

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 920
OFFERED BY MR. ENGEL OF NEW YORK**

Strike all after the enacting clause and insert the following:

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—

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

7 (2) submit such determination in writing to the
8 appropriate congressional committees.

9 **SEC. 3. REPORT.**

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

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

22 (1) A list of all significant transfers by foreign
23 persons of covered articles or services to such ele-
24 ments of the security forces of Venezuela since July
25 2017.

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

4 (3) Any known use of covered articles or serv-
5 ices by such elements of the security forces of Ven-
6 ezuela or associated forces, including paramilitary
7 groups, that have coordinated with such security
8 forces to assault, intimidate, or murder political ac-
9 tivists, protesters, dissidents, and other civil society
10 leaders, including Juan Guaido.

11 **SEC. 4. TERMINATION.**

12 This Act shall expire on the earlier of—

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

15 (2) the date on which the President certifies to
16 the appropriate congressional committees that the
17 Government of Venezuela has returned to a demo-
18 cratic form of government with respect for the es-
19 sential elements of representative democracy as set
20 forth in Article 3 of the Inter-American Democratic
21 Charter.

22 **SEC. 5. DEFINITIONS.**

23 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Affairs and
5 the Committee on Financial Services of the
6 House of Representatives; and

7 (B) the Committee on Foreign Relations
8 and the Committee on Banking, Housing, and
9 Urban Affairs of the Senate.

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

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

13 (i) a defense article or defense service,
14 as such terms are defined in section 47 of
15 the Arms Export Control Act (22 U.S.C.
16 2794); and

17 (ii) any article included on the Com-
18 merce Control List set forth in Supplement
19 No. 1 to part 774 of the Export Adminis-
20 tration Regulations under subchapter C of
21 chapter VII of title 15, Code of Federal
22 Regulations, and controlled for crime con-
23 trol purposes, if it is determined that the
24 end-user is likely to use the article to vio-

1 late the human rights of the citizens of
2 Venezuela; and

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

4 (i) any defense article or defense serv-
5 ice of the type described in section 47 of
6 the Arms Export Control Act; and

7 (ii) any article of the type included on
8 the Commerce Control List set forth in
9 Supplement No. 1 to part 774 of the Ex-
10 port Administration Regulations and con-
11 trolled for crime control purposes.

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

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

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

19 (A) the Bolivarian National Armed Forces,
20 including the Bolivarian National Guard;

21 (B) the Bolivarian National Intelligence
22 Service;

23 (C) the Bolivarian National Police; and

1 (D) the Bureau for Scientific, Criminal
2 and Forensic Investigations of the Ministry of
3 Interior, Justice, and Peace.

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

6 (A) a United States citizen or an alien law-
7 fully admitted for permanent residence to the
8 United States; or

9 (B) an entity organized under the laws of
10 the United States or of any jurisdiction within
11 the United States, including a foreign branch of
12 such an entity.

