

Calendar No. 401

113TH CONGRESS }
2nd Session }

SENATE

{ REPORT
113-175

THE VENEZUELA DEFENSE OF HUMAN RIGHTS AND
CIVIL SOCIETY ACT OF 2014

MAY 22, 2014.—Ordered to be printed

Mr. MENENDEZ, from the Committee on Foreign Relations,
submitted the following

R E P O R T

[To accompany S. 2142]

The Committee on Foreign Relations, to which was referred the bill (S. 2142), to impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, and for other purposes, having considered the same, reports favorably thereon, with amendments, and recommends that the bill, as amended, do pass.

CONTENTS

	Page
I. Purpose	1
II. Committee Action	2
III. Discussion	2
IV. Cost Estimate	3
V. Evaluation of Regulatory Impact	4
VI. Changes in Existing Law	4

I. PURPOSE

The purpose of S. 2142 is to outline a framework for responding to the acts of violence committed by members of Venezuela’s state security forces and intelligence services, and the use of the Venezuelan justice system for the purposes of political persecution against the country’s citizens. S. 2142 directs the President to apply targeted sanctions against those individuals, including members of the government, public security forces, and armed civilian groups, who have perpetrated, ordered or directed acts of violence or human rights abuses in Venezuela against antigovernment protestors, or have directed or ordered the arrest or prosecution of a person primarily because of the person’s legitimate exercise of freedom of expression or assembly. Additionally, S. 2142 authorizes \$15 million in funding to help strengthen Venezuelan civil society by supporting the defense of internationally recognized human rights, the promotion of efforts by independent media outlets to broadcast and distribute objective news and content, the expansion

of unrestricted internet access, and the strengthening of government transparency and accountability. S.2142 also calls for a report on obstacles to access objective media content in Venezuela, current efforts by the United States Government to address these challenges, and a strategy for expanding existing programs.

II. COMMITTEE ACTION

S. 2142 was introduced on March 13, 2014, by Senator Menendez and co-sponsored by Senators Rubio, Nelson, Kirk, and McCain. On May 20, 2014, the committee considered S. 2142 and ordered it reported favorably by voice vote, with amendments. Senators Corker and Udall asked to be recorded as voting no.

III. DISCUSSION

A section-by-section discussion of the legislation follows:

Section 1

Section 1 names the bill.

Section 2

Section 2 presents key findings regarding Venezuela's growing economic crisis, alarming levels of criminal violence, and the erosion of democratic governance, freedom of expression, and freedom of the press.

Section 3

Section 3 states that it is the sense of the Congress that the United States seeks a mutually beneficial relationship with Venezuela based on respect for human rights and the rule of law, and a productive relationship on public security issues such as counter-narcotics and counterterrorism, and that the U.S. supports the Venezuelan people in their efforts to realize their economic potential and to advance representative democracy, human rights, and the rule of law. The section goes on to hold the Government of Venezuela responsible for the chronic mismanagement of its economy, the levels of criminal violence in the country, and the undermining of democratic governance, and states that it was these crisis conditions that prompted the demonstrations taking place throughout Venezuela. The section concludes by expressing the view that the repeated use of violence perpetrated by Venezuela's government, as well as persons acting on their behalf, against government protestors is intolerable, and that the use of unprovoked violence by the protestors is also a matter of very serious concern.

Section 4

Section 4 sets forth the policy of the United States towards Venezuela, which is to support the democratic aspirations of the Venezuelan people as defined under the Inter-American Democratic Charter, to work in concert with the members of the Organization of American States and the European Union to ensure the immediate end of violence against protestors and a peaceful resolution of the current crisis, and to hold accountable government and security officials either responsible for or complicit in the use of force against antigovernment protestors.

Section 5

Section 5 requires the President to impose sanctions on persons, including current and former officials of the Government of Venezuela, that he determines have perpetrated, ordered or directed acts of violence or human rights abuses in Venezuela against antigovernment protestors, or have directed or ordered the arrest or prosecution of a person primarily because of the person's legitimate exercise of freedom of expression or assembly. Sanctions are also to be imposed upon those who materially assisted, sponsored or supported those who carried out the above activities. The sanctions to be imposed include asset blocking, or using all powers granted to the President by the International Emergency Economic Powers Act to block and prohibit all transactions in property in the United States, or in the possession and control of a U.S person, and the denial and revocation of visas and other documents in accordance with the Immigration and Nationality Act. Sanctions may be waived if the President determines that a waiver is in the interest of national security, or submits to the relevant congressional committees notice and justification for the waiver.

Section 6

Section 6 authorizes \$15 million in Fiscal Year 2015 for the purposes of defending human rights, building the capacity of democratic civil society, supporting independent media outlets and unrestricted access to the internet, improving government transparency and accountability, assisting civil society activists, journalists and protesters that have been targeted for their activities, and providing support for democratic organizing and election monitoring. Following enactment, the President has 60 days to submit a strategy for implementing these activities to the relevant committees in the Senate and the House of Representatives.

Section 7

Section 7 requires, within 30 days of enactment, that the Chairman of the Broadcasting Board of Governors submit to Congress a report that includes an evaluation of the governmental, political, and technological obstacles faced by the Venezuelan people in their efforts to obtain accurate and objective news, an assessment of current efforts relating to broadcasting, information distribution, and circumvention technology distribution in Venezuela, by the United States Government, and a strategy for expanding such efforts in Venezuela.

IV. COST ESTIMATE

In accordance with Rule XXVI, paragraph 11(a) of the Standing Rules of the Senate, the committee notes that the cost estimate provided by the Congressional Budget Office was not available for inclusion in this report. The estimate will be printed in either a supplemental report or the Congressional Record when it is available.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to Rule XXVI, paragraph 11(b) of the Standing Rules of the Senate, the committee has determined that there is no regulatory impact as a result of this legislation.

VI. CHANGES IN EXISTING LAW

In compliance with Rule XXVI, paragraph 12 of the Standing Rules of the Senate, the committee has determined that there is no change to existing law made by the bill, as reported.

