

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 132
OFFERED BY MR. BARR OF KENTUCKY**

Page 1, after line 18, insert the following:

1 “(3) PROHIBITION.—Notwithstanding para-
2 graph (1), the Secretary of the Treasury may not
3 subscribe on behalf of the United States to any addi-
4 tional shares of the capital stock of the Bank unless
5 the President of the United States has submitted to
6 the Committee on Financial Services of the House of
7 Representatives and the Committee on Foreign Re-
8 lations of the Senate a report that certifies that the
9 government of Mexico is closely cooperating with the
10 United States to prevent opioid trafficking (within
11 the meaning of section 6 of the North American De-
12 velopment Bank Improvement and Pollution Solu-
13 tion Act of 2019).

At the end of the substitute, add the following:

14 **SEC. 6. PROHIBITION WITH RESPECT TO OPIOID TRAF-**
15 **FICKING.**

16 (a) IN GENERAL.—The Secretary of the Treasury
17 shall direct the representatives of the United States to the

1 Board of Directors of the North American Development
2 Bank to use the voice and vote of the United States to
3 oppose the provision by the Bank of a grant or loan to
4 the government of Mexico or of any political subdivision
5 of Mexico if the President of the United States determines
6 that the government of Mexico is failing to closely cooper-
7 ate with the United States to prevent opioid trafficking.

8 (b) CLOSE COOPERATION.—For purposes of sub-
9 section (a), the government of Mexico shall be considered
10 to be closely cooperating with the United States to prevent
11 opioid trafficking if the government is doing 2 or more
12 of the following:

13 (1) Implementing substantial improvements in
14 regulations involving the chemical and pharma-
15 ceutical production and export of illicit opioids.

16 (2) Implementing substantial improve ments in
17 judicial regulations to combat transnational criminal
18 organizations that traffic opioids.

19 (3) Increasing efforts to prosecute foreign
20 opioid traffickers.

21 (4) Increasing intelligence sharing and law en-
22 forcement cooperation with the United States with
23 respect to opioid trafficking.

24 (c) DEFINITIONS.—In this section:

1 (1) OPIOID TRAFFICKING.—The term “opioid
2 trafficking” means any illicit activity—

3 (A) to produce, manufacture, distribute,
4 sell, or knowingly finance or transport—

5 (i) synthetic opioids, including con-
6 trolled substances that are synthetic
7 opioids and listed chemicals that are syn-
8 thetic opioids; or

9 (ii) active pharmaceutical ingredients
10 or chemicals that are used in the produc-
11 tion of controlled substances that are syn-
12 thetic opioids;

13 (B) to attempt to carry out an activity de-
14 scribed in paragraph (1); or

15 (C) to assist, abet, conspire, or collude
16 with other persons to carry out such an activity.

17 (2) CONTROLLED SUBSTANCE.—The term
18 “controlled substance” has the meaning given the
19 term in section 102 of the Controlled Substances
20 Act.

21 (d) WAIVER AUTHORITY.—The President of the
22 United States may waive subsection (a) for a period not
23 exceeding 1 year on reporting to the Committee on Finan-
24 cial Services of the House of Representatives and the
25 Committee on Foreign Relations of the Senate that—

1 (1) the failure referred to in subsection (a) is
2 due exclusively to a lack of government capacity; or

3 (2) the waiver is in the national interest of the
4 United States, with an explanation of the reasons
5 therefor.

6 (e) SUNSET.—Subsection (a) shall have no force or
7 effect at the end of the 7-year period that begins with the
8 date of the enactment of this Act.

