

118TH CONGRESS
1ST SESSION

H. R. 1704

To decrease dependency on People’s Republic of China manufacturing and decrease migration due to lost regional economic opportunities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2023

Mr. GREEN of Tennessee (for himself and Mr. MCCAUL) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To decrease dependency on People’s Republic of China manufacturing and decrease migration due to lost regional economic opportunities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Latin America and
5 Caribbean Nearshoring Act”.

6 **SEC. 2. SENSE OF CONGRESS; STATEMENT OF POLICY.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the United States has economic and national
9 security interests in securing the critical mineral and en-
10 ergy supply chains of Latin American and Caribbean

1 countries from control and influence by the People’s Re-
2 public of China.

3 (b) STATEMENT OF POLICY.—It is the policy of the
4 United States to—

5 (1) advance United States foreign policy and
6 development goals by assisting Latin American and
7 Caribbean countries to reduce their dependence on
8 critical mineral and energy supply chains controlled
9 or influenced by the People’s Republic of China;

10 (2) promote private sector-led long-term eco-
11 nomic development, economic competitiveness and
12 promoting good governance, human rights, and the
13 rule of law in Latin American and Caribbean coun-
14 tries, particularly in the areas of investment, sus-
15 tainable development, commercial relations, anti-cor-
16 ruption activities, and infrastructure projects;

17 (3) encourage United States public and private
18 sector investment in energy infrastructure projects
19 of such countries to bridge the gap between energy
20 security requirements and commercial demand in a
21 way that is consistent with the region’s absorptive
22 capacity;

23 (4) encourage United States public and private
24 sector investment in critical mineral mining and re-
25 fining of such countries; and

1 (5) help facilitate the export of United States
2 energy technology and expertise to global markets.

3 **SEC. 3. EFFORTS OF THE DEPARTMENT OF STATE AND RE-**
4 **LATED AGENCIES.**

5 The Secretary of State, in coordination with the
6 heads of United States agencies that operate under the
7 foreign policy guidance of the Secretary of State, shall,
8 as appropriate, prioritize and expedite the efforts of the
9 Department of State and such agencies—

10 (1) to support efforts of Latin American and
11 Caribbean countries to secure their critical mineral
12 and energy supply chains from control and influence
13 by the People’s Republic of China; and

14 (2) to otherwise carry out the policy described
15 in section 2(b).

16 **SEC. 4. ASSISTANCE FROM THE UNITED STATES INTER-**
17 **NATIONAL DEVELOPMENT FINANCE COR-**
18 **PORATION.**

19 (a) IN GENERAL.—The United States International
20 Development Finance Corporation, in coordination with
21 the Federal agencies and officials described in subsection
22 (b), shall provide assistance under section 1421 of the
23 Better Utilization of Investments Leading to Development
24 Act of 2018 (22 U.S.C. 9621) for each fiscal year begin-
25 ning after the date of the enactment of this Act—

1 (1) to support efforts of Latin American and
2 Caribbean countries to secure their critical mineral
3 and energy supply chains from control and influence
4 by the People’s Republic of China; and

5 (2) to otherwise carry out the policy described
6 in section 2(b).

7 (b) FEDERAL AGENCIES AND OFFICIALS DE-
8 SCRIBED.—The Federal agencies and officials described in
9 this subsection include—

10 (1) the United States Trade and Development
11 Agency, the Export-Import Bank of the United
12 States, the Millenium Challenge Corporation, the
13 United States Army Corps of Engineers, and the
14 United States Agency for International Develop-
15 ment; and

16 (2) the United States Executive Directors of
17 relevant international financial institutions, includ-
18 ing the World Bank Group, the Inter-American De-
19 velopment Bank, and the International Monetary
20 Fund.

21 (c) EXCEPTIONS.—In providing assistance described
22 in subsection (a)—

23 (1) the United States International Develop-
24 ment Finance Corporation may provide support for
25 projects in Latin American and Caribbean countries

1 with upper-middle-income economies or high-income
2 economies (as those terms are defined by the Inter-
3 national Bank for Reconstruction and Development
4 and the International Development Association (col-
5 lectively referred to as the “World Bank”)); and

6 (2) the restriction under section 1412(c)(2) of
7 the Better Utilization of Investments Leading to De-
8 velopment Act of 2018 (22 U.S.C. 9612(c)(2)) shall
9 not apply.

10 (d) PLAN.—Not later than 180 days after the date
11 of the enactment of this Act, the United States Inter-
12 national Development Finance Corporation shall develop
13 and submit to the Committee on Foreign Affairs of the
14 House of Representatives and the Committee on Foreign
15 Relations of the Senate a plan to streamline the provision
16 of assistance described in subsection (a), including to ex-
17 pedite the approval process for the provision of such as-
18 sistance.

19 **SEC. 5. AGREEMENTS FOR COOPERATION PURSUANT TO**
20 **SECTION 123 OF THE ATOMIC ENERGY ACT**
21 **OF 1954.**

22 (a) IN GENERAL.—The President is authorized to
23 take action to initiate negotiations with any Latin Amer-
24 ican or Caribbean country to obtain an agreement for co-
25 operation pursuant to section 123 of the Atomic Energy

1 Act of 1954 (42 U.S.C. 2153) to approve the sale of nu-
2 clear reactors to such country but only if—

3 (1) the President determines that such sale will
4 not threaten the national security of the United
5 States; and

6 (2) the country meets the conditions described
7 in paragraphs (1), (2), and (3) of subsection (c).

8 (b) TECHNICAL ASSISTANCE AND EXPERTISE.—The
9 Administrator of the United States Agency for Inter-
10 national Development, in consultation with the Secretary
11 of Energy and the United States International Develop-
12 ment Finance Corporation, may provide technical assist-
13 ance and expertise in electrical grid and energy efficiency
14 improvements related to sales under subsection (a), as ap-
15 propriate.

16 (c) CONDITIONS DESCRIBED.—The conditions de-
17 scribed in this subsection are the following:

18 (1) The country is taking steps to reduce mi-
19 gration in violation of the Immigration and Nation-
20 ality Act.

21 (2) The country is taking steps to reduce eco-
22 nomic dependence on the People's Republic of
23 China.

24 (3) The country allows Taiwan to establish and
25 maintain a commercial office in the country.

1 **SEC. 6. LATIN AMERICAN OR CARIBBEAN COUNTRY DE-**
2 **FINED.**

3 (a) **IN GENERAL.**—In this Act, the term “Latin
4 American or Caribbean country”—

5 (1) means—

6 (A) a country in the Caribbean Sea, South
7 America, or Central America; and

8 (B) Mexico; and

9 (2) except as provided in subsection (b), does
10 not include Cuba or Venezuela.

11 (b) **EXCEPTION.**—The term “Latin American or Car-
12ibbean country” shall include Cuba or Venezuela if the
13 Secretary of State determines and certifies to Congress
14 that—

15 (1) the government of such country—

16 (A) has held free and fair presidential and
17 legislative elections, as determined by inde-
18pendent international observers, and subsequent
19 elections are scheduled;

20 (B) respects and upholds human rights;

21 (C) is taking significant steps to privatize
22 its economy and institute a free market;

23 (D) permits the international community
24 to provide humanitarian, governance, and eco-
25 nomic development assistance;

1 (E) has freed all unlawfully detained
2 United States citizens, legal permanent resi-
3 dents, and political prisoners; and

4 (F) has expelled all security services from
5 foreign adversaries from the country; and

6 (2) the prior authorities of such country have
7 renounced their illegitimate claim to power.

○