

## Calendar No. 564

118TH CONGRESS  
2D SESSION**H. R. 825**

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2024

Received; read twice and placed on the calendar

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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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Banning Operations  
5 and Leases with the Illegitimate Venezuelan Authoritarian  
6 Regime Act” or the “BOLIVAR Act”.

7 **SEC. 2. PROHIBITION ON CONTRACTING WITH PERSONS**

8 **THAT HAVE BUSINESS OPERATIONS WITH**  
9 **THE MADURO REGIME.**

10 (a) PROHIBITION.—Except as provided in subsections  
11 (b), (c), and (d), the head of an executive agency may not

1 enter into a contract for the procurement of goods or serv-  
2 ices with any person that the head of an executive agency  
3 determines, with the concurrence of the Secretary of  
4 State, in consultation with the Director of the Office of  
5 Management and Budget, knowingly engages in signifi-  
6 cant business operations, as defined by the Secretary in  
7 consultation with the Director, with an authority of the  
8 Government of Venezuela that is not recognized as the le-  
9 gitimate Government of Venezuela by the United States.

10 (b) EXCEPTIONS.—

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

15 (A) is necessary—

16 (i) for purposes of providing humani-  
17 tarian assistance to the people of Ven-  
18 ezuela;

19 (ii) for purposes of providing disaster  
20 relief and other urgent humanitarian aid  
21 or life-saving measures; or

22 (iii) to carry out noncombatant evacu-  
23 ations; or

24 (B) is in the national security interests of  
25 the United States.

1           (2) SUPPORT FOR UNITED STATES GOVERN-  
2           MENT ACTIVITIES.—The prohibition in subsection  
3           (a) shall not apply to contracts and agreements that  
4           support United States Government activities in Ven-  
5           ezuela, including those necessary for the mainte-  
6           nance of United States Government facilities in Ven-  
7           ezuela, or to contracts with international organiza-  
8           tions.

9           (3) NOTIFICATION REQUIREMENT.—The Sec-  
10          retary of State shall notify the appropriate congress-  
11          sional committees of any contract entered into on  
12          the basis of an exception provided for under para-  
13          graph (1), which may be submitted in a classified  
14          form, as appropriate.

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

19          (d) AMERICAN DIPLOMATIC MISSION IN VEN-  
20          EZUELA.—The prohibition in subsection (a) does not  
21          apply to contracts related to the operation and mainte-  
22          nance of the United States Government’s consular offices  
23          and diplomatic posts in Venezuela.

24          (e) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—  
25          The prohibition in subsection (a) does not apply to any

1 activity subject to the reporting requirements under title  
2 V of the National Security Act of 1947 (50 U.S.C. 3091  
3 et seq.), any authorized intelligence activity of the United  
4 States, or any activity or procurement that supports an  
5 authorized intelligence activity.

6 (f) WAIVER.—The Secretary of State may waive the  
7 requirements of subsection (a) if the Secretary of State  
8 determines that to do so is in the national interest of the  
9 United States.

10 (g) DEFINITIONS.—In this section:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
12 TEES.—The term “appropriate congressional com-  
13 mittees” means the Committee on Homeland Secu-  
14 rity and Governmental Affairs and the Committee  
15 on Foreign Relations of the Senate and the Com-  
16 mittee on Homeland Security and the Committee on  
17 Foreign Affairs of the House of Representatives.

18 (2) BUSINESS OPERATIONS.—The term “busi-  
19 ness operations” means engaging in commerce in  
20 any form, including acquiring, developing, maintain-  
21 ing, owning, selling, possessing, leasing, or operating  
22 equipment, facilities, personnel, products, services,  
23 personal property, real property, or any other appa-  
24 ratus of business or commerce.

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

4           (4) GOVERNMENT OF VENEZUELA.—(A) The  
5 term “Government of Venezuela” includes the gov-  
6 ernment of any political subdivision of Venezuela,  
7 and any agency or instrumentality of the Govern-  
8 ment of Venezuela.

9           (B) For purposes of subparagraph (A), the  
10 term “agency or instrumentality of the Govern-  
11 ment of Venezuela” means an agency or instru-  
12 mentality of a foreign state as defined in sec-  
13 tion 1603(b) of title 28, United States Code,  
14 with each reference in such section to “a for-  
15 eign state” deemed to be a reference to “Ven-  
16 ezuela”.

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

18           (A) a natural person, corporation, com-  
19 pany, business association, partnership, society,  
20 trust, or any other nongovernmental entity, or-  
21 ganization, or group;

22           (B) any governmental entity or instrumen-  
23 tality of a government; and

24           (C) any successor, subunit, parent entity,  
25 or subsidiary of, or any entity under common

1 ownership or control with, any entity described  
2 in subparagraph (A) or (B).

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

Passed the House of Representatives November 18,  
2024.

Attest: KEVIN F. MCCUMBER,  
*Clerk.*



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