

116TH CONGRESS
1ST SESSION

H. R. 920

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2019

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Venezuela Arms Re-
5 striction Act”.

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

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

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

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

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

3 **SEC. 3. REPORT.**

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

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

16 (1) A list of all significant transfers by foreign
17 persons of covered articles or services to such ele-
18 ments of the security forces of Venezuela since July
19 2017.

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

23 (3) Any known use of covered articles or serv-
24 ices by such elements of the security forces of Ven-
25 ezuela or associated forces, including paramilitary

1 groups, that have coordinated with such security
2 forces to assault, intimidate, or murder political ac-
3 tivists, protesters, dissidents, and other civil society
4 leaders, including Juan Guaido.

5 **SEC. 4. TERMINATION.**

6 This Act shall expire on the earlier of—

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

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

16 **SEC. 5. DEFINITIONS.**

17 In this Act:

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

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

1 (B) the Committee on Foreign Relations
2 and the Committee on Banking, Housing, and
3 Urban Affairs of the Senate.

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

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

7 (i) a defense article or defense service,
8 as such terms are defined in section 47 of
9 the Arms Export Control Act (22 U.S.C.
10 2794); and

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

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

22 (i) any defense article or defense serv-
23 ice of the type described in section 47 of
24 the Arms Export Control Act; and

1 (ii) any article of the type included on
2 the Commerce Control List set forth in
3 Supplement No. 1 to part 774 of the Ex-
4 port Administration Regulations and con-
5 trolled for crime control purposes.

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

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

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

13 (A) the Bolivarian National Armed Forces,
14 including the Bolivarian National Guard;

15 (B) the Bolivarian National Intelligence
16 Service;

17 (C) the Bolivarian National Police; and

18 (D) the Bureau for Scientific, Criminal
19 and Forensic Investigations of the Ministry of
20 Interior, Justice, and Peace.

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

23 (A) a United States citizen or an alien law-
24 fully admitted for permanent residence to the
25 United States; or

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

Passed the House of Representatives March 25,
2019.

Attest: **CHERYL L. JOHNSON,**
Clerk.