 may approve loans and guaranties of
17 not less than \$50,000,000.

18 “(ii) LOAN AVAILABILITY.—

19 “(I) IN GENERAL.—Any loan
20 made or guaranteed under this para-
21 graph may be issued to—

22 “(aa) a United States busi-
23 ness;

24 “(bb) a for-profit entity in
25 an Americas partner country; or

1 “(cc) a government of an
2 Americas partner country (in-
3 cluding a local government).

4 “(II) EXCEPTION.—Notwith-
5 standing subclause (I), a loan may be
6 made or guaranteed by the Unit to a
7 country that is not an Americas part-
8 ner country if the purpose of the loan
9 is to support near-shoring of strategic
10 supply chains under section 254 of
11 the Americas Act.

12 “(III) LINES OF CREDIT.—The
13 Unit may provide a line of credit of
14 not more than \$50,000,000 to a
15 United States business that meets
16 such requirements as the Deputy As-
17 sistant Secretary for the Americas
18 Partnership may determine.

19 “(iii) INTEREST RATES.—

20 “(I) IN GENERAL.—A loan made
21 or guaranteed under this paragraph
22 may bear an interest rate lower than
23 the rate for an equivalent loan avail-
24 able in the local market.

1 “(II) VARIABLE INTEREST
2 RATES.—For each loan made or guar-
3 anteed under this paragraph, the Sec-
4 retary of the Treasury shall make
5 available to the Unit, at a variable in-
6 terest rate that is not less than zero
7 percent, funds from the amounts au-
8 thorized under section 212(a)(2) of
9 the Americas Act.

10 “(III) DEPOSITS TO TREAS-
11 URY.—For each direct loan made by
12 the Unit to a covered entity, the Unit
13 shall remit—

14 “(aa) any repayment on the
15 principal amount, including the
16 final repayment and liquidation
17 of the loan, and any amount of
18 interest required by the Secretary
19 of the Treasury in accordance
20 with subclause (II) to the Sec-
21 retary of the Treasury, who shall
22 use such amounts to replenish
23 the amounts authorized under
24 section 212(a)(2) of the Americas
25 Act; and

1 “(bb) any profit made from
2 interest above the amount re-
3 quired by rate of interest estab-
4 lished by the Secretary of the
5 Treasury under subclause (II) to
6 the Secretary of the Treasury,
7 who shall deposit such amounts
8 into the Re-shoring and Near-
9 shoring Account established
10 under section 301 of the Amer-
11 icas Act.

12 “(iv) DENOMINATION.—Loans and
13 guaranties made under this paragraph may
14 be denominated and repayable in United
15 States dollars or foreign currencies. For-
16 eign currency denominated loans and guar-
17 anties should only be provided if the Dep-
18 uty Assistant Secretary for the Americas
19 Partnership determines there is a sub-
20 stantive policy rationale for such loans and
21 guaranties.

22 “(v) GUARANTIES BY TREASURY.—

23 “(I) IN GENERAL.—For any loan
24 under this paragraph, the Unit shall
25 hold in an escrow account funds in an

1 amount that is equal to 5 percent of
2 the principal amount of the loan for
3 the life of the loan or until the loan
4 has been repaid.

5 “(II) SOURCE OF FUNDS.—The
6 funds described in subclause (I) shall
7 be taken from the Re-shoring and
8 Near-shoring Account established
9 under section 301 of the Americas
10 Act.

11 “(vi) APPLICABILITY OF FEDERAL
12 CREDIT REFORM ACT OF 1990.—Loans and
13 guaranties issued under paragraph (1)
14 shall be subject to the requirements of the
15 Federal Credit Reform Act of 1990 (2
16 U.S.C. 661 et seq.).

17 “(5) EQUITY INVESTMENTS.—

18 “(A) SENSE OF CONGRESS.—It is the
19 sense of Congress that—

20 “(i) equity is essential, particularly
21 with respect to transformational technology
22 in the energy and technology sectors; and

23 “(ii) firms engaged in complex, ad-
24 vanced manufacturing production require

1 greater capital and more time than non-
2 production firms.

3 “(B) IN GENERAL.—The Unit may, as an
4 investor, support projects with funds or use
5 other mechanisms for the purpose of pur-
6 chasing, and may make and fund commitments
7 to purchase, invest in, make pledges in respect
8 of, or otherwise acquire, equity or quasi-equity
9 securities or shares or financial interests of any
10 entity, including as a limited partner or other
11 investor in investment funds, upon such terms
12 and conditions as the Unit may determine.

13 “(C) FUNDING.—

14 “(i) IN GENERAL.—For the purpose
15 of investments under subparagraph (B),
16 the Unit shall use the amounts authorized
17 under section 212(a)(2) of the Americas
18 Act.

19 “(ii) ESCROW.—For any investment
20 under this paragraph, the Unit shall hold
21 in an escrow account funds, which shall be
22 taken from the Re-shoring and Near-shor-
23 ing Account established under section 301
24 of the Americas Act, in an amount that is

1 equal to 5 percent of the amount of funds
2 invested.

3 “(iii) LIQUIDATION.—Upon liquida-
4 tion of any investment, the unit shall
5 remit—

6 “(I) the principal amount and
7 any amount of interest required by
8 the Secretary for the use of such prin-
9 cipal amount of such investment to
10 the Secretary of the Treasury who
11 shall use such amounts to replenish
12 the amounts authorized under section
13 212(a)(2) of the Americas Act; and

14 “(II) any profit gained from and
15 the amount held in escrow in accord-
16 ance with clause (ii) for such invest-
17 ment to the Secretary of the Treasury
18 who shall deposit such funds in the
19 Re-Shoring and Near-Shoring Ac-
20 count established under section 301 of
21 that Act.

22 “(D) LIMITATIONS ON EQUITY INVEST-
23 MENTS.—

24 “(i) CONTRIBUTIONS BY PARTNERS.—
25 Any investment made by the Unit under

1 this paragraph shall be accompanied by an
2 investment of not less than 51 percent by
3 the United States business or entity or
4 government of an Americas partner coun-
5 try.

6 “(ii) PER PROJECT LIMIT.—The ag-
7 gregate amount of equity investment by
8 the Unit with respect to any project shall
9 not exceed 49 percent.

10 “(6) JOINT INVESTMENT PARTNERSHIPS.—

11 “(A) IN GENERAL.—The Unit may enter
12 into joint investment partnerships with inter-
13 national financial institutions or other similar
14 institutions, including the World Bank and the
15 Andean Development Corporation-Development
16 Bank of Latin America.

17 “(B) LIMITATION.—Notwithstanding sub-
18 paragraph (A), the Unit may not enter into any
19 partnership with any person, including any fi-
20 nancial institution, business, organization, or
21 individual, that is headquartered in, has a prin-
22 cipal place of business in, or is otherwise di-
23 rectly or indirectly owned or controlled by of
24 the government of the Russian Federation, the
25 People’s Republic of China, or any member

1 country of the Bolivarian Alliance for the Peo-
2 ples of Our America (ALBA).

3 “(C) INTERNATIONAL FINANCIAL INSTITU-
4 TIONS DEFINED.—In this paragraph, the term
5 ‘international financial institutions’ has the
6 meaning given that term in section 1701(c)(2)
7 of the International Financial Institutions Act
8 (22 U.S.C. 262r(c)(2)).

9 “(7) INSURANCE AND REINSURANCE.—

10 “(A) IN GENERAL.—In order to ensure the
11 protection of the investments of United States
12 businesses, in whole or in part, against any po-
13 litical risks, such as currency inconvertibility
14 and transfer restrictions, expropriation, war,
15 terrorism, civil disturbance, breach of contract,
16 and nonhonoring of financial obligations, the
17 Unit may issue to United States businesses that
18 invest in Americas partner countries insurance
19 or reinsurance—

20 “(i) upon such terms and conditions
21 as the Unit may determine; and

22 “(ii) at 100 percent of the value of
23 the insured investment.

24 “(B) ESCROW.—For any insurance or re-
25 insurance described in subparagraph (A), the

1 Unit shall hold in an escrow account at a com-
2 mercial bank funds, which shall be taken from
3 the Re-shoring and Near-shoring Account es-
4 tablished under section 301 of the Americas
5 Act, in an amount that is equal to 5 percent of
6 the insurance amount.

7 “(C) RATES.—Any insurance or reinsur-
8 ance described in subparagraph (A) may be
9 issued at a lower rate than the lowest available
10 rate for equivalent insurance or reinsurance in
11 the local market.”.

12 **SEC. 253. AMERICAS PARTNERSHIP ENTERPRISE FUND.**

13 (a) DESIGNATION.—The President, after consulta-
14 tion with the Speaker of the House of Representatives,
15 the minority leader of the House of Representatives, the
16 majority leader of the Senate, the minority leader of the
17 Senate, the Secretary of State, the Secretary of Com-
18 merce, the Secretary of the Treasury, and the Adminis-
19 trator of the United States Agency for International De-
20 velopment, may designate a private, nonprofit organiza-
21 tion registered in an Americas partner country that is es-
22 tablished to carry out the purposes set forth in subsection
23 (b) as the “Americas Partnership Enterprise Fund” (re-
24 ferred to in this section as the “Fund”).

25 (b) PURPOSES.—The purposes of the Fund are—

1 (1) to support the development of ecosystems
2 for critical supply chains in the Americas partner
3 countries;

4 (2) to support the development of private sector
5 responses to migration;

6 (3) to promote near-shoring strategic industry
7 and supply chains from the People’s Republic of
8 China; and

9 (4) to support policies and practices conducive
10 to private sector development in Americas partner
11 countries through loans, grants, equity investments,
12 feasibility studies, technical assistance, training, in-
13 surance, guarantees, and other measures.

14 (c) GOVERNANCE.—

15 (1) BOARD OF DIRECTORS.—

16 (A) IN GENERAL.—The Fund shall be gov-
17 erned by a Board of Directors, consisting of 3,
18 4, or 5 individuals described in subparagraph
19 (C).

20 (B) APPOINTMENTS.—Not later than 90
21 days after the date of the enactment of this
22 Act, the President shall—

23 (i) appoint the initial members of the
24 Board of Directors, subject to the advice
25 and consent of the Senate; and

1 (ii) submit the names of such ap-
2 pointees to the Chair and Ranking Member
3 of the Subcommittee on International
4 Trade, Customs, and Global Competitive-
5 ness of the Committee on Finance of the
6 Senate.

7 (C) QUALIFICATIONS.—Each member of
8 the Board of Directors—

9 (i) shall be a citizen of an Americas
10 partner country;

11 (ii) may not be closely affiliated with
12 any government, civil society organization,
13 academic institution, think tank, or any
14 other not-for-profit entity; and

15 (iii) shall have demonstrated experi-
16 ence and expertise in the areas of private
17 sector development in which the Fund is to
18 be involved.

19 (D) TERM.—Each member of the Board of
20 Directors shall serve for a term of 5 years.

21 (E) CHAIRPERSON.—At its first meeting,
22 the Board of Directors shall elect a Chair-
23 person, who may only serve in such position for
24 a single term.

1 (F) MEETINGS.—The Board of Directors
2 shall meet not less frequently than quarterly.

3 (G) APPOINTMENT OF EXECUTIVE DIREC-
4 TOR.—The Board of Directors shall unani-
5 mously appoint a qualified individual to serve as
6 Executive Director of the Fund. The Executive
7 Director shall be compensated at a rate equiva-
8 lent to level V of the Executive Schedule under
9 section 5316 of title 5, United States Code.

10 (H) VACANCIES.—If a vacancy occurs be-
11 fore the expiration of the term of a member of
12 the Board of Directors, the President shall ap-
13 point an individual with the qualifications de-
14 scribed in subparagraph (C) to fill the remain-
15 der of such term, in the manner described in
16 subparagraph (B).

17 (2) STAFFING.—

18 (A) IN GENERAL.—The Fund shall hire
19 sufficient host country nationals to staff the
20 central office to ensure that Fund resources are
21 managed appropriately and to carry out the
22 day-to-day operations of the central office, in-
23 cluding—

24 (i) program managers, who—

1 (I) shall head the core manage-
2 ment unit;

3 (II) may approve program ex-
4 penditures of up to \$150,000; and

5 (III) shall be evaluated primarily
6 on the success of their respective port-
7 folios; and

8 (ii) additional support staff, provided
9 that not more than 25 percent of the
10 Fund's annual expenditures are used for
11 staffing and administration.

12 (B) ETHICS OFFICER.—The Fund shall
13 have an ethics officer, who—

14 (i) shall be responsible for oversight of
15 the host country nationals;

16 (ii) shall develop ethical standards for
17 the management of the Fund;

18 (iii) shall facilitate the mainstreaming
19 of ethics with respect to the staff of the
20 Fund;

21 (iv) may evaluate individual activities,
22 as needed; and

23 (v) should develop standard invest-
24 ment procedures that do not affect the

1 flexibility and speed of the investment ac-
2 tivities.

3 (C) PARTNERS.—The Fund shall partner
4 with local entities, wholly-owned subsidiaries,
5 and other instruments, as appropriate, to carry
6 out investment activities in Americas partner
7 countries, under the supervision of the central
8 office.

9 (3) LIMITATION ON COMPENSATION.—None of
10 the amounts managed by the Fund may be used to
11 provide any benefit to any member of the Board of
12 Directors or to any officer or employee of the Fund,
13 other than a reasonable salary as compensation for
14 services rendered.

15 (d) ELIGIBLE PROGRAMS AND PROJECTS.—

16 (1) DEFINED TERM.—In this subsection, the
17 term “qualified private sector entity” means a busi-
18 ness organization that is duly registered in the
19 United States or in an Americas partner country.

20 (2) IN GENERAL.—The Fund may provide
21 grants, loans, technical assistance, goods, and serv-
22 ices to qualified private sector entities, in accordance
23 with paragraphs (3) through (7), for programs and
24 projects that are consistent with the purposes de-
25 scribed in subsection (b).

1 (3) GRANTS.—

2 (A) IN GENERAL.—The Fund shall estab-
3 lish a process for awarding grants to qualified
4 private sector entities to carry out activities
5 that are consistent with the purposes described
6 in subsection (b).

7 (B) SELECTION OF GRANTEES.—Not later
8 than 20 working days after receiving an appli-
9 cation for a grant under this paragraph, the
10 Fund shall complete its review and evaluation
11 of the application, using anticipated return on
12 investment as the sole criterion for determining
13 whether a grant will be awarded to the appli-
14 cant.

15 (4) LOANS.—

16 (A) IN GENERAL.—The Fund shall estab-
17 lish a process for providing low-interest loans to
18 qualified private sector entities to carry out ac-
19 tivities that are consistent with the purposes de-
20 scribed in subsection (b). Loans authorized
21 under this paragraph may be offered in the
22 form of equity if the Fund determines that such
23 form is appropriate.

24 (B) SELECTION OF LOAN RECIPIENTS.—
25 Not later than 20 working days after receiving

1 an application for a loan under this paragraph,
2 the Fund shall complete its review and evalua-
3 tion of the application, using anticipated return
4 on investment as the sole criterion for deter-
5 mining whether a loan will be awarded to the
6 applicant.

7 (C) PARTNERSHIPS WITH COMMERCIAL
8 BANKS.—The Fund may enter into partner-
9 ships with commercial banks to manage loan
10 portfolios under this paragraph.

11 (5) TECHNICAL ASSISTANCE.—

12 (A) IN GENERAL.—The Fund, with sup-
13 port from United States entities, such as the
14 United States Trade and Development Agency
15 and other agencies or offices based in the
16 United States, may hire or contract with indi-
17 viduals and entities capable of providing tech-
18 nical assistance in support of the purposes de-
19 scribed in subsection (b).

20 (B) SELECTION OF TECHNICAL ASSIST-
21 ANCE RECIPIENTS.—Not later than 20 working
22 days after receiving an application for technical
23 assistance under this paragraph, the Fund shall
24 complete its review and evaluation of the appli-
25 cation, using anticipated return on investment

1 as the sole criterion for determining whether
2 the requested technical assistance will be
3 awarded to the applicant.

4 (C) ELIGIBLE PARTNER COUNTRIES.—
5 Notwithstanding any other provision of law, the
6 United States Trade and Development Agency
7 may work in any Americas partner country re-
8 gardless of income status designation.

9 (D) AUTHORIZATION OF APPROPRIA-
10 TIONS.—There is authorized to be appropriated
11 to the United States Trade and Development
12 Agency \$10,000,000, which shall be expended
13 on activities related to partnership agreements
14 entered into under section 201.

15 (6) GOODS AND SERVICES.—

16 (A) IN GENERAL.—The Fund may directly
17 procure and deploy goods and services to the
18 extent required to support the purposes de-
19 scribed in subsection (b).

20 (B) SELECTION OF GOODS AND SERVICES
21 RECIPIENTS.—Not later than 20 working days
22 after receiving an application for goods or serv-
23 ices under this paragraph, the Fund shall com-
24 plete its review and evaluation of the applica-
25 tion, using anticipated return on investment as

1 the sole criterion for determining whether the
2 requested goods or services will be provided to
3 the applicant.

4 (7) GOVERNMENT SUPPORT.—

5 (A) IN GENERAL.—The Fund may provide
6 cash and in-kind goods or services to foreign
7 governmental entities in order to advance the
8 purposes described in subsection (b).

9 (B) SELECTION OF GOVERNMENT RECIPI-
10 ENTS.—Not later than 20 working days after
11 receiving an application from a foreign govern-
12 ment for cash or in-kind goods or services
13 under this paragraph, the Fund shall complete
14 its review and evaluation of such application.

15 (e) FUNDING.—

16 (1) AUTHORIZATION.—During the first fiscal
17 year beginning after the date of the enactment of
18 this Act, the Fund shall receive \$1,000,000,000
19 from the Re-shoring and Near-shoring Account es-
20 tablished under section 301 for initial capitalization.
21 The Fund may be recapitalized in accordance with
22 paragraph (4).

23 (2) FINANCIAL INSTRUMENTS.—In order to
24 maximize the resources available to carry out the ac-
25 tivities authorized under this Act, the Fund should

1 establish financial instruments that enable private
2 businesses in Americas partner countries with a
3 commercial nexus in the United States to effectively
4 multiply the impact of United States grants awarded
5 by the Fund.

6 (3) DISTRIBUTION OF RETURN ON INVEST-
7 MENTS.—

8 (A) IN GENERAL.—The Fund may dis-
9 tribute financial returns on Fund investments,
10 include private venture capital, equity, or loan
11 repayments, at such times and in such amounts
12 as the Board of Directors may determine, to
13 the central account of the Fund.

14 (B) SENSE OF CONGRESS.—It is the sense
15 of Congress that the return on investment de-
16 scribed in subparagraph (A) should—

17 (i) recapitalize the central account of
18 the Fund;

19 (ii) guarantee the sustainability of the
20 Fund;

21 (iii) limit the need for additional ap-
22 propriations to the Fund;

23 (iv) spur additional investment;

24 (v) promote small and medium-sized
25 enterprises;

1 (vi) advance good governance and
2 transparency; and

3 (vii) promote job creation.

4 (4) ADDITIONAL REVENUE.—After 80 percent
5 of the initial capital in the Fund has been expended
6 pursuant to paragraph (1), the Board of Directors
7 may request additional capital for the Fund by—

8 (A) submitting a request to the Re-shoring
9 and Near-shoring Account that identifies the
10 additional amount needed for the Fund; and

11 (B) submitting a report to Congress that
12 details the Fund’s activities and justifies the
13 need for the additional capital.

14 (5) NONAPPLICABILITY OF OTHER LAWS.—Not-
15 withstanding any other provision of law, amounts
16 appropriated pursuant to this subsection may be
17 made available to the Fund and used for the pur-
18 poses set forth in this section.

19 (f) LIMITATIONS ON ASSISTANCE.—

20 (1) MAJOR EXPENDITURES.—The Fund may
21 not provide any grant, loan, technical assistance, or
22 government support valued in excess of \$499,999
23 unless the Board of Directors approves such action
24 in advance.

1 (2) RECORDKEEPING.—The Fund shall use the
2 e-governance platform to maintain a database con-
3 taining relevant information, as established by the
4 Secretary of Commerce, regarding activities of the
5 Fund, which shall be accessible by any member of
6 the Board of Directors at any time.

7 (3) MINOR EXPENDITURES.—A member of the
8 Board of Directors may not approve, deny, or influ-
9 ence the approval or denial of an expenditure by the
10 Fund valued at less than \$500,000 unless the Board
11 of Directors determines that the individual author-
12 ized to approve or deny such expenditure, subject to
13 the thresholds under this section, has engaged in
14 independently verified malfeasance.

15 (g) ANNUAL REPORTS.—

16 (1) IN GENERAL.—The Fund shall submit an
17 annual report to the Board of Directors that—

18 (A) describes the status of the registration
19 and management of the Fund;

20 (B) identifies the activities undertaken by
21 the Fund, disaggregated by activity type, coun-
22 try, and strategic sector; and

23 (C) details the successes and failures of
24 such activities.

1 (2) CONGRESS.—The Board of Directors shall
2 annually submit—

3 (A) to Congress a copy of each report re-
4 ceived pursuant to paragraph (1); and

5 (B) to the Committee on Finance of the
6 Senate and the Committee on Ways and Means
7 of the House of Representatives a chapter with-
8 in the comprehensive Department of Commerce
9 report that identifies, for the reporting period—

10 (i) the number of grants, loans, in-
11 stances of technical assistance, goods and
12 services, and other Government support
13 provided by the Fund;

14 (ii) the repayment rates for the loans
15 and other support referred to in clause (i);

16 (iii) a summary of activities conducted
17 by the Fund;

18 (iv) the countries in which the Fund
19 is conducting such activities;

20 (v) success stories involving entities
21 receiving assistance from the Fund;

22 (vi) lessons learned from the activities
23 conducted by the Fund; and

1 (vii) any other information contained
2 in other reports required under this Act
3 that relates to the Fund.

4 (h) AUDITS.—

5 (1) IN GENERAL.—Not less frequently than an-
6 nually, the activities of the Fund shall be subject to
7 an audit by an independent private entity selected by
8 the Board of Directors.

9 (2) REPORT.—

10 (A) FINDINGS.—Each independent private
11 entity referred to in paragraph (1) shall submit
12 a report to the Board of Directors that contains
13 the findings of the audit conducted pursuant to
14 such paragraph.

15 (B) PUBLIC ACCESSIBILITY.—The Board
16 of Directors shall post the report received pur-
17 suant to subparagraph (A) on the Fund's pub-
18 licly accessible website.

19 (i) DURATION.—The Fund shall remain operational
20 indefinitely. Venture capital profits, equity, and loan inter-
21 est shall be returned to the central account of the Fund,
22 with the goal that the Fund become self-sufficient.

23 (j) NONAPPLICABILITY OF OTHER LAWS.—Notwith-
24 standing any other provision of law, executive branch

1 agencies may conduct programs and activities and provide
2 services in support of the activities of the Fund.

3 **SEC. 254. NEAR-SHORING OF STRATEGIC SUPPLY CHAINS**
4 **AND TRANSFORMATIONAL ENERGY INVEST-**
5 **MENTS.**

6 (a) STATEMENT OF POLICY.—It is the policy of the
7 United States—

8 (1) to advance United States national security
9 goals and hemispheric foreign policy and develop-
10 ment goals by assisting countries in the Western
11 Hemisphere to establish the ecosystems necessary to
12 host strategic industries in order to reduce
13 vulnerabilities of the United States, in particular
14 with respect to supply chains based, as of the date
15 of the enactment of this Act, in the People’s Repub-
16 lic of China;

17 (2) to the maximum extent practicable, to seek
18 to identify development opportunities and engage in
19 early-stage project support to promote trans-
20 formational energy projects to increase competitive-
21 ness in the energy sector in the Western Hemi-
22 sphere; and

23 (3) to reduce the influence of the People’s Re-
24 public of China in the Western Hemisphere.

1 (b) IDENTIFICATION OF STRATEGIC SUPPLY CHAINS,
2 PRODUCTS, AND ENTITIES AND TRANSFORMATIONAL EN-
3 ERGY INVESTMENT OPPORTUNITIES.—

4 (1) REPORT REQUIRED.—Not later than 90
5 days after the date of the enactment of this Act, and
6 annually thereafter, the Secretary of State, through
7 the Deputy Assistant Secretary of State for the
8 Americas Partnership established under section
9 203(c)(1), and in coordination with the United
10 States Trade Representative, the Secretary of Com-
11 merce, the Secretary of Energy, and other appro-
12 priate officials, shall submit to Congress a report
13 identifying—

14 (A) supply chains identified under Execu-
15 tive Order 14017 (86 Fed. Reg. 11849; relating
16 to America’s supply chains), as amended on or
17 after the date of the enactment of this Act, lo-
18 cated in the Western Hemisphere (in this sec-
19 tion referred to as “strategic supply chains”);

20 (B) products produced by such supply
21 chains;

22 (C) entities that are part of such supply
23 chains; and

24 (D) opportunities for transformational en-
25 ergy investments in Americas partner countries.

1 (2) OPPORTUNITIES FOR NEAR-SHORING AND
2 TRANSFORMATIONAL ENERGY INVESTMENTS.—

3 (A) IN GENERAL.—The report required by
4 paragraph (1) shall list—

5 (i) opportunities for—

6 (I) near-shoring of products with-
7 in strategic supply chains; and

8 (II) transformational energy in-
9 vestments in Americas partner coun-
10 tries; and

11 (ii) support for such near-shoring and
12 energy investments identified under sub-
13 section (c).

14 (B) CONSULTATIONS.—In identifying op-
15 portunities for near-shoring and energy invest-
16 ments under this subsection, the Secretary—

17 (i) shall consult with United States in-
18 dustry to obtain feasibility studies, viability
19 plans, and letters of commitment relating
20 to such opportunities; and

21 (ii) may issue requests for information
22 relating to such opportunities to determine
23 the needs of industry with respect to near-
24 shoring strategic supply chains.

1 (3) WORK PLAN.—The report required by para-
2 graph (1) shall include a work plan setting forth a
3 prioritization for the near-shoring of products within
4 strategic supply chains and for transformational en-
5 ergy investments, including the tools to be used and
6 the authorities to be exercised in the implementation
7 of such near-shoring and energy investments as part
8 of a special economic initiative under subsection (d).

9 (c) IDENTIFICATION AND SUPPORT FOR NEAR-SHOR-
10 ING OF PRODUCTS IN STRATEGIC SUPPLY CHAINS AND
11 FOR TRANSFORMATIONAL ENERGY INVESTMENTS.—

12 (1) IN GENERAL.—The Secretary of Commerce,
13 in consultation with the Secretary of State and the
14 heads of other relevant Federal agencies—

15 (A) shall, in partnership with industry and
16 stakeholders, identify opportunities that would
17 be appropriate for near-shoring or for trans-
18 formational energy investments; and

19 (B) may provide funding to support such
20 opportunities as provided in this title.

21 (2) PREFERENCES.—In selecting among oppor-
22 tunities that will receive funding under paragraph
23 (1), the Secretary of Commerce, in consultation with
24 the Secretary of State and the heads of other rel-

1 evant Federal agencies, shall give preference to op-
2 portunities that—

3 (A) have the support of the government of
4 the country in which the production of the
5 product or energy investment will take place;
6 and

7 (B) can attract private investment.

8 (3) PRODUCTION IN NON-AMERICAS PARTNER
9 COUNTRIES.—The Secretary of Commerce may pro-
10 vide funding under this subsection to near-shore the
11 production of a product identified under subsection
12 (b)(1)(B) to a country that is not an Americas part-
13 ner country if the Secretary determines and certifies
14 to Congress that there are no opportunities appro-
15 priate for re-shoring or near-shoring to Americas
16 partner countries.

17 (4) ENERGY INVESTMENT IN NON-AMERICAS
18 PARTNER COUNTRIES.—The Secretary of Commerce,
19 in consultation with the Secretary of Energy, may
20 provide funding for a transformational energy
21 project in a country that is not an Americas partner
22 country if the Secretary notifies Congress of the in-
23 tention of the Secretary to provide the funding be-
24 fore providing the funding.

25 (d) SPECIAL ECONOMIC INITIATIVE.—

1 (1) IN GENERAL.—The President shall establish
2 a special economic initiative for strategic supply
3 chains and transformational energy investments, to
4 be administered by the Department of Commerce,
5 under which the tools described in the provisions of
6 and amendments made by this subtitle and subtitle
7 D are made available to Americas partner countries
8 and such other countries as the President considers
9 appropriate.

10 (2) NOTIFICATION TO CONGRESS; PLAN.—Not
11 less than 15 days before exercising the authority
12 provided by paragraph (1) to establish a special eco-
13 nomic initiative with respect to a country, the Presi-
14 dent shall—

15 (A) notify Congress of the intention of the
16 President to exercise that authority; and

17 (B) submit to Congress a plan for the ini-
18 tiative, which shall include a description of—

19 (i) the sector involved;

20 (ii) the projects involved;

21 (iii) an analysis, including environ-
22 mental analysis, available with respect to
23 the initiative;

1 (iv) the agreement with the govern-
2 ment of the country with respect to the ini-
3 tiative; and

4 (v) the cost of the initiative.

5 (3) AUTHORITY TO ENTER INTO AGREE-
6 MENTS.—The President may enter into agreements
7 using authorities of Federal agencies, including the
8 Department of State, the United States Agency for
9 International Development, the Department of Com-
10 merce, the Department of Defense, the Department
11 of Energy, the Department of Agriculture, the De-
12 partment of Health and Human Services, or any
13 other authorities the President considers appro-
14 priate, to advance a special economic initiative under
15 paragraph (1).

16 (4) WAIVER OF COMPETITION REQUIRE-
17 MENTS.—

18 (A) IN GENERAL.—The President may
19 waive the requirements of title 41, United
20 States Code, relating to competition in the
21 awarding of Government contracts in the case
22 of a contract related to the near-shoring of
23 strategic supply chains or transformational en-
24 ergy investments through a special economic
25 initiative under paragraph (1) if the ethics offi-

1 cer of the agency seeking to enter into the con-
2 tract evaluates the contract and the certifies
3 that there are no conflicts of interest.

4 (B) TIMING OF EVALUATION.—An ethics
5 officer shall have not less than 20 business days
6 to conduct an evaluation described in subpara-
7 graph (A).

8 (5) ADDITIONAL SUPPORT FOR NEAR-SHORING
9 AND TRANSFORMATIONAL ENERGY INVESTMENTS
10 UNDER SPECIAL ECONOMIC INITIATIVE.—

11 (A) IN GENERAL.—The Secretary of Com-
12 merce, in coordination with the Secretary of
13 State and the heads of other agencies that op-
14 erate under the foreign policy guidance of the
15 Secretary of State, shall, as appropriate,
16 prioritize and expedite the efforts of the De-
17 partment of Commerce, the Department of
18 State, the Department of the Treasury, the De-
19 partment of Energy, and such other agencies in
20 supporting the efforts of the United States Gov-
21 ernment to incentivize near-shoring and trans-
22 formational energy investments through finan-
23 cial and nonfinancial methods, including meth-
24 ods described in this subsection, and Americas
25 partner countries to support near-shoring and

1 increase investment in entities identified under
2 subsection (b)(1)(C) by—

3 (i) providing diplomatic, political, and
4 economic support to such entities in Amer-
5 icas partner countries or other countries in
6 the Western Hemisphere identified by the
7 Secretary of Commerce as necessary;

8 (ii) facilitating negotiations con-
9 cerning cross-border infrastructure, such
10 as electric grids, ports, trains, or other in-
11 frastructure that crosses borders;

12 (iii) providing technical and grant as-
13 sistance to enhance the regulatory and
14 labor environments of Americas partner
15 countries and other such other countries to
16 facilitate United States business invest-
17 ments; and

18 (iv) facilitating both early-stage
19 project support and late-stage project sup-
20 port to such entities with respect to near-
21 shoring.

22 (B) EXPORT PROTECTION.—

23 (i) IN GENERAL.—An entity identified
24 under subparagraph (C) of subsection
25 (b)(1) that receives assistance with re-

1 shoring or near-shoring production of a
2 product identified under subparagraph (B)
3 of that subsection is eligible to receive ex-
4 port protection as described in clause (iii).

5 (ii) REPORT TO DEPARTMENT OF
6 COMMERCE.—If the application of an enti-
7 ty submitted under clause (i) is approved,
8 the entity shall submit to the Secretary of
9 Commerce a report specifying the average
10 production level of the product described in
11 that clause in the United States for the 3
12 calendar years preceding submission of the
13 report.

14 (iii) AMOUNT OF EXPORTS PROVIDED
15 EXPORT PROTECTION.—If the quantity of
16 production in the United States of a prod-
17 uct described in clause (i) exceeds the level
18 specified under clause (ii), the quantity in
19 excess of that level may be exported with-
20 out being subject to export controls or any
21 other restrictions on exportation (subject
22 to such exceptions as the President may
23 declare are in the national security inter-
24 ests of the United States).

1 (6) SOURCE OF FUNDS.—Funding for a special
2 economic initiative under paragraph (1) shall be
3 taken from the Re-shoring and Near-shoring Ac-
4 count established under section 301.

5 (e) REGULATORY ALIGNMENT.—

6 (1) IN GENERAL.—The Secretary of Commerce,
7 in coordination with the Americas Partnership busi-
8 ness advisory board established by the Americas
9 Partnership Secretariat under section 202, and with
10 support from appropriate officials of the United
11 States Government, such as the Assistant United
12 States Trade Representative for the Americas Part-
13 nership established under section 203(b) and the of-
14 ficial of the Trade and Development Agency with
15 lead responsibility for the implementation of this
16 title, shall begin a process of regulatory alignment
17 with respect to supply chains, energy investments,
18 and products identified under subsection (b)(1)
19 with—

20 (A) Americas partner countries; and

21 (B) any other country that benefits from
22 the near-shoring of the production of a product
23 identified under subsection (b)(1)(B) to the
24 country or transformational energy investments.

1 (2) PRIORITIZATION OF PHARMACEUTICALS.—

2 In carrying out the process described in paragraph
3 (1), the Secretary shall begin with regulatory align-
4 ment with respect to pharmaceuticals.

5 (3) REPORTS REQUIRED.—The Secretary shall
6 submit to Congress and make available to the public
7 reports on the success of efforts under paragraph
8 (1) on a continuous basis.

9 (f) DUTIES AND SUBSIDIES.—An entity organized
10 under the laws of an Americas partner country or another
11 country, as the President considers appropriate, that is
12 part of a strategic supply chain shall be treated not less
13 favorably than a United States person with respect to du-
14 ties, subsidies, and other related issues.

15 (g) MILLENNIUM CHALLENGE CORPORATION.—The
16 Millennium Challenge Corporation may provide assistance
17 under the Millennium Challenge Act of 2003 (22 U.S.C.
18 7701 et seq.) to an Americas partner country or another
19 country, as the President considers appropriate, for pur-
20 poses of supporting the near-shoring of strategic supply
21 chains and transformational energy investments without
22 regard to—

23 (1) any requirement of that Act relating to
24 competitive procedures; or

1 (2) the requirement to enter into a Compact
2 under section 609 of that Act (22 U.S.C. 7708).

3 (h) TRADE AND DEVELOPMENT AGENCY.—The
4 Trade and Development Agency may provide assistance
5 under the section 661 of the Foreign Assistance Act of
6 1961 (22 U.S.C. 2421) to all Americas partner countries,
7 without regard to the limitation under subsection (a) of
8 that section, for purposes of supporting the near-shoring
9 of strategic supply chains.

10 (i) TECHNICAL ASSISTANCE.—The United States
11 Agency for International Development, the United States
12 International Development Finance Corporation, the
13 Trade and Development Agency, and other relevant agen-
14 cies shall provide technical assistance with respect to the
15 near-shoring of strategic supply chains.

16 (j) DEFINITIONS.—In this section:

17 (1) EARLY-STAGE PROJECT SUPPORT.—The
18 term “early-stage project support” includes the fol-
19 lowing:

20 (A) Feasibility studies.

21 (B) Long-term strategic supply chain plan-
22 ning.

23 (C) Resource evaluations.

24 (D) Project appraisal and costing.

25 (E) Pilot projects.

1 (F) Commercial support, such as trade
 2 missions, reverse trade missions, technical
 3 workshops, international buyer programs, and
 4 international partner searchers to link suppliers
 5 to projects.

6 (G) Technical assistance and other guid-
 7 ance to improve the local regulatory environ-
 8 ment and market frameworks to encourage
 9 transparent competition.

10 (2) LATE-STAGE PROJECT SUPPORT.—The term
 11 “late-stage project support” includes support of the
 12 type provided by the BUILD Americas Unit.

13 **Subtitle D—People-to-People**
 14 **Activities**

15 **SEC. 261. HUMANITARIAN AND BUSINESS DEVELOPMENT**
 16 **ASSISTANCE.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
 18 gress that—

19 (1) the promotion of human rights and democ-
 20 racy around the world is essential;

21 (2) such promotion should continue to be incor-
 22 porated into ongoing programs, such as those of the
 23 Bureau of Democracy, Human Rights, and Labor of
 24 the Department of State, the Office of Democracy
 25 and Governance of the United States Agency for

1 International Development, the National Endowment
2 for Democracy, the Commercial Law Development
3 Program at the Department of Commerce, and other
4 governmental and nongovernmental entities;

5 (3) the activities authorized under this subtitle
6 should remain focused on the objectives of this sub-
7 title; and

8 (4) any funds appropriated pursuant to this
9 subtitle should be expended on such activities.

10 (b) PURPOSE.—The purposes of this section are—

11 (1) to deepen the cultural and people-to-people
12 ties between the people of Americas partner coun-
13 tries;

14 (2) to facilitate the establishment of sustainable
15 market solutions to increase the economic advance-
16 ment interdependence of the countries in the West-
17 ern Hemisphere; and

18 (3) to advance the objectives of this subtitle
19 through support to businesses, which should remain
20 focused on those endeavors.

21 (c) ASSISTANCE AUTHORIZED.—

22 (1) IN GENERAL.—The Secretary of State, in
23 consultation with the Administrator of the United
24 States Agency for International Development, the
25 Director of the United States Trade and Develop-

1 ment Agency, and the Secretary of Commerce, shall
2 establish a people-to-people assistance program
3 through which individuals in Americas partner coun-
4 tries may participate in programs funded by the
5 United States Government.

6 (2) PROGRAM ELEMENTS.—The programs es-
7 tablished pursuant to paragraph (1) shall remain fo-
8 cused on achieving the objectives of the Americas
9 Partnership Threshold Program established under
10 section 223(a), and may include grants and con-
11 tracts for—

12 (A) training programs related to public ad-
13 ministration, such as the Global Procurement
14 Initiative of the United States Trade and De-
15 velopment Agency, and good regulatory prac-
16 tices and practices of internal governance;

17 (B) technical assistance related to—

18 (i) improved service delivery for public
19 services;

20 (ii) studies, reports, and other
21 deliverables needed related to engineering,
22 construction, maintenance of public or pri-
23 vate infrastructure;

24 (iii) feasibility studies related to pri-
25 vate sector investments;

1 (iv) startup grants, venture capital,
2 and equity for establishing and growing
3 businesses; and

4 (v) other activities to support the
5 Americas Partnership Threshold Program;
6 and

7 (C) other people-to-people assistance au-
8 thorized by the Secretary of State.

9 (3) IMPLEMENTATION.—The Secretary of State
10 is authorized to enter into contracts with for-profit
11 private sector entities to implement the people-to-
12 people assistance program authorized under this
13 subsection.

14 (d) AMERICAS PARTNERSHIP ACCELERATOR PRO-
15 GRAM.—

16 (1) ESTABLISHMENT.—There is established
17 within the United States Agency for International
18 Development a program to be known as the Amer-
19 icas Partnership Accelerator Program, which shall
20 catalyze small and medium industries within Amer-
21 icas partner countries by providing short-term, tan-
22 gible successes, which will help people recognize en-
23 trepreneurs in their communities who are benefiting
24 from the Americas program.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated, from the Re-
3 shoring and Near-shoring Account established under
4 section 301, \$15,000,000 to carry out the program
5 established under paragraph (1).

6 (e) AMERICAS PARTNERSHIP FUND FOR NATURE.—

7 (1) ESTABLISHMENT.—There is established in
8 the Treasury of the United States the Americas
9 Partnership Fund for Nature, which shall be used
10 by the United States Agency for International De-
11 velopment to assist Americas partner countries by
12 catalyzing activities advancing conservation efforts
13 through grants, technical assistance, and other tools.

14 (2) AUTHORIZATION OF APPROPRIATIONS.—

15 There is authorized to be appropriated, from the Re-
16 shoring and Near-shoring Account established under
17 section 301, \$10,000,000 to carry out the activities
18 described in paragraph (1).

19 (f) FUNDING.—The Secretary of State may expend

20 such sums as may be necessary from the Re-shoring and

21 Near-shoring Account established under section 301 to

22 carry out this section.

1 **SEC. 262. DEPARTMENT OF STATE.**

2 (a) CULTURAL AFFAIRS PROGRAMS.—The Secretary
3 of State may provide Americas partner countries with ad-
4 ditional cultural affairs programming, including—

5 (1) additional English language programming;

6 (2) additional scholarship slots for the J. Wil-
7 liam Fulbright Educational Exchange Program au-
8 thorized under the Mutual Educational and Cultural
9 Exchange Act of 1961 (22 U.S.C. 2451 et seq.);

10 (3) increased participation in the Fulbright-
11 Hays Program authorized under section 102 of the
12 Mutual Educational and Cultural Exchange Act of
13 1961 (22 U.S.C. 2452);

14 (4) additional slots in exchange programs of the
15 Bureau of Educational and Cultural Affairs that
16 benefit outbound American citizens;

17 (5) additional cultural exchange programs in
18 music and the arts;

19 (6) establishing additional “American Corners”
20 or other outreach mechanisms; and

21 (7) the appropriation of additional amounts for
22 the Ambassador’s Special Self-Help Fund authorized
23 under the Foreign Assistance Act of 1961 (22
24 U.S.C. 2151 et seq.).

25 (b) EXISTING PROGRAMS.—The Secretary of State
26 may build upon existing programs, such as the 100,000

1 Strong in the Americas Innovation Fund, the College Ho-
2 rizons Opportunity Program, Young Leaders of the Amer-
3 icas Initiative, and other programs, as the Secretary
4 deems appropriate.

5 (c) FUNDING.—In addition to any other amounts
6 made available to the Bureau of Western Hemisphere Af-
7 fairs, the Secretary of State may expend such sums as
8 may be necessary from the Re-shoring and Near-shoring
9 Account established under section 301 to carry out this
10 section.

11 **SEC. 263. PEACE CORPS.**

12 (a) ADDITIONAL VOLUNTEERS IN AMERICAS PART-
13 NER COUNTRIES.—The Director of the Peace Corps shall
14 take the necessary steps to double the number of Peace
15 Corps volunteers in each Americas partner country during
16 the 27-month period immediately following the date on
17 which such country enters into a partnership agreement
18 pursuant to section 201.

19 (b) ESTABLISHING A PEACE CORPS VOLUNTEERS IN
20 NEW COUNTRIES.—As soon as possible after an Americas
21 partner country that does not have a Peace Corps pres-
22 ence enters into a partnership agreement pursuant to sec-
23 tion 201, the Director of the Peace Corps shall take the
24 necessary steps to assign Peace Corps volunteers to such
25 country.

1 (c) OFFSETS.—The cost of deploying additional
2 Peace Corps volunteers to Americas partner countries
3 under this section shall be paid for—

4 (1) with offsets from Peace Corps deployments
5 to other countries; or

6 (2) from the Re-shoring and Near-shoring Ac-
7 count established under section 301.

8 **SEC. 264. AMERICAN UNIVERSITY OF THE AMERICAS.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) quality university education is essential for
12 the advancement of free, prosperous societies;

13 (2) there is not a Latin American university in-
14 cluded among the top 100 global universities in the
15 U.S. News and World Report’s 2022–2023 rankings;

16 (3) there is a significant need for high-quality,
17 nonideological, affordable university education in
18 Latin America, especially education that is focused
19 on science, technology, engineering, and math; and

20 (4) it is essential to protect intellectual diversity
21 on college campuses, while not attempting to limit
22 freedom of speech.

23 (b) ESTABLISHMENT.—

24 (1) IN GENERAL.—During the 2-year period be-
25 ginning on the date that is 1 year after the date of

1 the enactment of this Act, the Administrator of the
2 United States Agency for International Develop-
3 ment, in cooperation with American Schools and
4 Hospitals Abroad, shall establish the American Uni-
5 versity of the Americas in up to 3 Americas partner
6 countries selected by the Administrator, in consulta-
7 tion with the Secretary of Education.

8 (2) INDEPENDENCE.—The American University
9 of the Americas—

10 (A) shall be modeled after similar institu-
11 tions, such as the American University of Ar-
12 menia, the American University of Dubai, the
13 American University of Nigeria, and the Amer-
14 ican University of Cairo;

15 (B) shall remain independent of the United
16 States Government; and

17 (C) shall be registered as a legal edu-
18 cational entity in the country in which its head-
19 quarters is located.

20 (3) FEDERAL GOVERNMENT SUPPORT.—Not-
21 withstanding paragraph (2), the United States Gov-
22 ernment shall support the American University of
23 the Americas by—

24 (A) facilitating its founding, including its
25 registration as a legal educational entity;

1 (B) offering assistance with the develop-
2 ment of academic programs;

3 (C) providing needed financial assistance;

4 (D) advising the Center of Excellence for
5 Combating Corruption established pursuant to
6 subsection (h); and

7 (E) retaining a seat on the Board for the
8 Deputy Assistant Secretary of State for the
9 Americas Partnership.

10 (4) AUTHORIZED CAMPUSES.—

11 (A) IN GENERAL.—Of the campuses of the
12 American University of the Americas authorized
13 to be established under paragraph (1)—

14 (i) 1 campus may be established in
15 Central America;

16 (ii) 1 campus may be established in
17 the Caribbean; and

18 (iii) 1 campus may be established in
19 the Southern Cone.

20 (B) JOINT OPERATIONS.—The 3 campuses
21 established pursuant to subparagraph (A) may
22 share administrative, legal, and academic re-
23 sources.

24 (c) HOST COUNTRY SELECTION.—

1 (1) SOLICITATION OF PROPOSALS.—The Ad-
2 ministrators shall solicit proposals from Americas
3 partner countries desiring to host the American Uni-
4 versity of the Americas.

5 (2) PROPOSAL CONTENTS.—Proposals sub-
6 mitted pursuant to paragraph (1) shall—

7 (A) identify the proposed location of the
8 institution;

9 (B) evaluate the financial viability of the
10 institution;

11 (C) describe the support that the host gov-
12 ernment is committed to provide to the institu-
13 tion;

14 (D) include a sustainability plan for the in-
15 stitution;

16 (E) identify possible private-sector, non-
17 profit, and other partners who have committed
18 to work with the institution;

19 (F) identify individuals who have agreed to
20 serve on the institution's board of directors,
21 with letters of commitment; and

22 (G) identify any local legislation that will
23 need to be enacted in order to establish the in-
24 stitution in the host country, along with a plan
25 to enact such legislation.

1 (3) GRANT.—

2 (A) IN GENERAL.—The Administrator
3 shall award a grant to each country selected to
4 host a campus of the American University of
5 the Americas to provide startup funding.

6 (B) ELIGIBLE ENTITIES.—A grant author-
7 ized under subparagraph (A) may be given to a
8 university, the ministry of higher education of
9 the host country, or any other organization that
10 is capable of facilitating the establishment of a
11 campus of the American University of the
12 Americas in accordance with this section.

13 (4) LEGAL REGISTRATION.—After a country is
14 selected to host the American University of the
15 Americas, the Administrator shall formally register
16 the institution in such country.

17 (d) ACCREDITATION.—

18 (1) IN GENERAL.—Not later than 5 years after
19 the date on which the American University of the
20 Americas begins operations, the institution shall
21 seek accreditation with an accrediting agency recog-
22 nized by the Department of Education in accordance
23 with subtitle B of title 34, Code of Federal Regula-
24 tions.

1 (2) FOREIGN ACCREDITATION.—The represent-
2 ative of the United States in the Americas Partner-
3 ship business advisory board established pursuant to
4 section 202 shall encourage collaboration with Amer-
5 icas partner countries to ensure the accreditation of
6 science, technology, engineering, math, and medicine
7 degrees with the appropriate education ministries or
8 departments of Americas partner country govern-
9 ments.

10 (e) DEGREES; COURSEWORK.—

11 (1) STEM AND BUSINESS DEVELOPMENT DE-
12 GREES.—Federal funding for the American Univer-
13 sity of the Americas may only be used to subsidize
14 courses leading to a degree in science, technology,
15 engineering, math, medicine, business development,
16 or management. Prerequisites may only be allowed
17 for coursework related to such degrees.

18 (2) EXCHANGE PROGRAMS; VIRTUAL LEARN-
19 ING.—The American University of the Americas
20 shall offer exchange programs and virtual learning
21 programs.

22 (3) LANGUAGES.—The languages of instruction
23 for the American University of the Americas—

24 (A) shall be governed by local law and ac-
25 companying regulations of accreditation agen-

1 cies, with an effort to assure fully bilingual
2 graduates; and

3 (B) shall include the English language.

4 (f) FUNDING LIMITATION.—The American Univer-
5 sity of the Americas may not accept any funding from the
6 Government of the People’s Republic of China, the Gov-
7 ernment of the Republic of Cuba, the Government of the
8 Bolivarian Republic of Venezuela, the Government of the
9 Russian Federation, the Government of the Islamic Re-
10 public of Iran, or any individual or institution working on
11 behalf of any such government. If any funding is accepted
12 by the American University of the Americas in violation
13 of this subsection, the relationship between the United
14 States and the institution shall be immediately termi-
15 nated.

16 (g) CENTERS OF EXCELLENCE.—The American Uni-
17 versity of the Americas shall include a Center of Excel-
18 lence for Combating Corruption, Human, and Other Traf-
19 ficking and Organized Crime that carries out research and
20 public education related to corruption, money laundering
21 (including trade-based money laundering), human traf-
22 ficking, drug trafficking, and other related criminal activi-
23 ties in Americas partner countries and throughout the
24 Americas.

1 (h) FUNDING.—The Secretary of State may expend
2 such sums as may be necessary from the Re-shoring and
3 Near-shoring Account established under section 301 to
4 carry out this section.

5 **SEC. 265. UNITED STATES AGENCY FOR INTERNATIONAL**
6 **DEVELOPMENT CARIBBEAN AND LATIN**
7 **AMERICAN SCHOLARSHIP PROGRAM III.**

8 (a) IN GENERAL.—The Administrator of the United
9 States Agency for International Development shall estab-
10 lish a scholarship program, which be known as the Carib-
11 bean and Latin American Scholarship Program III—

12 (1) shall be modeled after the second phase of
13 the Caribbean and Latin American Scholarship Pro-
14 gram (commonly known as CLASP–II);

15 (2) shall offer full ride scholarships (including
16 tuition, fees, and reasonable accommodations) to
17 qualifying students in partner countries;

18 (3) shall offer bachelor’s and master’s degrees
19 in science, technology, engineering, math, and the
20 English language; and

21 (4) shall require students—

22 (A) to study outside of their respective
23 countries of citizenship; and

1 (B) to commit to return to their respective
2 countries of origin following the completion of
3 their studies.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated, from the Re-shoring and
6 Near-shoring Account established under section 301,
7 \$20,000,000 for fiscal year 2024 and each successive fis-
8 cal year to carry out the scholarship program authorized
9 under subsection (a) in Americas partner countries.

10 **SEC. 266. CONCERN FOR ADVANCED RETIRED AND ELDER-**
11 **LY NONIMMIGRANT VISA PROGRAM FOR**
12 **ALIENS WHO PROVIDE DIRECT CARE FOR EL-**
13 **DERLY POPULATIONS.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) In 2015, there were an estimated
17 47,800,000 individuals in the United States who
18 were 65 years of age or older, and by 2030, it is ex-
19 pected that there will be nearly 73,000,000 individ-
20 uals in the United States who are 65 years of age
21 or older, which is approximately $\frac{1}{5}$ of the popu-
22 lation.

23 (2) In 2020—

24 (A) 45 percent of individuals caring for an
25 elderly family member in the United States ex-

1 perceived financial hardship as a result of such
2 caregiving, of whom 28 percent stopped saving
3 and 22 percent exhausted their personal short-
4 term savings;

5 (B) 15 percent of United States workers
6 transitioned from full-time employment to part-
7 time employment due to the need to provide
8 care for an elderly family member;

9 (C) 6 percent of United States workers left
10 the workforce entirely to care for an elderly
11 loved one; and

12 (D) 27 percent of United States workers
13 reported finding affordable elder care services
14 very difficult, and 33 percent of such workers
15 reported finding such services moderately dif-
16 ficult.

17 (3) If working family caregivers aged 50 years
18 and older are provided the support they need to care
19 for their loved ones, the gross domestic product of
20 the United States could grow by an additional
21 \$1,700,000,000,000 by 2030.

22 (4) In the United States, nursing assistants
23 and home health aides—

24 (A) comprise the largest group of workers
25 in the long-term care workforce; and

1 (B) are among the 10 occupations experi-
2 encing the highest levels of job growth.

3 (5) In 2014, there were approximately
4 1,220,000 nursing assistants and 704,500 home
5 health aides in the United States.

6 (6) The need for workers providing direct care
7 for elderly populations is expected to grow by 34
8 percent by 2030, which is significantly higher than
9 the capacity of United States workers to fill the
10 need.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that—

13 (1) the increasing care needs of the elderly pop-
14 ulation of the United States is of increasing signifi-
15 cance, both in terms of cost and time, as United
16 States family size decreases and the overall popu-
17 lation ages; and

18 (2) the establishment of a nonimmigrant visa
19 category to increase the availability of caregivers and
20 lower the cost of caring for the elderly will allow the
21 family members of the elderly, particularly women
22 and single heads of household who historically have
23 taken a greater role in caring for elderly parents, to
24 continuing working rather than taking on a
25 caregiving role.

1 (c) CONCERN FOR ADVANCED RETIRED AND ELDER-
2 LY NONIMMIGRANT VISA PROGRAM.—

3 (1) IN GENERAL.—Section 101(a)(15) of the
4 Immigration and Nationality Act (8 U.S.C.
5 1101(a)(15)) is amended—

6 (A) in subparagraph (T)(ii)(III), by strik-
7 ing the period at the end and inserting a semi-
8 colon;

9 (B) in subparagraph (U)(iii), by striking
10 “or” at the end;

11 (C) in subparagraph (V)(ii)(II), by striking
12 the period at the end and inserting “; or”; and

13 (D) by adding at the end the following:

14 “(W)(i) subject to section 214(s), an alien who
15 seeks admission to the United States temporarily for
16 the purpose of providing direct care, as a nursing
17 assistant, a home health aide, a personal care aide,
18 a psychiatric assistant or aide, a mobility assistant,
19 or a child care provider, for 1 or more individuals
20 who are—

21 “(I) retired or elderly;

22 “(II) receiving—

23 “(aa) disability insurance benefits
24 under section 223 of the Social Security
25 Act (42 U.S.C. 423) or monthly insurance

1 benefits under section 202 of such Act (42
2 U.S.C. 402) based on such individuals' dis-
3 ability; or

4 “(bb) supplemental security income
5 benefits under title XVI of the Social Secu-
6 rity Act (42 U.S.C. 1381 et seq.) on the
7 basis of blindness or disability; or

8 “(III) too young to be eligible for a free
9 public education (as defined in section 8101 of
10 the No Child Left Behind Act of 2001 (20
11 U.S.C. 7801)) in the State or territory in which
12 such individuals are residing; and

13 “(ii) the spouse or minor child of an alien de-
14 scribed in clause (i), if accompanying or following to
15 join such alien.”.

16 (2) REQUIREMENTS APPLICABLE TO THE CON-
17 CERN FOR ADVANCED RETIRED AND ELDERLY NON-
18 IMMIGRANT VISA PROGRAM.—Section 214 of the Im-
19 migration and Nationality Act (8 U.S.C. 1184) is
20 amended by adding at the end the following:

21 “(s) CONCERN FOR ADVANCED RETIRED AND EL-
22 DERLY (CARE) NONIMMIGRANT VISA PROGRAM.—

23 “(1) DEFINED TERM.—The term ‘CARE visa’
24 means a visa issued to an alien described in section

1 101(a)(15)(W) in accordance with the requirements
2 under this section.

3 “(2) SELECTION OF APPLICANTS.—

4 “(A) IN GENERAL.—The Secretary of
5 State, in coordination with the Attorney Gen-
6 eral, the Secretary of Homeland Security, the
7 Secretary of Labor, and the Secretary of Health
8 and Human Services, shall work with the Amer-
9 icas partner country (as defined in section 2 of
10 the Americas Act) to identify, vet, train, and
11 certify applicants for CARE visas.

12 “(B) APPLICATION PROCESS.—

13 “(i) IN GENERAL.—The Secretary of
14 State, in coordination with the Americas
15 partner country and private entities, shall
16 establish a process by which an alien may
17 apply to be considered for a CARE visa.

18 “(ii) CERTIFICATION REQUIRED.—

19 “(I) IN GENERAL.—The Sec-
20 retary of State may not approve an
21 application for a CARE visa unless
22 the alien has first applied to the Sec-
23 retary of Labor for, and obtained, a
24 certification that—

1 “(aa) there are not suffi-
2 cient workers who are able, will-
3 ing, and qualified, and who will
4 be available at the time and place
5 needed, to perform the labor or
6 services involved in the applica-
7 tion; and

8 “(bb) the employment of the
9 alien in such labor or services
10 will not adversely affect the
11 wages and working conditions of
12 workers in the United States
13 similarly employed.

14 “(II) FEES.—The Secretary of
15 Labor may require, by regulation, as
16 a condition of issuing a certification
17 under subclause (I), the payment of a
18 fee to recover the reasonable costs of
19 processing applications for certifi-
20 cation.

21 “(C) TRAINING.—With respect to each
22 alien selected to apply for a CARE visa, the
23 Secretary of State shall coordinate with the
24 Secretary of Labor and the applicable Americas
25 partner country to provide training on direct

1 care of individuals described in section
2 101(a)(15)(W)(i)—

3 “(i) in the primary language of the
4 Americas partner country, as applicable;

5 “(ii) with respect to the direct care of
6 retired or elderly individuals, in accordance
7 with the standards applicable to a nurse
8 aide training and competency evaluation
9 program under sections 483.152 and
10 483.154 of title 42, Code of Federal Regu-
11 lations (or successor regulations); and

12 “(iii) for the purpose of serving tem-
13 porarily as a nursing assistant, home
14 health aide, personal care aide, psychiatric
15 assistant, mobility assistant, or child care
16 provider in the United States.

17 “(D) COMPETENCY EVALUATION AND CER-
18 TIFICATION.—

19 “(i) IN GENERAL.—On completion of
20 the training provided under subparagraph
21 (C), an alien seeking a CARE visa for the
22 purpose of providing direct care for an in-
23 dividual described in section
24 101(a)(15)(W)(i)(I) shall be evaluated for
25 competency in accordance with the stand-

1 ards applicable to a nurse aide training
2 and competency evaluation program under
3 sections 483.152 and 483.154 of title 42,
4 Code of Federal Regulations (or successor
5 regulations).

6 “(ii) CERTIFICATION.—If the Sec-
7 retary of State makes a determination that
8 an alien seeking a CARE visa described in
9 clause (i) has attained competency in ac-
10 cordance with the standards referred to in
11 such clause, the Secretary may certify such
12 individual for a CARE visa.

13 “(E) NUMERICAL LIMITATION.—Not more
14 than 50,000 CARE visas may be issued annu-
15 ally under this subsection.

16 “(3) PROHIBITION.—The Secretary of State
17 may not issue a CARE visa to any individual who—

18 “(A) has not been certified under para-
19 graph (2)(D)(ii) (unless such individual will
20 only be providing direct care to an individual
21 described in subclause (II) or (III) of section
22 101(a)(15)(W)(i)); or

23 “(B) has not completed security and law
24 enforcement background checks to the satisfac-
25 tion of the Secretary of Homeland Security.

1 “(4) ENGLISH LANGUAGE NOT REQUIRED.—
2 The issuance of a CARE visa or the admission of an
3 alien to the United States pursuant to a CARE visa
4 may not be conditioned on English-language com-
5 petency.

6 “(5) PORTABILITY.—

7 “(A) IN GENERAL.—A nonimmigrant de-
8 scribed in subparagraph (B) who was previously
9 issued a CARE visa may accept new employ-
10 ment upon the filing by the prospective em-
11 ployer of a new petition on behalf of such non-
12 immigrant. Employment authorization shall
13 continue for such nonimmigrant until the new
14 petition is adjudicated. If the new petition is
15 denied, the employment authorization of the
16 alien shall cease to have effect.

17 “(B) NONIMMIGRANT DESCRIBED.—A non-
18 immigrant described in this subparagraph is a
19 nonimmigrant—

20 “(i) who has been admitted to the
21 United States;

22 “(ii) on whose behalf an employer has
23 filed a nonfrivolous petition for new em-
24 ployment before the date on which the non-

1 immigrant’s period of authorized admission
2 expires; and

3 “(iii) who, after such admission, has
4 not been employed without authorization in
5 the United States before the filing of such
6 petition.

7 “(6) NONCOMPETE CLAUSES.—

8 “(A) IN GENERAL.—An agreement be-
9 tween an employer and a CARE visa holder
10 may not include a noncompete clause.

11 “(B) NONCOMPETE CLAUSE DEFINED.—In
12 this paragraph, the term ‘noncompete clause’
13 means a contractual term between an employer
14 and a worker that prevents, or has the effect of
15 prohibiting, the worker from seeking or accept-
16 ing employment with a person after the conclu-
17 sion of the worker’s employment with the em-
18 ployer.

19 “(7) PERIOD OF AUTHORIZED ADMISSION.—

20 The period of authorized admission for a non-
21 immigrant described in section 101(a)(15)(W) who
22 has been issued a CARE visa shall be not more than
23 7 years and may not be renewed or extended for any
24 reason.”.

1 (3) PROTECTIONS FOR VICTIMS OF TRAF-
2 FICKING.—Section 203 of the William Wilberforce
3 Trafficking Victims Protection Reauthorization Act
4 of 2008 (8 U.S.C. 1375c) is amended—

5 (A) in the section heading, by striking
6 “**AND G-5**” and inserting “, **G-5, AND CARE**”;

7 (B) in subsection (a)—

8 (i) in the subsection heading, by strik-
9 ing “AND G-5” and inserting “, G-5, AND
10 CARE”; and

11 (ii) in paragraph (1)—

12 (I) in subparagraph (A)—

13 (aa) by striking “subsection
14 (d)(2)” and inserting “subsection
15 (b)(2)”; and

16 (bb) by striking “; or” and
17 inserting a semicolon;

18 (II) in subparagraph (B), by
19 striking the period at the end and in-
20 serting “; and”; and

21 (III) by adding at the end the
22 following:

23 “(C) a CARE visa unless the applicant is
24 employed, or has signed a contract to be em-
25 ployed to provide direct care, as a nursing as-

1 sistant, a home health aide, a personal care
2 aide, a psychiatric assistant or aide, a mobility
3 assistant, or a child care for individual de-
4 scribed in section 101(a)(15)(W) of the Immi-
5 gration and Nationality Act (8 U.S.C.
6 1101(a)(15)(W)).”;

7 (C) in subsection (b)—

8 (i) in the subsection heading—

9 (I) by striking “AND G-5” and
10 inserting “, G-5, AND CARE”; and

11 (II) by striking “EMPLOYED BY
12 DIPLOMATS AND STAFF OF INTER-
13 NATIONAL ORGANIZATIONS”;

14 (ii) in paragraph (1), in the matter
15 preceding subparagraph (A), by striking
16 “or a G-5 visa” and inserting “, a G-5
17 visa, or a CARE visa”; and

18 (iii) in paragraph (4)(A), by striking
19 “or a G-5 visa” and inserting “, a G-5
20 visa, or a CARE visa”;

21 (D) in subsection (c)(1)—

22 (i) in subparagraph (A), by striking
23 “or a G-5 visa” and inserting “, a G-5
24 visa, or a CARE visa”; and

25 (ii) in subparagraph (C)—

1 (I) by striking “or a G–5 visa”
2 and inserting “, a G–5 visa, or a
3 CARE visa”; and

4 (II) by striking “or G–5 non-
5 immigrant” and inserting “, G–5, or
6 CARE nonimmigrant”;

7 (E) in subsection (e), by striking “or a G–
8 5 visa” and inserting “, a G–5 visa, or a CARE
9 visa”; and

10 (F) in subsection (f), by adding at the end
11 the following:

12 “(5) CARE VISA.—The term ‘CARE visa’
13 means a nonimmigrant visa issued pursuant to sub-
14 paragraph (W) of section 101(a)(15) of the Immi-
15 gration and Nationality Act (8 U.S.C.
16 1101(a)(15)).”.

17 (d) AUTHORIZATION TO HIRE ADDITIONAL EMBASSY
18 PERSONNEL.—The Secretary of State may increase the
19 number of foreign service officers stationed at United
20 States embassies in order to ensure the efficient adjudica-
21 tion of visa applications associated with the Concern for
22 Advanced Retired and Elderly nonimmigrant visa pro-
23 gram.

24 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion or an amendment made by this section may be con-

1 strued to prevent an alien from changing from any non-
2 immigrant classification to any other nonimmigrant classi-
3 fication under section 248 of the Immigration and Nation-
4 ality Act (8 U.S.C. 1258).

5 **SEC. 267. SENSE OF CONGRESS ON TN VISA PROGRAM.**

6 It is the sense of Congress that the President should
7 incorporate into the periodic review of the USMCA for
8 2026 a discussion of the establishment of a TN visa cat-
9 egory for low-skill workers.

10 **SEC. 268. ASSESSMENT OF VISA WAIVER PROGRAM ELIGI-**
11 **BILITY FOR URUGUAY AND COSTA RICA.**

12 Not later than 90 days after the date of the enact-
13 ment of this Act, the Secretary of Homeland Security, in
14 consultation with the Secretary of State, shall submit to
15 Congress a report that includes—

16 (1) an assessment as to whether Uruguay meets
17 the eligibility criteria for designation as a program
18 country for purposes of the visa waiver program
19 under section 217 of the Immigration and Nation-
20 ality Act (8 U.S.C. 1187);

21 (2) an assessment as to whether Costa Rica
22 meets such eligibility criteria; and

23 (3) in the case of an assessment that Uruguay
24 or Costa Rica does not meet such eligibility criteria,

1 a description of the actions required of such country
2 in order to meet such criteria.

3 **SEC. 269. RADIO FREE AMERICAS.**

4 (a) **AUTHORITY.**—The Secretary of State, the Admin-
5 istrator of the United States Agency for International De-
6 velopment, the Secretary of Commerce, or the head of any
7 other relevant Federal department may award annual
8 grants to a country in Latin America or the Caribbean
9 for the purpose of carrying out a broadcasting service,
10 which—

11 (1) shall be known as “Radio Free Americas”;

12 (2) shall consist of radio, television, social
13 media, and other public communications efforts; and

14 (3) may not result in any curtailment of the on-
15 going work of Radio Martí.

16 (b) **FUNCTIONS.**—Radio Free Americas shall—

17 (1) provide accurate and timely information,
18 news, and commentary about events in the Americas
19 and in other places around the world; and

20 (2) be a forum for a variety of opinions and
21 voices from within nations in the Western Hemi-
22 sphere whose people do not fully enjoy freedom of
23 expression.

24 (c) **GRANT AGREEMENT.**—

1 (1) IN GENERAL.—Any grant awarded under
2 this section shall be subject to the limitations and
3 restrictions set forth in paragraphs (2) through (5).

4 (2) LOCATION OF HEADQUARTERS.—No grant
5 may be awarded under this section unless the head-
6 quarters of Radio Free Americas and its senior ad-
7 ministrative and managerial staff are in a location
8 that ensures economy, operational effectiveness, and
9 accountability to the United States Government.

10 (3) OBLIGATIONS.—Any agreement governing a
11 grant awarded under this section shall require that
12 any contract entered into by the grantee on behalf
13 of Radio Free Americas specifies that all obligations
14 related to the functions described in subsection (b)
15 be assumed by Radio Free Americas and not by the
16 United States Government.

17 (4) LEASE AGREEMENTS.—Any such grant
18 agreement shall require that any lease agreements
19 entered into by the grantee on behalf of Radio Free
20 Americas be assignable to the United States Govern-
21 ment, to the maximum extent possible.

22 (5) LIMITATION ON ACTIVITIES; TERMI-
23 NATIONS.—Grants awarded under this section shall
24 be made pursuant to a grant agreement—

1 (A) requiring that grant funds be used
2 only for activities in accordance with this sec-
3 tion; and

4 (B) specifying that failure to comply with
5 the requirements under this section authorizes
6 the termination of the agreement without fiscal
7 obligation to the United States.

8 (d) SENSE OF CONGRESS REGARDING ADMINISTRA-
9 TIVE AND MANAGERIAL COSTS.—It is the sense of Con-
10 gress that administrative and managerial costs for the op-
11 eration of Radio Free Americas—

12 (1) should be kept to a minimum; and

13 (2) should not exceed the costs that would have
14 been incurred if Radio Free Americas had been op-
15 erated as a Federal entity rather than through a
16 grantee.

17 (e) ASSESSMENT OF THE EFFECTIVENESS OF RADIO
18 FREE AMERICAS.—Not later than 3 years after the date
19 on which initial funding is provided for the purpose of op-
20 erating Radio Free Americas, the Secretary of State shall
21 submit a report to the appropriate congressional commit-
22 tees regarding—

23 (1) whether Radio Free Americas—

24 (A) is technically sound and cost-effective;

1 (B) consistently meets the standards for
2 quality and objectivity established under this
3 section; and

4 (C) is received by a sufficient audience to
5 warrant its continued operations;

6 (2) the extent to which the information, news,
7 and commentary provided by Radio Free Americas
8 is also being received by the target audience from
9 other credible sources; and

10 (3) the extent to which the interests of the
11 United States are being served by maintaining the
12 operations of Radio Free Americas.

13 (f) NOTIFICATION AND CONSULTATION REGARDING
14 DISPLACEMENT OF VOICE OF AMERICA BROAD-
15 CASTING.—The Chief Executive Officer of the United
16 States Agency for Global Media shall notify the appro-
17 priate congressional committees before—

18 (1) entering into any agreement for the utiliza-
19 tion of Voice of America transmitters, equipment, or
20 other resources that will significantly reduce the
21 broadcasting activities of the Voice of America in the
22 Americas or in any other region in order to accom-
23 modate the broadcasting activities of Radio Free
24 Americas; or

1 (2) entering into any agreements in regard to
2 the utilization of Radio Free Americas transmitters,
3 equipment, or other resources that will significantly
4 reduce the broadcasting activities of Radio Free
5 Americas.

6 (g) ALTERNATIVE GRANTEE.—If the Chief Executive
7 Officer of the United States Agency for Global Media de-
8 termines that Radio Free Americas is not carrying out the
9 functions described in subsection (b) in an effective and
10 economical manner, the Chief Executive Officer may
11 award the grant to carry out such functions to another
12 entity.

13 (h) FEDERAL STATUS.—Nothing in this section may
14 be construed to make Radio Free Americas a Federal
15 agency or instrumentality.

16 (i) FUNDING.—The Secretary of State may expend
17 such sums as may be necessary from the Re-shoring and
18 Near-shoring Account established under section 301 to
19 carry out this section.

20 **SEC. 270. BIENNIAL PRESIDENTIAL SUMMIT.**

21 Not less frequently than biennially, the President, in
22 consultation with the Secretary of State, shall host a sum-
23 mit for Americas partner countries during which such
24 countries shall highlight and showcase successful invest-

1 ments, endeavors, and programs associated with activities
2 authorized under this Act.

3 **TITLE III—REVENUE AND**
4 **FINANCIAL MANAGEMENT**

5 **SEC. 301. RE-SHORING AND NEAR-SHORING ACCOUNT.**

6 (a) IN GENERAL.—There is established within the
7 Treasury of the United States an account to be known
8 as the “Re-shoring and Near-shoring Account” (in this
9 section referred to as the “Account”), consisting of such
10 amounts as are—

11 (1) appropriated pursuant to the authorization
12 of appropriations under subsection (c);

13 (2) deposited into or transferred to the Account
14 as specified in title II or subsection (c) of section
15 321 of Tariff Act of 1930, as added by section 302;
16 and

17 (3) credited to the Account under subsection
18 (d).

19 (b) USE OF AMOUNTS.—Amounts in the Account
20 shall be available, without further appropriation, to carry
21 out titles I and II.

22 (c) AUTHORIZATION OF APPROPRIATIONS.—

23 (1) IN GENERAL.—There are authorized to be
24 appropriated \$500,000,000 for fiscal year 2024 for
25 initial capitalization of the Account.

1 (2) REIMBURSEMENT OF TREASURY.—Not later
2 than 2 years after the date of the enactment of this
3 Act, the Account shall reimburse the treasury for
4 the amount appropriated pursuant to the authoriza-
5 tion of appropriations under paragraph (1).

6 (d) INVESTMENT OF AMOUNTS.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), the Secretary of the Treasury shall invest
9 such portion of the Account as is not required to
10 meet current withdrawals in interest-bearing obliga-
11 tions of the United States or in obligations guaran-
12 teed as to both principal and interest by the United
13 States.

14 (2) AUTHORIZATION OF INVESTMENT IN OTHER
15 INSTRUMENTS.—

16 (A) IN GENERAL.—The Secretary of the
17 Treasury may invest such portion of the Ac-
18 count as the Secretary anticipates will be held
19 in the Account for not less than 2 years in eq-
20 uity securities or other securities through a
21 commercial bank if the Secretary determines
22 such investments are appropriate.

23 (B) DEFINITIONS.—In this paragraph, the
24 terms “equity security” and “security” have the
25 meanings given those terms in section 3(a) of

1 the Securities Exchange Act of 1934 (15
2 U.S.C. 78c(a)).

3 (3) INTEREST AND PROCEEDS.—The interest
4 on, and the proceeds from the sale or redemption of,
5 any obligations held in the Account shall be credited
6 to and form a part of the Account.

7 **SEC. 302. MODIFICATION OF TREATMENT OF DE MINIMIS**
8 **ENTRIES OF ARTICLES.**

9 (a) IN GENERAL.—Section 321 of Tariff Act of 1930
10 (19 U.S.C. 1321) is amended—

11 (1) by amending subsection (a)(2)(C) to read as
12 follows:

13 “(C) in any other case, such amount as the
14 Secretary establishes under subsection (c)(1).”;
15 and

16 (2) by adding at the end the following:

17 “(c) TREATMENT OF DE MINIMIS ENTRIES.—

18 “(1) RECIPROCITY WITH RESPECT TO DE MINI-
19 MIS ENTRIES.—

20 “(A) ESTABLISHMENT OF THRESHOLDS.—

21 “(i) IN GENERAL.—Not later than
22 180 days after the date of the enactment
23 of the Americas Act, the Secretary of the
24 Treasury shall prescribe regulations to es-
25 tablish dollar amount thresholds, which

1 may not exceed \$800, for de minimis en-
2 tries for purposes of subsection (a)(2)(C).

3 “(ii) REQUIREMENTS.—The Secretary
4 shall establish a threshold under clause (i)
5 for each country that is equal to the sum
6 of—

7 “(I) the dollar amount threshold
8 of that country for de minimis entries
9 from the United States; and

10 “(II) any related thresholds of
11 that country, such as a threshold re-
12 lating to a value-added tax on im-
13 ports.

14 “(iii) PUBLICATION; NOTIFICATION.—
15 Not later than 180 days after the date of
16 the enactment of the Americas Act, and
17 annually thereafter, the Secretary shall—

18 “(I) publish the threshold estab-
19 lished under clause (i) in the Federal
20 Register; and

21 “(II) notify the governments of
22 foreign countries of the threshold.

23 “(B) TRANSFER OF AMOUNTS ATTRIB-
24 UTABLE TO DE MINIMIS ENTRIES TO RE-SHOR-
25 ING AND NEAR-SHORING ACCOUNT.—

1 “(i) IN GENERAL.—The Secretary of
2 the Treasury shall transfer to the Re-shor-
3 ing and Near-shoring Account established
4 under section 301 of the Americas Act
5 from the general fund of the Treasury, for
6 fiscal year 2024 and each fiscal year there-
7 after, an amount equivalent to the amount
8 received into the general fund during that
9 fiscal year that the Secretary determines is
10 attributable to revenue received as a result
11 of the dollar amount thresholds established
12 under subparagraph (A).

13 “(ii) FREQUENCY OF TRANSFERS.—
14 The Secretary shall transfer amounts re-
15 quired by clause (i) to be transferred to
16 the Re-shoring and Near-shoring Account
17 not less frequently than quarterly.

18 “(2) PROHIBITION ON DE MINIMIS ENTRIES
19 FROM CERTAIN COUNTRIES.—

20 “(A) IN GENERAL.—Not later than one
21 year after the date of the enactment of the
22 Americas Act, and annually thereafter, the Sec-
23 retary of the Treasury shall publish a list of
24 countries the articles of which are not eligible
25 for entry under subsection (a)(2)(C).

1 “(B) CRITERIA FOR INCLUSION.—

2 “(i) IN GENERAL.—Not later than
3 180 days after the date of the enactment
4 of the Americas Act, the Secretary shall
5 establish, and submit to Congress a report
6 on, the conditions for including a country
7 on the list required by subparagraph (A).

8 “(ii) CONSIDERATIONS.—In estab-
9 lishing under clause (i) conditions for in-
10 cluding a country on the list required by
11 subparagraph (A), the Secretary shall con-
12 sider the following:

13 “(I) Violations by the country of
14 the Act entitled ‘An Act to ensure
15 that goods made with forced labor in
16 the Xinjiang Autonomous Region of
17 the People’s Republic of China do not
18 enter the United States market, and
19 for other purposes’, approved Decem-
20 ber 23, 2021 (Public Law 117–78;
21 135 Stat. 1525) (commonly referred
22 to as the ‘Uyghur Forced Labor Pre-
23 vention Act’).

1 “(II) Transshipment through the
2 country of goods from countries on
3 the list.

4 “(III) The exportation from the
5 country of counterfeit goods.

6 “(IV) Whether the government of
7 the country is committed to the fight
8 against trafficking in persons, illegal
9 narcotics, and terrorism, as dem-
10 onstrated by—

11 “(aa) the government of the
12 country not being listed under
13 subparagraph (C) of section
14 110(b)(1) of the Trafficking Vic-
15 tims Protection Act of 2000 (22
16 U.S.C. 7107(b)(1)) (commonly
17 referred to as ‘tier 3’) in the
18 most recent report on trafficking
19 in persons required under such
20 section (commonly referred to as
21 the ‘Trafficking in Persons Re-
22 port’); and

23 “(bb) certification by the
24 Department of State that the
25 government is participating in

1 the fight against illegal narcotics
2 and terrorism.

3 “(V) Harm to industry in the
4 United States.

5 “(VI) Public safety risks posed
6 by imports from the country to United
7 States consumers.

8 “(VII) The flow of narcotics from
9 the country into the United States.

10 “(VIII) Such other issues as the
11 Secretary considers appropriate.

12 “(C) COUNTRIES REQUIRED TO BE IN-
13 CLUDED.—

14 “(i) IN GENERAL.—The following
15 countries shall be included on the list re-
16 quired by subparagraph (A), effective on
17 the date of the enactment of the Americas
18 Act:

19 “(I) The People’s Republic of
20 China.

21 “(II) The Russian Federation.

22 “(ii) REMOVAL FROM LIST.—A coun-
23 try specified in clause (i) may not be re-
24 moved from the list required by subpara-
25 graph (A) until the Secretary certifies to

1 Congress that the government of the coun-
2 try has made progress with respect to the
3 considerations described in subparagraph
4 (B)(ii).

5 “(D) REMOVAL.—

6 “(i) IN GENERAL.—The government
7 of a country on the list required by sub-
8 paragraph (A) may petition the Secretary
9 for removal from the list.

10 “(ii) RESPONSE TIME.—The Secretary
11 shall—

12 “(I) respond to a petition sub-
13 mitted under clause (i) not later than
14 90 days after receiving the petition;
15 and

16 “(II) include in that response a
17 description of any measures the gov-
18 ernment that submitted the petition is
19 required to undertake to be removed
20 from the list.

21 “(E) CONSULTATIONS WITH CONGRESS.—

22 The Secretary shall consult with Congress be-
23 fore adding a country to or removing a country
24 from the list required by subparagraph (A).

1 “(3) LIMITATIONS ON ELIGIBILITY OF CAR-
2 RIERS FOR IMPORTATION OF DE MINIMIS EN-
3 TRIES.—

4 “(A) IN GENERAL.—An article is eligible
5 for entry under subsection (a)(2)(C) only if the
6 article is transported to the United States by a
7 contract carrier or customs broker.

8 “(B) DATA REQUIREMENTS.—A contract
9 carrier or customs broker seeking to enter an
10 article under subsection (a)(2)(C) shall provide
11 the following data with respect to the article:

12 “(i) The heading or subheading of the
13 Harmonized Tariff Schedule of the United
14 States under which the article is classifi-
15 able.

16 “(ii) The country of origin of the arti-
17 cle.

18 “(iii) The country of manufacture of
19 the article (if different from the country of
20 origin under clause (ii)).

21 “(iv) The shipper of record.

22 “(v) The importer of record.

23 “(vi) A description of the article.

24 “(vii) The fair market value in the
25 United States of the article.

1 “(C) COLLECTION OF DUTIES AND
2 TAXES.—A contract carrier or customs broker
3 transporting articles entering under subsection
4 (a)(2)(C) shall be responsible for collecting the
5 duties and taxes owed with respect to such arti-
6 cles and remitting those duties and taxes to
7 U.S. Customs and Border Protection.

8 “(D) DEFINITIONS.—In this paragraph:

9 “(i) CONTRACT CARRIER.—The term
10 ‘contract carrier’ means a private entity
11 that—

12 “(I) is organized under the laws
13 of the United States or any jurisdic-
14 tion within the United States; and

15 “(II) ships small packages into
16 the United States by air or land.

17 “(ii) CUSTOMS BROKER.—The term
18 ‘customs broker’ means a person holding a
19 valid customs broker’s license issued under
20 section 641(b) of the Tariff Act of 1930
21 (19 U.S.C. 1641(b)).

22 “(4) DE MINIMIS ENTRY DEFINED.—In this
23 subsection, the term ‘de minimis entry’ means the
24 entry of articles imported by one person on one day
25 with a fair retail value that does not exceed—

1 “(A) in the case of articles entering the
2 United States, the applicable threshold estab-
3 lished under paragraph (1)(A); and

4 “(B) in the case of articles entering any
5 other country, an amount determined by the
6 government of that country to be de minimis.”.

7 (b) ELIGIBILITY FOR DE MINIMIS ENTRY PROCE-
8 DURES OF ARTICLES WITHDRAWN FROM A UNITED
9 STATES FOREIGN TRADE ZONE.—

10 (1) IN GENERAL.—Section 321(a)(2) of the
11 Tariff Act of 1930 (19 U.S.C. 1321(a)(2)), as
12 amended by subsection (a), is further amended, in
13 the matter preceding subparagraph (A)—

14 (A) by inserting “or withdrawal from a
15 foreign trade zone and subsequent entry for
16 consumption” after “by reason of importation”;
17 and

18 (B) by inserting “, or in a foreign trade
19 zone of articles withdrawn on one invoice or
20 order for one ultimate consignee on one day,”
21 after “one person on one day”.

22 (2) TREATMENT OF E-COMMERCE UNDER FOR-
23 EIGN TRADE ZONES ACT.—Section 15(d) of the For-
24 eign Trade Zones Act (19 U.S.C. 81o(d)) is amend-
25 ed—

1 (A) by inserting “(1)” after “(d) and

2 (B) by adding at the end the following:

3 “(2)(A) In this subsection, the term ‘retail
4 trade’ does not include any e-commerce transaction
5 in which articles with a fair retail value of less than
6 the applicable threshold established under section
7 321(c)(1)(A) of the Tariff Act of 1930 are with-
8 drawn from a zone.

9 “(B) For purposes of subparagraph (A), the
10 term ‘e-commerce’ means the buying or selling of ar-
11 ticles over the internet or other electronic exchange
12 network.”.

13 (3) CUSTOMS PROCEDURES.—

14 (A) ESTABLISHMENT OF PROCESS.—Not
15 later than 90 days after the date of the enact-
16 ment of this Act, the Secretary of the Treasury,
17 in coordination with the Secretary of Homeland
18 Security with respect to trade facilitation and
19 trade enforcement and the Secretary of Com-
20 merce with respect to matters relating to for-
21 eign trade zones, shall prescribe regulations to
22 implement the amendments made by this sub-
23 section.

1 (B) PUBLIC COMMENT.—In prescribing
2 regulations under subparagraph (A), the Sec-
3 retary shall—

4 (i) publish a notice of proposed rule-
5 making in the Federal Register;

6 (ii) provide for a period for public re-
7 view and comment of not less than 30
8 days; and

9 (iii) issue final regulations not later
10 than 90 days after the end of the period
11 described in clause (ii) and not less than
12 60 days before the effective date of such
13 regulations.

14 (C) RULE OF CONSTRUCTION.—Nothing in
15 this paragraph may be construed to affect the
16 administration of section 484(i) of the Tariff
17 Act of 1930 (19 U.S.C. 1484(i)) or section
18 15(d) of the Foreign Trade Zones Act (19
19 U.S.C. 81o(d)) other than to the extent nec-
20 essary to make articles withdrawn from a for-
21 eign trade zone and entering for consumption
22 eligible for the exemption from duties under
23 section 321(a)(2)(C) of the Tariff Act of 1930
24 (19 U.S.C. 1321(a)(2)(C)).

1 (4) EFFECTIVE DATE.—The amendments made
2 by this subsection shall apply with respect to articles
3 withdrawn from a foreign trade zone and entered for
4 consumption on or after the date that is 15 days
5 after the date of the enactment of this Act.

6 (5) DEFINITIONS.—In this subsection:

7 (A) FOREIGN TRADE ZONE.—The term
8 “foreign trade zone” means a zone activated
9 pursuant to the Foreign Trade Zones Act on or
10 before the date of the enactment of this Act.

11 (B) FOREIGN TRADE ZONES ACT.—The
12 term “Foreign Trade Zones Act” means the
13 Act of June 18, 1934 (commonly known as the
14 “Foreign Trade Zones Act”) (48 Stat. 998,
15 chapter 590; 19 U.S.C. 81a et seq.).

16 **TITLE IV—REPORTING AND** 17 **BRANDING**

18 **SEC. 401. ANNUAL REPORT ON AMERICAS PROGRAM.**

19 (a) IN GENERAL.—Not later than December 31 of
20 each year that begins after the date of the enactment of
21 this Act, the Secretary of Commerce, in consultation with
22 the officials specified in subsection (b), shall submit to the
23 Committee on Finance of the Senate and the Committee
24 on Ways and Means of the House of Representatives a

1 report on activities carried out under the Americas pro-
2 gram during the preceding fiscal year.

3 (b) OFFICIALS SPECIFIED.—The officials specified in
4 this subsection are the following:

5 (1) The Administrator of the United States
6 Agency for International Development.

7 (2) The United States Trade Representative.

8 (3) The Secretary of State.

9 (4) The Secretary of Homeland Security.

10 (5) Such other officials as the Secretary of
11 Commerce considers appropriate.

12 (c) ASSESSMENT OF ACTIVITIES CONDUCTED IN
13 PRECEDING YEAR.—Each report required by subsection
14 (a) shall include the following for the fiscal year covered
15 by the report:

16 (1) A statement of the number of Americas
17 partner countries.

18 (2) An assessment of the effectiveness of loans
19 and other incentives provided under section 212 with
20 respect to re-shoring and near-shoring that includes
21 an estimate of—

22 (A) the number of entities re-shored or
23 near-shored; and

1 (B) the number of jobs created in the
2 United States and Americas partner countries
3 as a result of such re-shoring and near-shoring.

4 (3) An assessment of the status of negotiations
5 for the expansion of the USMCA under section 222
6 that includes—

7 (A) an identification of the countries par-
8 ticipating in those negotiations;

9 (B) an estimate of the amount of trade be-
10 tween those countries and the United States;
11 and

12 (C) an identification of any significant
13 challenges relating to those negotiations.

14 (4) An assessment of the status of negotiations
15 for the expansion of countries that are CBTPA ben-
16 efiiciary countries (as defined in section 213(b)(5) of
17 the Caribbean Basin Economic Recovery Act (19
18 U.S.C. 2703(b)), as amended by section 224) that
19 includes—

20 (A) an identification of the countries par-
21 ticipating in those negotiations;

22 (B) an estimate of the amount of trade be-
23 tween those countries and the United States;
24 and

1 (C) an identification of any significant
2 challenges relating to those negotiations.

3 (5) An assessment of the activities of the
4 BUILD Americas Unit that includes—

5 (A) a description of the financial instru-
6 ments used under section 252 and the amounts
7 issued under such instruments;

8 (B) an assessment of the repayment rates;

9 (C) a copy of each grant, loan, guaranty,
10 or insurance agreement;

11 (D) a list of projects carried out using
12 such grants, loans, guaranties, or insurance;
13 and

14 (E) a statement of the amount expended
15 by the Corporation and the amount provided to
16 the Re-shoring and Near-shoring Account es-
17 tablished under section 301.

18 (6) An assessment of the activities of the Amer-
19 icas Partnership Enterprise Fund established under
20 section 253 that includes—

21 (A) an identification of the country in
22 which the Fund is registered;

23 (B) a copy of the registration documents
24 for the Fund;

1 (C) a description of the grants, loans, and
2 technical assistance provided by the Fund; and

3 (D) an assessment of the repayment rate
4 of loans provided by the Fund.

5 (7) An assessment of activities carried out
6 under section 254 relating to near-shoring of stra-
7 tegic supply chains or transformational energy in-
8 vestments.

9 (8) An assessment of humanitarian and busi-
10 ness development assistance provided under section
11 261 that includes—

12 (A) a list of the recipients of such assist-
13 ance; and

14 (B) a description of the assistance pro-
15 vided.

16 (9) A description of the cultural affairs pro-
17 gramming provided under section 262.

18 (10) An assessment of efforts conducted under
19 section 263 to increase the number of Peace Corps
20 volunteers in Americas partner countries that in-
21 cludes an identification of the number of such volun-
22 teers and the countries to which such volunteers are
23 assigned.

1 (11) An assessment of activities carried out
2 under section 264 relating to the American Univer-
3 sity of the Americas that includes—

4 (A) a list of campus locations;

5 (B) the number of students attending each
6 such campus; and

7 (C) a list of degrees offered by the univer-
8 sity.

9 (12) An assessment of the programming pro-
10 vided by the United States Agency for Global Media
11 under section 269 that includes—

12 (A) a list of programs provided; and

13 (B) an assessment of the number and loca-
14 tions of listeners to such programs.

15 (13) If a summit was conducted under section
16 270 in the year preceding the submission of the re-
17 port—

18 (A) an assessment of the success of the
19 summit;

20 (B) the location of the summit; and

21 (C) an identification of the attendees of
22 the summit.

23 (d) FINANCIAL PROJECTIONS FOR UPCOMING
24 YEAR.—Each report required by subsection (a) shall in-
25 clude a projection of the amount of funds required for the

1 fiscal year that begins after submission of the report,
2 disaggregated by agency and purpose.

3 **SEC. 402. BRANDING AND MARKETING FOR AMERICAS PRO-**
4 **GRAM.**

5 Branding and marketing for the Americas program
6 shall be conducted in a manner consistent with the Visibly
7 American branding policies of the Department of State.

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