

Suspend the Rules and Pass the Bill, H.R. 920, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST SESSION

H. R. 920

To restrict the transfer of defense articles, defense services, and crime control articles to any element of the security forces of Venezuela that is under the authority of a government of Venezuela that is not recognized as the legitimate government of Venezuela by the Government of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2019

Ms. SHALALA (for herself, Mr. DIAZ-BALART, Ms. WASSERMAN SCHULTZ, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. SOTO, Mrs. MURPHY, Ms. MUCARSEL-POWELL, and Mr. SIRES) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To restrict the transfer of defense articles, defense services, and crime control articles to any element of the security forces of Venezuela that is under the authority of a government of Venezuela that is not recognized as the legitimate government of Venezuela by the Government of the United States, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Venezuela Arms Re-
3 striction Act”.

4 **SEC. 2. RESTRICTION ON EXPORT OF COVERED ARTICLES**
5 **AND SERVICES TO CERTAIN SECURITY**
6 **FORCES OF VENEZUELA.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, covered articles or services may not be ex-
9 ported from the United States to any element of the secu-
10 rity forces of Venezuela that is under the authority of a
11 government of Venezuela that is not recognized as the le-
12 gitimate government of Venezuela by the Government of
13 the United States.

14 (b) REPORT.—Not later than 180 days after the date
15 of enactment of this Act, the Secretary of State, in con-
16 sultation with the Secretary of Commerce and the heads
17 of other departments and agencies as appropriate, shall—

18 (1) determine, using such information that is
19 available to the Secretary of State, whether any cov-
20 ered article or service has been transferred since
21 July 2017 to the security forces of Venezuela with-
22 out a license or other authorization as required by
23 law; and

24 (2) submit such determination in writing to the
25 appropriate congressional committees.

1 **SEC. 3. REPORT.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of the enactment of this Act, the Secretary of State,
4 in consultation with the Secretary of Commerce as appro-
5 priate, shall submit to the appropriate congressional com-
6 mittees a report on the transfer by foreign persons of cov-
7 ered articles or services to elements of the security forces
8 of Venezuela that are under the authority of a government
9 of Venezuela that is not recognized as the legitimate gov-
10 ernment of Venezuela by the Government of the United
11 States.

12 (b) MATTERS TO BE INCLUDED.—The report re-
13 quired by subsection (a) shall include the following:

14 (1) A list of all significant transfers by foreign
15 persons of covered articles or services to such ele-
16 ments of the security forces of Venezuela since July
17 2017.

18 (2) A list of all foreign persons who maintain
19 an existing defense relationship with such elements
20 of the security forces of Venezuela.

21 (3) Any known use of covered articles or serv-
22 ices by such elements of the security forces of Ven-
23 ezuela or associated forces, including paramilitary
24 groups, that have coordinated with such security
25 forces to assault, intimidate, or murder political ac-

1 tivists, protesters, dissidents, and other civil society
2 leaders, including Juan Guaido.

3 **SEC. 4. TERMINATION.**

4 This Act shall expire on the earlier of—

5 (1) the date that is 3 years after the date of the
6 enactment of this Act; or

7 (2) the date on which the President certifies to
8 the appropriate congressional committees that the
9 Government of Venezuela has returned to a demo-
10 cratic form of government with respect for the es-
11 sential elements of representative democracy as set
12 forth in Article 3 of the Inter-American Democratic
13 Charter.

14 **SEC. 5. DEFINITIONS.**

15 In this Act:

16 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
17 **TEES.**—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Foreign Affairs and
20 the Committee on Financial Services of the
21 House of Representatives; and

22 (B) the Committee on Foreign Relations
23 and the Committee on Banking, Housing, and
24 Urban Affairs of the Senate.

1 (2) COVERED ARTICLE OR SERVICE.—The term
2 “covered article or service”—

3 (A) for purposes of section 2, means—

4 (i) a defense article or defense service,
5 as such terms are defined in section 47 of
6 the Arms Export Control Act (22 U.S.C.
7 2794); and

8 (ii) any article included on the Com-
9 merce Control List set forth in Supplement
10 No. 1 to part 774 of the Export Adminis-
11 tration Regulations under subchapter C of
12 chapter VII of title 15, Code of Federal
13 Regulations, and controlled for crime con-
14 trol purposes, if it is determined that the
15 end-user is likely to use the article to vio-
16 late the human rights of the citizens of
17 Venezuela; and

18 (B) for purposes of section 3, means—

19 (i) any defense article or defense serv-
20 ice of the type described in section 47 of
21 the Arms Export Control Act; and

22 (ii) any article of the type included on
23 the Commerce Control List set forth in
24 Supplement No. 1 to part 774 of the Ex-

1 port Administration Regulations and con-
2 trolled for crime control purposes.

3 (3) FOREIGN PERSON.—The term “foreign per-
4 son” means a person that is not a United States
5 person.

6 (4) PERSON.—The term “person” means an in-
7 dividual or entity.

8 (5) SECURITY FORCES OF VENEZUELA.—The
9 term “security forces of Venezuela” includes—

10 (A) the Bolivarian National Armed Forces,
11 including the Bolivarian National Guard;

12 (B) the Bolivarian National Intelligence
13 Service;

14 (C) the Bolivarian National Police; and

15 (D) the Bureau for Scientific, Criminal
16 and Forensic Investigations of the Ministry of
17 Interior, Justice, and Peace.

18 (6) UNITED STATES PERSON.—The term
19 “United States person” means—

20 (A) a United States citizen or an alien law-
21 fully admitted for permanent residence to the
22 United States; or

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

1 the United States, including a foreign branch of
2 such an entity.