

116TH CONGRESS
1ST SESSION

H. R. 4263

To prohibit importation of certain products of Brazil, to prohibit certain assistance to Brazil, and to prohibit negotiations to enter into a free trade agreement with Brazil.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2019

Mr. DEFAZIO (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. NORTON, Ms. ESHOO, Ms. HILL of California, Ms. PINGREE, Mr. COHEN, Mr. HASTINGS, Ms. SCHAKOWSKY, Mr. THOMPSON of California, Mr. GRJALVA, Ms. TLAIB, Mr. HUFFMAN, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit importation of certain products of Brazil, to prohibit certain assistance to Brazil, and to prohibit negotiations to enter into a free trade agreement with Brazil.

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 “Act for the Amazon
5 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Two-thirds of the Amazon rainforest is lo-
4 cated in Brazil's borders.

5 (2) The Amazon rainforest is commonly re-
6 ferred to as the "lungs of the Earth".

7 (3) The Amazon rainforest contains upwards of
8 100 billion metric tons of sequestered carbon, help-
9 ing to stabilize the Earth's climate.

10 (4) The Amazon rainforest is home to 10 per-
11 cent of the Earth's biodiversity.

12 (5) More forest has been cleared in Brazil in
13 the summer 2019 alone than in the last three years
14 combined.

15 (6) Brazilian satellites indicate that about three
16 football fields worth of trees in the Amazon
17 rainforest located in Brazil were felled every minute
18 in July 2019.

19 (7) As of August 26, 2019, there were more
20 than 41,000 fires burning in the Amazon rainforest.

21 (8) The National Institute for Space Research
22 (INPE) reports this to be a 78-percent increase
23 from fires during the same period in 2018.

24 (9) These fires have released the equivalent of
25 228 megatons of carbon so far this year.

1 (10) Natural fires in the Amazon rainforest are
2 rare, and the majority of fires are human-caused to
3 deforest land for agriculture and mining.

4 (11) Cattle ranching leads to approximately 80
5 percent of deforestation of the Amazon rainforest.

6 (12) Soy cultivation has led to the destruction
7 of 40,000 square miles of native forests in Brazil
8 since 2008.

9 (13) Deforestation is taking place illegally in
10 some of the more than 305 indigenous territories in
11 Brazil.

12 (14) Brazilian President Bolsonaro has imple-
13 mented policies that violate the collective and indi-
14 vidual rights of indigenous peoples.

15 (15) Brazil's National Indigenous Movement
16 has called for an international boycott of commod-
17 ities that are in conflict with indigenous territories.

18 (16) President Bolsonaro has promised to scale
19 back enforcement of environmental laws.

20 (17) President Bolsonaro blames nongovern-
21 mental organizations for the fires without evidence.

22 (18) President Bolsonaro has rejected deforest-
23 ation data from his own government agency, the
24 INPE, as false and later fired the INPE director for
25 rebutting his criticisms.

1 (19) Under President Bolsonaro’s administra-
2 tion, deforestation has spiked by more than 50 per-
3 cent.

4 (20) President Bolsonaro’s chief of staff said
5 that G7 aid “would be put to better use reforesting
6 Europe”.

7 (21) Brazil’s Environment Minister has inhib-
8 ited the environmental enforcement agencies from
9 investigating environmental crimes.

10 (22) Brazil’s Environment Minister is a con-
11 victed environmental criminal.

12 (23) Brazilian government enforcement actions,
13 including fines and the confiscation and destruction
14 of illegal equipment, has significantly decreased
15 under the Bolsonaro administration.

16 (24) The continued lack of enforcement actions
17 against deforestation tactics and unwillingness to ag-
18 gressively fight the fires in the Amazon rainforest by
19 the Government of Brazil poses a direct threat to
20 United States interests and national security.

21 (25) The destruction of the Amazon rainforest
22 poses serious threats to our ecosystem, potentially
23 significantly affecting agricultural production, in-
24 creasing extreme weather events, and more.

1 (26) The United States is Brazil’s third largest
2 export market.

3 (27) Brazilian soy and cattle exports accounted
4 for more than \$31 billion and \$5 billion, respec-
5 tively, in 2017, leading the world in exports of both
6 commodities.

7 **SEC. 3. PROHIBITION ON IMPORTATION OF PRODUCTS OF**
8 **BRAZIL.**

9 (a) **IN GENERAL.**—Beginning on the date of the en-
10 actment of this Act, the President shall exercise all powers
11 granted by the International Emergency Economic Powers
12 Act (50 U.S.C. 1701 et seq.) (except that the require-
13 ments of section 202 of such Act (50 U.S.C. 1701) shall
14 not apply) to the extent necessary to prohibit the importa-
15 tion of any products described in subsection (b) that are
16 products of Brazil.

17 (b) **PRODUCTS DESCRIBED.**—The products described
18 in this subsection are the following:

19 (1) Beef products classified under heading 0201
20 of the HTS.

21 (2) Soy products classified under—

22 (A) heading 1201, 1507, or 2304 of the
23 HTS; or

24 (B) subheading 1208.10.00, 1517.90.10,
25 1517.90.90, or 2008.99.6100 of the HTS.

1 (3) Leather and hide products classified under
2 heading 4104 of the HTS.

3 (4) Timber products classified under heading
4 4403 of the HTS.

5 (5) Sugar products classified under heading
6 1701 of the HTS.

7 (6) Pulp and paper products classified under
8 chapter 47 or 48 of the HTS.

9 (7) Tobacco products classified under chapter
10 24 of the HTS.

11 (8) Corn products classified under—

12 (A) heading 1005 of the HTS; or

13 (B) subheading 0709.99.45, 0710.40.00,

14 0712.90.8, 1004.23.00, 1102.20.00,

15 1103.13.00, 1108.12.00, 1515.21.00,

16 1901.90.91, 1905.90.90, 2004.90.85,

17 2005.80.00, 2302.10.00, 2303.10.00,

18 2303.10.00, 2306.90.01, 3505.10.00, or

19 9902.01.01 of the HTS.

20 (9) Crude petroleum, natural gas, and petro-
21 leum refinery products classified under heading
22 2707, 2709, 2710, 2711, or 2712 of the HTS.

23 (c) HTS DEFINED.—In this section, the term
24 “HTS” means the Harmonized Tariff Schedule of the
25 United States.

1 **SEC. 4. PROHIBITION ON ASSISTANCE TO BRAZIL.**

2 (a) IN GENERAL.—Beginning on the date of the en-
3 actment of this Act, the President may not provide assist-
4 ance described in subsection (b) to Brazil.

5 (b) ASSISTANCE DESCRIBED.—The assistance de-
6 scribed in this subsection is the following:

7 (1) Military assistance, including—

8 (A) military-to-military cooperation and ex-
9 ercises;

10 (B) support for military innovation and
11 modernization, including the transfer of surplus
12 military equipment or technology; and

13 (C) military education and exchanges.

14 (2) Security assistance.

15 **SEC. 5. PROHIBITION ON NEGOTIATIONS TO ENTER INTO A**
16 **FREE TRADE AGREEMENT WITH BRAZIL.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the Government of Brazil's failure to aggres-
19 sively fight the fires in the Amazon rainforest and defor-
20 estation tactics more generally provide yet another jus-
21 tification as to why the United States should not carry
22 out negotiations to enter into a free trade agreement with
23 Brazil.

24 (b) PROHIBITION.—The Office of the United States
25 Trade Representative and any other Federal department

- 1 or agency may not carry out negotiations to enter into
- 2 a free trade agreement with Brazil.

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