

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 825

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## AN ACT

To prohibit contracting with persons that have business operations with the Maduro regime, 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 “Banning Operations  
3 and Leases with the Illegitimate Venezuelan Authoritarian  
4 Regime Act” or the “BOLIVAR Act”.

5 **SEC. 2. PROHIBITION ON CONTRACTING WITH PERSONS**  
6 **THAT HAVE BUSINESS OPERATIONS WITH**  
7 **THE MADURO REGIME.**

8 (a) PROHIBITION.—Except as provided in subsections  
9 (b), (c), and (d), the head of an executive agency may not  
10 enter into a contract for the procurement of goods or serv-  
11 ices with any person that the head of an executive agency  
12 determines, with the concurrence of the Secretary of  
13 State, in consultation with the Director of the Office of  
14 Management and Budget, knowingly engages in signifi-  
15 cant business operations, as defined by the Secretary in  
16 consultation with the Director, with an authority of the  
17 Government of Venezuela that is not recognized as the le-  
18 gitimate Government of Venezuela by the United States.

19 (b) EXCEPTIONS.—

20 (1) IN GENERAL.—The prohibition under sub-  
21 section (a) does not apply to a contract that the Sec-  
22 retary of State, in consultation with the Director of  
23 the Office of Management and Budget, determines—

24 (A) is necessary—

1 (i) for purposes of providing humani-  
2 tarian assistance to the people of Ven-  
3 ezuela;

4 (ii) for purposes of providing disaster  
5 relief and other urgent humanitarian aid  
6 or life-saving measures; or

7 (iii) to carry out noncombatant evacu-  
8 ations; or

9 (B) is in the national security interests of  
10 the United States.

11 (2) SUPPORT FOR UNITED STATES GOVERN-  
12 MENT ACTIVITIES.—The prohibition in subsection  
13 (a) shall not apply to contracts and agreements that  
14 support United States Government activities in Ven-  
15 ezuela, including those necessary for the mainte-  
16 nance of United States Government facilities in Ven-  
17 ezuela, or to contracts with international organiza-  
18 tions.

19 (3) NOTIFICATION REQUIREMENT.—The Sec-  
20 retary of State shall notify the appropriate congres-  
21 sional committees of any contract entered into on  
22 the basis of an exception provided for under para-  
23 graph (1), which may be submitted in a classified  
24 form, as appropriate.

1 (c) OFFICE OF FOREIGN ASSETS CONTROL LI-  
2 CENSES.—The prohibition in subsection (a) does not apply  
3 to a person that has a valid license to operate in Venezuela  
4 issued by the Office of Foreign Assets Control.

5 (d) AMERICAN DIPLOMATIC MISSION IN VEN-  
6 EZUELA.—The prohibition in subsection (a) does not  
7 apply to contracts related to the operation and mainte-  
8 nance of the United States Government’s consular offices  
9 and diplomatic posts in Venezuela.

10 (e) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—  
11 The prohibition in subsection (a) does not apply to any  
12 activity subject to the reporting requirements under title  
13 V of the National Security Act of 1947 (50 U.S.C. 3091  
14 et seq.), any authorized intelligence activity of the United  
15 States, or any activity or procurement that supports an  
16 authorized intelligence activity.

17 (f) WAIVER.—The Secretary of State may waive the  
18 requirements of subsection (a) if the Secretary of State  
19 determines that to do so is in the national interest of the  
20 United States.

21 (g) DEFINITIONS.—In this section:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
23 TEES.—The term “appropriate congressional com-  
24 mittees” means the Committee on Homeland Secu-  
25 rity and Governmental Affairs and the Committee

1 on Foreign Relations of the Senate and the Com-  
2 mittee on Homeland Security and the Committee on  
3 Foreign Affairs of the House of Representatives.

4 (2) BUSINESS OPERATIONS.—The term “busi-  
5 ness operations” means engaging in commerce in  
6 any form, including acquiring, developing, maintain-  
7 ing, owning, selling, possessing, leasing, or operating  
8 equipment, facilities, personnel, products, services,  
9 personal property, real property, or any other appa-  
10 ratus of business or commerce.

11 (3) EXECUTIVE AGENCY.—The term “executive  
12 agency” has the meaning given the term in section  
13 133 of title 41, United States Code.

14 (4) GOVERNMENT OF VENEZUELA.—(A) The  
15 term “Government of Venezuela” includes the gov-  
16 ernment of any political subdivision of Venezuela,  
17 and any agency or instrumentality of the Govern-  
18 ment of Venezuela.

19 (B) For purposes of subparagraph (A), the  
20 term “agency or instrumentality of the Govern-  
21 ment of Venezuela” means an agency or instru-  
22 mentality of a foreign state as defined in sec-  
23 tion 1603(b) of title 28, United States Code,  
24 with each reference in such section to “a for-

1           eign state” deemed to be a reference to “Ven-  
2           ezuela”.

3           (5) PERSON.—The term “person” means—

4                   (A) a natural person, corporation, com-  
5                   pany, business association, partnership, society,  
6                   trust, or any other nongovernmental entity, or-  
7                   ganization, or group;

8                   (B) any governmental entity or instrumen-  
9                   tality of a government; and

10                   (C) any successor, subunit, parent entity,  
11                   or subsidiary of, or any entity under common  
12                   ownership or control with, any entity described  
13                   in subparagraph (A) or (B).

14           (h) TERM OF APPLICABILITY.—This section shall  
15           apply with respect to any contract entered into during the  
16           three-year period beginning on the date that is 180 days  
17           after the enactment of this Act.

          Passed the House of Representatives November 18,  
2024.

Attest:

*Clerk.*



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