

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.

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## 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

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## 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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. RESTRICTION ON EXPORT OF COVERED ARTICLES**  
2 **AND SERVICES TO CERTAIN SECURITY**  
3 **FORCES OF VENEZUELA.**

4 Notwithstanding any other provision of law, covered  
5 articles or services may not be exported from the United  
6 States to any element of the security forces of Venezuela  
7 that is under the authority of a government of Venezuela  
8 that is not recognized as the legitimate government of  
9 Venezuela by the Government of the United States.

10 **SEC. 3. REPORT.**

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

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

23 (1) A list of all significant transfers by foreign  
24 persons of covered articles or services to such ele-  
25 ments of the security forces of Venezuela since July  
26 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.

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.

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