

116TH CONGRESS
1ST SESSION

H. R. 3895

To provide for a general capital increase for the North American Development Bank, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2019

Mr. VARGAS (for himself, Mr. PETERS, Mrs. DAVIS of California, and Mr. LEVIN of California) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To provide for a general capital increase for the North American Development Bank, 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.**

4 This Act may be cited as the “North American Devel-
5 opment Bank’s Pollution Solution Act”.

6 **SEC. 2. GENERAL CAPITAL INCREASE.**

7 Part 2 of subtitle D of title V of Public Law 103–
8 182 (22 U.S.C. 290m–290m–5) is amended by adding at
9 the end the following:

1 **“SEC. 547. FIRST CAPITAL INCREASE.**

2 “(a) SUBSCRIPTION AUTHORIZED.—The Secretary of
3 the Treasury is authorized to subscribe on behalf of the
4 United States to, and make payment for, 150,000 addi-
5 tional shares of the capital stock of the Bank.

6 “(b) LIMITATION.—Any subscription by the United
7 States to the capital stock of the Bank shall be effective
8 only to such extent and in such amounts as are provided
9 in advance in appropriations Acts.

10 “(c) USE OF CAPITAL RAISED TO FURTHER CER-
11 TAIN POLICY GOALS.—The Secretary of the Treasury
12 shall instruct the United States Executive Director at the
13 Bank to use the voice and vote of the United States to
14 prioritize using the capital raised through the purchase
15 of additional shares of capital stock of the Bank to further
16 the policy goals set forth in section 3 of the North Amer-
17 ican Development Bank’s Pollution Solution Act.”.

18 **SEC. 3. POLICY GOALS.**

19 (a) IN GENERAL.—In addition to projects within the
20 mission and scope of the North American Development
21 Bank, including wastewater treatment, water conserva-
22 tion, municipal solid waste and related matters, on the day
23 before the date of the enactment of this Act and pursuant
24 to section 2 of article II of the Charter, the Secretary of
25 the Treasury shall direct the representatives of the United
26 States to the Board of Directors of the Bank to use their

1 voice and vote of the United States to support the financ-
2 ing of projects related to environmental infrastructure re-
3 lating to water pollution, stormwater drainage, non-point
4 pollution and any other environmentally beneficial infra-
5 structure project.

6 (b) CHARTER DEFINED.—In this section, the term
7 “Charter” means the Agreement Concerning the Estab-
8 lishment of a Border Environment Cooperation Commis-
9 sion and a North American Development Bank, signed at
10 Washington and Mexico November 16 and 18, 1993, and
11 entered into force January 1, 1994 (TIAS 12516), be-
12 tween the United States and Mexico.

13 **SEC. 4. EFFICIENCIES AND STREAMLINING.**

14 The Secretary of the Treasury shall direct the rep-
15 resentatives of the United States to the Board of Directors
16 of the North American Development Bank to use the voice
17 and vote of the United States to seek to require the Bank
18 to develop and implement efficiency improvements to
19 streamline and accelerate projects described in section
20 3(a).

21 **SEC. 5. PERFORMANCE MEASURES.**

22 (a) IN GENERAL.—The Secretary of the Treasury
23 shall direct the representatives of the United States to the
24 Board of Directors of the North American Development
25 Bank to use the voice and vote of the United States to

1 seek to require the Bank to develop performance measures
 2 that—

3 (1) demonstrate how projects and financing ap-
 4 proved by the Bank are meeting the Bank’s mission
 5 and providing added value to the region near the
 6 international land border between the United States
 7 and Mexico; and

8 (2) are reviewed and updated not less fre-
 9 quently than annually.

10 (b) REPORT TO CONGRESS.—The Secretary of the
 11 Treasury shall submit to Congress, with the submission
 12 to Congress of the budget of the President for a fiscal
 13 year under section 1105(a) of title 31, United States
 14 Code, a report on progress in imposing the performance
 15 measures described in subsection (a).

16 **SEC. 6. CREATION OF THE U.S.-MEXICO BORDER PUBLIC**
 17 **HEALTH TRUST FUND IN THE NORTH AMER-**
 18 **ICAN DEVELOPMENT BANK.**

19 (a) SHORT TITLE.—This section may be cited as the
 20 “U.S.-Mexico Border Public Health Trust Fund Act of
 21 2019”.

22 (b) CREATION OF THE U.S.-MEXICO BORDER PUB-
 23 LIC HEALTH TRUST FUND.—Part 2 of subtitle D of title
 24 V of the North American Free Trade Agreement Imple-
 25 mentation Act (22 U.S.C. 290m–290m–5), as amended by

1 section 2 of this Act, is amended by adding at the end
2 the following:

3 **“SEC. 548. U.S.-MEXICO BORDER PUBLIC HEALTH TRUST**
4 **FUND.**

5 “(a) ESTABLISHMENT.—

6 “(1) IN GENERAL.—The Secretary of the
7 Treasury, in consultation with the Secretary of State
8 and the Administrator of the Environmental Protec-
9 tion Agency, shall use the voice and vote of the
10 United States to establish, in the Bank, a trust fund
11 (which shall be known as the U.S.-Mexico Border
12 Public Health Trust Fund) which shall—

13 “(A) focus on designing, implementing,
14 and financing, through loans and grants, envi-
15 ronmental infrastructure projects relating to
16 water pollution, wastewater treatment, water
17 conservation, municipal solid waste, and related
18 matters along the United States-Mexico border;
19 and

20 “(B) be administered by the Board of Di-
21 rectors of the Bank.

22 “(2) REPORT TO THE CONGRESS.—Until the
23 trust fund is established, the Secretary of the Treas-
24 ury shall submit to the Committees of jurisdiction
25 semiannual reports on the efforts of, and progress

1 made by, the Secretary in establishing the trust
2 fund.

3 “(b) ADMINISTRATION.—

4 “(1) IN GENERAL.—The Secretary of the
5 Treasury, in consultation with the Secretary of State
6 and the Administrator of the Environmental Protec-
7 tion Agency (and, in the case of matters relating to
8 expenditures from the trust fund, the Secretary of
9 Homeland Security, the Secretary of Health and
10 Human Services, and the head of any department or
11 agency of the Federal Government that has made a
12 deposit into the trust fund), shall use the voice and
13 vote of the United States—

14 “(A) to support the development by the
15 Bank of performance measures for projects fi-
16 nanced by the trust fund;

17 “(B) to support the regular assessment of
18 the projects by the Bank using performance
19 measures; and

20 “(C) to explore and support opportunities
21 for private sector co-financing of trust fund
22 projects.

23 “(2) REPORT TO THE CONGRESS.—Within 1
24 year after the establishment of the trust fund, and
25 annually thereafter, the Secretary of the Treasury

1 shall submit to the Committees of jurisdiction a
2 written report on the progress made in developing
3 the performance measures referred to in paragraph
4 (1).

5 “(c) APPROPRIATIONS.—

6 “(1) IN GENERAL.—Out of any money in the
7 Treasury of the United States not otherwise appro-
8 priated, there are appropriated \$400,000,000 for
9 payment by the Secretary of the Treasury to the
10 Bank as trustee for the trust fund, to remain avail-
11 able until expended.

12 “(2) AUTHORITY TO REPROGRAM UNOBLIGATED
13 FUNDS.—Any department or agency of the Federal
14 Government may deposit into the trust fund any un-
15 obligated funds made available to the department or
16 agency, as the case may be.”.

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