

118TH CONGRESS
1ST SESSION

S. 995

To promote democracy in Venezuela, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2023

Mr. RISCH (for himself, Mr. RUBIO, Mr. HAGERTY, Mr. SCOTT of Florida, and Mr. BARRASSO) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote democracy in Venezuela, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Venezuelan Democracy Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Statement of policy.

Sec. 3. Appropriate congressional committees defined.

TITLE I—DETERMINATIONS OF A TRANSITION GOVERNMENT OR DEMOCRATICALLY ELECTED GOVERNMENT IN VENEZUELA

Sec. 101. Determinations of a transition government or democratically elected government in Venezuela.

TITLE II—PROMOTING DEMOCRATIC CHANGE IN VENEZUELA

- Sec. 201. United States policy regarding membership of Venezuela in international financial institutions.
- Sec. 202. United States policy regarding membership of Venezuela in the Organization of American States.
- Sec. 203. Authorization of support for democratic and human rights groups and international observers.
- Sec. 204. Support for the people of Venezuela.

TITLE III—SANCTIONS

- Sec. 301. Definitions.
- Sec. 302. Blocking international support for a nondemocratic government in Venezuela.
- Sec. 303. Financial sanctions with respect to debt instruments of Maduro regime.
- Sec. 304. Sanctions with respect to cryptocurrency of Venezuela and provision of related technologies.
- Sec. 305. Blocking property of the Government of Venezuela.
- Sec. 306. Determination with respect to designation of Maduro regime as a terrorist organization.
- Sec. 307. Suspension and termination of sanctions.
- Sec. 308. Implementation; penalties.
- Sec. 309. Report on specific licenses that authorize transactions with sanctioned persons.
- Sec. 310. Report on foreign persons doing business with the Maduro regime.

TITLE IV—ASSISTANCE TO A FREE AND INDEPENDENT VENEZUELA

- Sec. 401. Policy toward a transition government and a democratically elected government in Venezuela.
- Sec. 402. Assistance for the people of Venezuela.
- Sec. 403. Report on trade and investment relations between the United States and Venezuela.

TITLE V—GENERAL PROVISIONS

- Sec. 501. Effect of Act on lawful United States Government activities.
- Sec. 502. Exception relating to importation of goods.

1 SEC. 2. STATEMENT OF POLICY.

2 It is the policy of the United States—

- 3 (1) to seek a peaceful transition to democracy
- 4 and a resumption of economic growth in Venezuela
- 5 through support for the people of Venezuela and the
- 6 careful application of sanctions directed at the re-

1 regime of Nicolás Maduro and any nondemocratic suc-
2 cessor;

3 (2) to seek the cooperation of other democratic
4 countries in supporting a transition described in
5 paragraph (1);

6 (3) to make clear to other countries that, in de-
7 termining the relations of the United States with
8 those countries, the United States will take into ac-
9 count the willingness of those countries to cooperate
10 in supporting a transition described in paragraph
11 (1);

12 (4) to seek the speedy termination of any re-
13 maining military or technical assistance, subsidies,
14 or other forms of assistance to the Maduro regime
15 and any nondemocratic successor from the govern-
16 ment of any other country, including the govern-
17 ments of Cuba, the Islamic Republic of Iran, the
18 Russian Federation, and the People's Republic of
19 China;

20 (5) to continue to vigorously oppose violations
21 of internationally recognized human rights in Ven-
22 ezuela;

23 (6) to maintain sanctions on the Maduro regime
24 so long as it continues to refuse to move toward de-

1 mocratization and greater respect for internationally
2 recognized human rights; and

3 (7) to be prepared to reduce the sanctions im-
4 posed with respect to Venezuela in carefully cali-
5 brated ways in response to demonstrable progress
6 toward democratization in Venezuela, including the
7 establishment of a transition government that leads
8 to a democratically elected government in Venezuela.

9 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
10 **FINED.**

11 In this Act, the term “appropriate congressional com-
12 mittees” means the Committee on Foreign Relations of
13 the Senate and the Committee on Foreign Affairs of the
14 House of Representatives.

15 **TITLE I—DETERMINATIONS OF A**
16 **TRANSITION GOVERNMENT**
17 **OR DEMOCRATICALLY ELECT-**
18 **ED GOVERNMENT IN VEN-**
19 **EZUELA**

20 **SEC. 101. DETERMINATIONS OF A TRANSITION GOVERN-**
21 **MENT OR DEMOCRATICALLY ELECTED GOV-**
22 **ERNMENT IN VENEZUELA.**

23 (a) IN GENERAL.—Upon making a determination
24 that a transition government or a democratically elected
25 government is in power in Venezuela, the President shall

1 submit that determination to the appropriate congres-
2 sional committees.

3 (b) REQUIREMENTS FOR DETERMINING A TRANSI-
4 TION GOVERNMENT IS IN POWER IN VENEZUELA.—

5 (1) IN GENERAL.—For the purposes of making
6 a determination under subsection (a), a transition
7 government in Venezuela is a government that—

8 (A) is showing respect for the basic civil
9 liberties and internationally recognized human
10 rights of the citizens of Venezuela;

11 (B) has fully reinstated all members of the
12 National Assembly convened on January 6,
13 2016, following democratic elections that were
14 held on December 6, 2015;

15 (C) has lifted the order of contempt issued
16 by the Venezuelan Supreme Tribunal of Justice
17 (TSJ) on January 11, 2016, against the Na-
18 tional Assembly convened on January 6, 2016,
19 including by restoring all powers of said Na-
20 tional Assembly and the immunities for depu-
21 ties;

22 (D) has ceased to interfere with the func-
23 tioning of political parties, including by lifting
24 all judicial interventions of political parties has
25 legalized all political activity;

1 (E) has released all political prisoners and
2 allowed for investigations of Venezuelan prisons
3 by appropriate international human rights orga-
4 nizations;

5 (F) has dissolved the General Directorate
6 of Military Counterintelligence, the Special Ac-
7 tion Forces (FAES), and the Colectivos;

8 (G) has made public commitments to orga-
9 nizing free and fair elections for a new govern-
10 ment—

11 (i) to be held in a timely manner with-
12 in a period not to exceed 12 months after
13 the transition government assumes power;

14 (ii) with the participation of multiple
15 independent political parties that have full
16 access to the media on an equal basis, in-
17 cluding (in the case of radio, television, or
18 other telecommunications media) in terms
19 of allotments of time for such access and
20 the times of day such allotments are given;
21 and

22 (iii) to be conducted under the super-
23 vision of observers from the Organization
24 of American States, the United Nations,

1 and other internationally recognized elec-
2 tion observers;

3 (H) makes public commitments to and is
4 making demonstrable progress in—

5 (i) establishing an independent judici-
6 ary;

7 (ii) respecting internationally recog-
8 nized human rights and fundamental free-
9 doms as set forth in the Universal Declara-
10 tion of Human Rights, to which Venezuela
11 is a signatory; and

12 (iii) allowing the establishment of
13 independent social, economic, and political
14 associations; and

15 (I) does not include Nicolás Maduro or any
16 persons—

17 (i) with respect to which sanctions
18 have been imposed by the Office of Foreign
19 Assets Control; or

20 (ii) sought by the United States De-
21 partment of Justice.

22 (2) ADDITIONAL FACTORS.—In addition to the
23 requirements set forth in paragraph (1), in deter-
24 mining under subsection (a) whether a transition
25 government is in power in Venezuela, the President

1 shall take into account the extent to which that gov-
2 ernment—

3 (A) has made public commitments to, and
4 is making demonstrable progress in—

5 (i) effectively guaranteeing the rights
6 of free speech and freedom of the press, in-
7 cluding granting permits to privately
8 owned media and telecommunications com-
9 panies to operate in Venezuela;

10 (ii) implementing the recommenda-
11 tions included in the Final Report of the
12 European Union Election Observation Mis-
13 sion to observe the regional and municipal
14 elections on November 21, 2021, in Ven-
15 ezuela; and

16 (iii) assuring the right to private
17 property;

18 (B) is taking genuine efforts to extradite
19 or otherwise render to the United States all
20 persons sought by the United States Depart-
21 ment of Justice for crimes committed in the
22 United States;

23 (C) is not providing any support to any
24 group, in any other country, that seeks the vio-

1 lent overthrow of the government of that coun-
2 try; and

3 (D) has permitted the deployment through-
4 out Venezuela of independent and unfettered
5 international human rights monitors.

6 (c) REQUIREMENTS FOR DETERMINING A DEMO-
7 CRATICALLY ELECTED GOVERNMENT IS IN POWER IN
8 VENEZUELA.—For the purposes of making a determina-
9 tion under subsection (a), a democratically elected govern-
10 ment in Venezuela is a government that, in addition to
11 meeting the requirements of subsection (b)—

12 (1) results from free and fair elections—

13 (A) conducted under the supervision of
14 internationally recognized election observers;
15 and

16 (B) in which—

17 (i) opposition parties were permitted
18 ample time to organize and campaign for
19 such elections; and

20 (ii) all candidates were permitted full
21 access to the media;

22 (2) is showing respect for the basic civil lib-
23 erties and internationally recognized human rights of
24 the citizens of Venezuela;

1 (3) is committed to making constitutional
2 changes that would ensure regular free and fair elec-
3 tions and the full enjoyment of basic civil liberties
4 and internationally recognized human rights by the
5 citizens of Venezuela;

6 (4) has made demonstrable progress in estab-
7 lishing an independent judiciary; and

8 (5) has freed all wrongfully detained United
9 States nationals.

10 **TITLE II—PROMOTING DEMO-**
11 **CRATIC CHANGE IN VEN-**
12 **EZUELA**

13 **SEC. 201. UNITED STATES POLICY REGARDING MEMBER-**
14 **SHIP OF VENEZUELA IN INTERNATIONAL FI-**
15 **NANCIAL INSTITUTIONS.**

16 (a) IN GENERAL.—Except as provided in subsection
17 (b)(1), the Secretary of the Treasury shall instruct the
18 United States executive director of each covered inter-
19 national financial institution to use the voice and vote of
20 the United States to oppose the admission of Venezuela
21 as a member of that institution until the President sub-
22 mits to the appropriate congressional committees a deter-
23 mination under section 101(a) that a democratically elect-
24 ed government is in power in Venezuela.

1 (b) STEPS AFTER TRANSITION GOVERNMENT IN
2 POWER.—On and after the date on which the President
3 submits to the appropriate congressional committees a de-
4 termination under section 101(a) that a transition govern-
5 ment is in power in Venezuela—

6 (1) the President is encouraged to take steps to
7 support the processing of the application of Ven-
8 ezuela for membership in any covered international
9 financial institution, subject to the membership tak-
10 ing effect after a democratically elected government
11 is in power in Venezuela; and

12 (2) the Secretary of the Treasury is authorized
13 to instruct the United States executive director of
14 each covered international financial institution to
15 support loans or other assistance to Venezuela only
16 to the extent that such loans or assistance con-
17 tribute to a stable foundation for a democratically
18 elected government in Venezuela.

19 (c) REDUCTION IN UNITED STATES PAYMENTS TO
20 INTERNATIONAL FINANCIAL INSTITUTIONS.—

21 (1) IN GENERAL.—If a covered international fi-
22 nancial institution approves a loan or other assist-
23 ance to the regime of Nicolás Maduro or any non-
24 democratic successor government over the opposition
25 of the United States, the Secretary of the Treasury

1 shall withhold from payment to that institution an
2 amount equal to the amount of the loan or other as-
3 sistance, from either of the following types of pay-
4 ment:

5 (A) The paid-in portion of the increase in
6 capital stock of the institution.

7 (B) The callable portion of the increase in
8 capital stock of the institution.

9 (2) WAIVER.—The President may waive the re-
10 quirement under paragraph (1) if the President, not
11 later than 10 days before the waiver is to take ef-
12 fect, determines and certifies to the appropriate con-
13 gressional committees that such a waiver is in the
14 national interest of the United States. The President
15 shall submit with the certification a detailed jus-
16 tification explaining the reasons for the waiver.

17 (d) COVERED INTERNATIONAL FINANCIAL INSTITU-
18 TION DEFINED.—In this section, the term “covered inter-
19 national financial institution” means each of the following:

20 (1) The International Monetary Fund.

21 (2) The International Bank for Reconstruction
22 and Development.

23 (3) The International Development Association.

24 (4) The International Finance Corporation.

1 (5) The Multilateral Investment Guarantee
2 Agency.

3 (6) The Inter-American Development Bank.

4 **SEC. 202. UNITED STATES POLICY REGARDING MEMBER-**
5 **SHIP OF VENEZUELA IN THE ORGANIZATION**
6 **OF AMERICAN STATES.**

7 The President shall instruct the United States Per-
8 manent Representative to the Organization of American
9 States to use the voice and vote of the United States to
10 oppose any measure that would allow a nondemocratic
11 Government of Venezuela to participate in the Organiza-
12 tion until the President submits to the appropriate con-
13 gressional committees a determination under section
14 101(a) that a democratically elected government is in
15 power in Venezuela.

16 **SEC. 203. AUTHORIZATION OF SUPPORT FOR DEMOCRATIC**
17 **AND HUMAN RIGHTS GROUPS AND INTER-**
18 **NATIONAL OBSERVERS.**

19 (a) IN GENERAL.—Notwithstanding any other provi-
20 sion of law (other than section 634A of the Foreign Assist-
21 ance Act of 1961 (22 U.S.C. 2394–1) or any comparable
22 notification requirement contained in any Act making ap-
23 propriations for the Department of State, foreign oper-
24 ations, and related programs), the President may provide
25 assistance and other support for individuals and inde-

1 pendent nongovernmental organizations to support democ-
2 racy-building efforts in Venezuela, including as described
3 in subsections (b) and (c).

4 (b) ORGANIZATION OF AMERICAN STATES EMER-
5 GENCY FUND.—

6 (1) FOR SUPPORT OF INTERNATIONALLY REC-
7 OGNIZED HUMAN RIGHTS AND FREE AND FAIR
8 ELECTIONS.—The President shall take the necessary
9 steps to encourage the Organization of American
10 States to create a special emergency fund for the ex-
11 plicit purpose of deploying human rights observers
12 and individuals and organizations engaged in elec-
13 tion support and election observation in Venezuela.

14 (2) VOLUNTARY CONTRIBUTIONS FOR FUND.—
15 The President should provide not less than
16 \$5,000,000 of the voluntary contributions of the
17 United States to the Organization of American
18 States solely for the purposes of the special fund re-
19 ferred to in paragraph (1).

20 (c) ACTION OF OTHER MEMBER STATES.—The
21 President should instruct the United States Permanent
22 Representative to the Organization of American States to
23 encourage other member states of the Organization to join
24 in calling for the Government of Venezuela to allow the
25 immediate deployment of independent human rights mon-

1 itors of the Organization throughout Venezuela and on-
2 site visits to Venezuela by the Inter-American Commission
3 on Human Rights.

4 (d) DENIAL OF FUNDS TO GOVERNMENT OF VEN-
5 EZUELA.—In implementing this section, the President
6 shall take all necessary steps to ensure that no funds or
7 other assistance is provided to a nondemocratic Govern-
8 ment of Venezuela.

9 **SEC. 204. SUPPORT FOR THE PEOPLE OF VENEZUELA.**

10 (a) PROVISIONS OF LAW AFFECTED.—The provisions
11 of this section apply notwithstanding—

12 (1) any other provision of law, including section
13 620(a) of the Foreign Assistance Act of 1961 (22
14 U.S.C. 2370(a)); or

15 (2) the exercise of authorities, before the date
16 of the enactment of this Act, under—

17 (A) section 5(b) of the Trading With the
18 Enemy Act (50 U.S.C. 4305(b));

19 (B) the International Emergency Economic
20 Powers Act (50 U.S.C. 1701 et seq.); or

21 (C) the Export Control Reform Act of
22 2018 (50 U.S.C. 4801 et seq.).

23 (b) DONATIONS OF FOOD.—Nothing in this or any
24 other Act shall prohibit donations of food to independent

1 nongovernmental organizations or individuals in Ven-
2 ezuela.

3 (c) EXPORTS OF MEDICINES AND MEDICAL SUP-
4 PLIES.—

5 (1) IN GENERAL.—Subject to paragraphs (2)
6 and (3), the export of medicines or medical supplies,
7 instruments, or equipment to Venezuela shall not be
8 restricted, except—

9 (A) to the extent such a restriction would
10 be permitted under section 203(b)(2) of the
11 International Emergency Economic Powers Act
12 (50 U.S.C. 1702(b)(2)); or

13 (B) in a case in which the President deter-
14 mines—

15 (i) there is a reasonable likelihood
16 that the item to be exported will be used
17 for purposes of torture or other abuses of
18 internationally recognized human rights;

19 (ii) the item to be exported could be
20 used in the production or distribution of il-
21 licit narcotics or in activities related to ille-
22 gal mining; or

23 (iii) there is a reasonable likelihood
24 that the item to be exported will be reex-
25 ported.

1 (2) ON-SITE VERIFICATIONS REQUIRED.—

2 (A) IN GENERAL.—Except as provided by
3 subparagraph (B), medicines or medical sup-
4 plies, instruments, or equipment may be ex-
5 ported to Venezuela under paragraph (1) only
6 if the President determines that the United
7 States Government is able to verify, by on-site
8 inspections and other appropriate means, that
9 the item to be exported is to be used for the
10 purposes for which it was intended and only for
11 the use and benefit of the people of Venezuela.

12 (B) EXCEPTION.—Subparagraph (A) does
13 not apply to donations to independent non-
14 governmental organizations in Venezuela of
15 medicines for humanitarian purposes.

16 (3) LICENSES REQUIRED.—The export of medi-
17 cines or medical supplies, instruments, or equipment
18 to Venezuela under paragraph (1) shall be made
19 pursuant to specific licenses issued by the United
20 States Government.

21 (d) ASSISTANCE TO SUPPORT DEMOCRACY IN VEN-
22 EZUELA.—The United States Government may provide as-
23 sistance, through appropriate independent nongovern-
24 mental organizations, for the support of individuals and
25 organizations to promote democratic change in Venezuela.

TITLE III—SANCTIONS

SEC. 301. DEFINITIONS.

In this title:

(1) ENTITY.—The term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or organization.

(2) GOVERNMENT OF VENEZUELA.—The term “Government of Venezuela” includes—

(A) the state and Government of Venezuela;

(B) any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and Petróleos de Venezuela, S.A.;

(C) any person owned or controlled, directly or indirectly, by an entity described in subparagraph (A) or (B); and

(D) any person that has acted or purported to act directly or indirectly for or on behalf of, an entity described in subparagraph (A), (B), or (C), including as a member of the regime of Nicolás Maduro or any nondemocratic successor government in Venezuela.

(3) PERSON.—The term “person” means an individual or entity.

1 (4) UNITED STATES PERSON.—The term
2 “United States person” means—

3 (A) a United States citizen or alien law-
4 fully admitted for permanent residence to the
5 United States;

6 (B) any entity organized under the laws of
7 the United States or any jurisdiction within the
8 United States (including a foreign branch of
9 any such entity); and

10 (C) any person physically located in the
11 United States.

12 **SEC. 302. BLOCKING INTERNATIONAL SUPPORT FOR A**
13 **NONDEMOCRATIC GOVERNMENT IN VEN-**
14 **EZUELA.**

15 (a) VENEZUELAN TRADING PARTNERS.—The Presi-
16 dent should encourage the governments of countries that
17 conduct trade with Venezuela to restrict their trade and
18 credit relations with Venezuela in a manner consistent
19 with the purposes of this Act.

20 (b) SANCTIONS AGAINST COUNTRIES ASSISTING A
21 NONDEMOCRATIC GOVERNMENT IN VENEZUELA.—

22 (1) IN GENERAL.—The President may impose
23 the following sanctions with respect to any country
24 that provides assistance to the regime of Nicolás

1 Maduro or any nondemocratic successor government
2 in Venezuela:

3 (A) The President may determine that the
4 government of such country is not eligible for
5 nonhumanitarian assistance under the Foreign
6 Assistance Act of 1961 (22 U.S.C. 2151 et
7 seq.) or assistance or sales under the Arms Ex-
8 port Control Act (22 U.S.C. 2751 et seq.).

9 (B) The President may determine that the
10 country is not eligible, under any program, for
11 forgiveness or reduction of debt owed to the
12 United States Government.

13 (2) TERMINATION.—This section, and any
14 sanctions imposed pursuant to this section, shall
15 cease to apply at such time as the President submits
16 to the appropriate congressional committees a deter-
17 mination under section 101(a) that a democratically
18 elected government is in power in Venezuela.

19 (c) DEFINITIONS.—In this section:

20 (1) ASSISTANCE TO VENEZUELA.—The term
21 “assistance to Venezuela”—

22 (A) means assistance to or for the benefit
23 of the Government of Venezuela that is pro-
24 vided by grant, concessional sale, guaranty, or
25 insurance, or by any other means on terms

1 more favorable than that generally available in
2 the applicable market, whether in the form of
3 a loan, lease, credit, or otherwise;

4 (B) includes—

5 (i) subsidies for exports to Venezuela;

6 (ii) favorable tariff treatment of arti-
7 cles that are the growth, product, or manu-
8 facture of Venezuela; and

9 (iii) an exchange, reduction, or for-
10 giveness of debt owed by the Government
11 of Venezuela to a foreign country in return
12 for a grant of an equity interest in a prop-
13 erty, investment, or operation of the Gov-
14 ernment of Venezuela (including any agen-
15 cy or instrumentality of the Government of
16 Venezuela) or a national of Venezuela; and

17 (C) does not include—

18 (i) humanitarian assistance, including
19 donations of food, made available to non-
20 governmental organizations or individuals
21 in Venezuela; or

22 (ii) exports of medicines or medical
23 supplies, instruments, or equipment per-
24 mitted under section 204(c).

1 (2) AGENCY OR INSTRUMENTALITY OF THE
2 GOVERNMENT OF VENEZUELA.—The term “agency
3 or instrumentality of the Government of Venezuela”
4 has the meaning given the term “agency or instru-
5 mentality of a foreign state” in section 1603(b) of
6 title 28, United States Code, except that each ref-
7 erence in such section to “a foreign state” shall be
8 deemed to be a reference to “the Government of
9 Venezuela”.

10 **SEC. 303. FINANCIAL SANCTIONS WITH RESPECT TO DEBT**
11 **INSTRUMENTS OF MADURO REGIME.**

12 (a) PROHIBITION OF CERTAIN TRANSACTIONS.—

13 (1) IN GENERAL.—Beginning on the date of the
14 enactment of this Act, all transactions by a United
15 States person or within the United States that relate
16 to, provide financing for, or otherwise deal in debt
17 instruments issued by, for, or on behalf of *Petróleos*
18 *de Venezuela, S.A.*, or the regime of Nicolás Maduro
19 or any nondemocratic successor government in Ven-
20 ezuela, are prohibited.

21 (2) INCLUSIONS.—The prohibition under para-
22 graph (1) includes a prohibition on—

23 (A) entering into any transaction in—

24 (i) debt instruments with a maturity
25 of more than 90 days issued by *Petróleos*

1 de Venezuela, S.A., on or after the date of
2 the enactment of this Act;

3 (ii) debt instruments with a maturity
4 of more than 30 days or equity issued by
5 the Maduro regime on or after such date
6 of enactment, other than debt instruments
7 issued by Petróleos de Venezuela, S.A.,
8 covered by subparagraph (A);

9 (iii) bonds issued by the Maduro re-
10 gime before such date of enactment; or

11 (iv) dividend payments or other dis-
12 tributions of profits to the Maduro regime
13 from any entity owned or controlled, di-
14 rectly or indirectly, by the Maduro regime;

15 (B) the direct or indirect purchase of secu-
16 rities from the Maduro regime, other than—

17 (i) securities qualifying as debt instru-
18 ments issued by Petróleos de Venezuela,
19 S.A., covered by paragraph (1)(A); and

20 (ii) securities qualifying as debt in-
21 struments issued by the Maduro regime
22 covered by paragraph (1)(B);

23 (C) purchasing any debt owed to the
24 Maduro regime, including accounts receivable;

1 (D) entering into any transaction related
2 to any debt owed to the Maduro regime that is
3 pledged as collateral after May 21, 2018, in-
4 cluding accounts receivable;

5 (E) entering into any transaction involving
6 the selling, transferring, assigning, or pledging
7 as collateral by the Maduro regime of any eq-
8 uity interest in any entity in which the Maduro
9 regime has a 50 percent or greater ownership
10 interest;

11 (F) entering into any transaction that
12 evades or avoids, has the purpose of evading or
13 avoiding, causes a violation of, or attempts to
14 violate any of the prohibitions set forth in this
15 subsection; and

16 (G) any conspiracy formed to violate any
17 of the prohibitions set forth in this subsection.

18 (b) RULEMAKING.—

19 (1) IN GENERAL.—The Secretary of the Treas-
20 ury, in consultation with the Secretary of State, may
21 take such actions, including prescribing rules and
22 regulations, as are necessary to implement this sec-
23 tion.

24 (2) DELEGATION.—The Secretary of the Treas-
25 ury may redelegate the authority described in para-

1 graph (1) to other officers and agencies of the
2 United States Government.

3 (c) RESPONSIBILITY OF OTHER AGENCIES.—All
4 agencies of the United States Government shall take all
5 appropriate measures within their authority to carry out
6 the provisions of this section.

7 **SEC. 304. SANCTIONS WITH RESPECT TO**
8 **CRYPTOCURRENCY OF VENEZUELA AND PRO-**
9 **VISION OF RELATED TECHNOLOGIES.**

10 (a) PROHIBITION OF CERTAIN TRANSACTIONS.—

11 (1) IN GENERAL.—Beginning on the date of the
12 enactment of this Act, the following transactions are
13 prohibited:

14 (A) Any transaction by a United States
15 person or within the United States that relate
16 to, provide financing for, or otherwise deal in
17 any digital currency, digital coin, or digital
18 token, that was issued by, for, or on behalf of
19 the regime of Nicolás Maduro or any nondemo-
20 cratic successor government.

21 (B) Any transaction that evades or avoids,
22 has the purpose of evading or avoiding, causes
23 a violation of, or attempts to violate the prohi-
24 bition under subparagraph (A).

1 (C) Any conspiracy formed to violate a
2 prohibition under subparagraph (A) or (B).

3 (2) APPLICABILITY.—The prohibitions under
4 paragraph (1) shall apply—

5 (A) to the extent provided by statutes, or
6 in regulations, orders, directives, or licenses
7 that may be issued pursuant to this section;
8 and

9 (B) notwithstanding any contract entered
10 into or any license or permit granted before the
11 date of the enactment of this Act.

12 (b) RULEMAKING.—

13 (1) IN GENERAL.—The Secretary of the Treas-
14 ury, in consultation with the Secretary of State, may
15 take such actions, including prescribing rules and
16 regulations, as are necessary to implement this sec-
17 tion.

18 (2) DELEGATION.—The Secretary of the Treas-
19 ury may redelegate the authority described in para-
20 graph (1) to other officers and agencies of the
21 United States Government.

22 (c) RESPONSIBILITY OF OTHER AGENCIES.—All
23 agencies of the United States Government shall take all
24 appropriate measures within their authority to carry out
25 the provisions of this section.

1 **SEC. 305. BLOCKING PROPERTY OF THE GOVERNMENT OF**
2 **VENEZUELA.**

3 (a) **BLOCKING OF PROPERTY.**—The President shall
4 exercise all powers granted to the President by the Inter-
5 national Emergency Economic Powers Act (50 U.S.C.
6 1701 et seq.) to the extent necessary to block and prohibit
7 all transactions in all property and interests in property
8 of the Government of Venezuela and any person described
9 in subsection (b) if such property and interests in property
10 are in the United States, come within the United States,
11 or are or come within the possession or control of a United
12 States person.

13 (b) **PERSONS DESCRIBED.**—A person described in
14 this subsection is any person determined by the Secretary
15 of the Treasury, in consultation with the Secretary of
16 State—

17 (1) to have materially assisted, sponsored, or
18 provided financial, material, or technological support
19 for, or goods or services to or in support of, any per-
20 son—

21 (A) included on the list of specially des-
22 ignated nationals and blocked persons main-
23 tained by the Office of Foreign Assets Control;
24 and

1 (B) the property and interests in property
2 of which are blocked pursuant to subsection (a);

3 or

4 (2) to be owned or controlled by, or to have
5 acted or purported to act for or on behalf of, directly
6 or indirectly, any person the property and interests
7 in property of which are blocked pursuant to sub-
8 section (a).

9 (c) PROHIBITIONS ON EVASION AND CONSPIR-
10 ACIES.—

11 (1) EVASION.—Any transaction that evades or
12 avoids, has the purpose of evading or avoiding,
13 causes a violation of, or attempts to violate, the pro-
14 hibition under subsection (a) is prohibited.

15 (2) CONSPIRACY.—Any conspiracy formed to
16 violate the prohibition under subsection (a) is pro-
17 hibited.

18 (d) APPLICABILITY.—Subsection (a) and the prohibi-
19 tions under subsection (c) shall apply—

20 (1) to the extent provided by statutes, or in reg-
21 ulations, orders, directives, or licenses that may be
22 issued pursuant to this section; and

23 (2) notwithstanding any contract entered into
24 or any license or permit granted before the date of
25 the enactment of this Act.

1 (e) RULEMAKING.—

2 (1) IN GENERAL.—The Secretary of the Treas-
3 ury, in consultation with the Secretary of State, may
4 take such actions, including prescribing rules and
5 regulations, as are necessary to implement this sec-
6 tion.

7 (2) DELEGATION.—The Secretary of the Treas-
8 ury may redelegate the authority described in para-
9 graph (1) to other officers and agencies of the
10 United States Government.

11 (f) RESPONSIBILITY OF OTHER AGENCIES.—All
12 agencies of the United States Government shall take all
13 appropriate measures within their authority to carry out
14 the provisions of this section.

15 **SEC. 306. DETERMINATION WITH RESPECT TO DESIGNA-**
16 **TION OF MADURO REGIME AS A TERRORIST**
17 **ORGANIZATION.**

18 (a) IN GENERAL.—Not later than 30 days after the
19 date of the enactment of this Act, the Secretary of State,
20 in consultation with the Director of National Intelligence,
21 shall submit to the appropriate congressional commit-
22 tees—

23 (1) a determination with respect to whether the
24 regime of Nicolàs Maduro meets the criteria for des-
25 ignation as—

1 (A) a foreign terrorist organization under
2 section 219 of the Immigration and Nationality
3 Act (8 U.S.C. 1189); or

4 (B) a specially designated global terrorist
5 organization under Executive Order 13224 (50
6 U.S.C. 1701 note; relating to blocking property
7 and prohibiting transactions with persons who
8 commit, threaten to commit, or support ter-
9 rorism), as amended before, on, or after the
10 date of the enactment of this Act; and

11 (2) if the Secretary determines that the Maduro
12 regime does not meet such criteria, a detailed jus-
13 tification with respect to which of such criteria have
14 not been met.

15 (b) FORM.—The determination required by sub-
16 section (a) shall be submitted in unclassified form, but
17 may include classified annex.

18 **SEC. 307. SUSPENSION AND TERMINATION OF SANCTIONS.**

19 (a) **AUTHORITY TO SUSPEND SANCTIONS IF TRANSI-**
20 **TION GOVERNMENT IN POWER.**—Upon submitting to the
21 appropriate congressional committees a determination
22 under section 101(a) that a transition government is in
23 power in Venezuela, the President, after consultation with
24 Congress, may take steps to suspend the sanctions im-
25 posed under this title, to the extent that such steps con-

1 tribute to a stable foundation for a democratically elected
2 government in Venezuela.

3 (b) TERMINATION OF SANCTIONS IF DEMOCRAT-
4 ICALLY ELECTED GOVERNMENT IN POWER.—Upon sub-
5 mitting to the appropriate congressional committees a de-
6 termination under section 101(a) that a democratically
7 elected government is in power in Venezuela, the President
8 shall take steps to terminate the sanctions imposed under
9 this title.

10 (c) REVIEW OF SUSPENSION OF SANCTIONS.—

11 (1) REPORTING REQUIREMENTS.—If the Presi-
12 dent takes action under subsection (a) to suspend
13 the sanctions imposed under this title, the President
14 shall—

15 (A) immediately notify Congress of that
16 action; and

17 (B) submit to Congress, not less frequently
18 than every 180 days thereafter until the Presi-
19 dent submits to the appropriate congressional
20 committees a determination under section
21 101(a) that a democratically elected govern-
22 ment is in power in Venezuela, a report on the
23 progress being made by Venezuela toward the
24 establishment of a democratically elected gov-
25 ernment.

1 (2) CONGRESSIONAL REVIEW.—

2 (A) JOINT RESOLUTION OF DISAPPROVAL
3 DEFINED.—In this paragraph, the term “joint
4 resolution of disapproval” means a joint resolu-
5 tion, the sole matter after the resolving clause
6 of which is as follows: “That Congress dis-
7 approves the action of the President under sec-
8 tion 307(a) of the Venezuelan Democracy Act
9 to suspend the sanctions imposed under title II
10 of that Act, notice of which was submitted to
11 the Congress on _____.”, with the blank
12 space being filled with the date on which the
13 President notified Congress with respect to the
14 action under paragraph (1)(A).

15 (B) EFFECT OF ENACTMENT.—An action
16 taken by the President under subsection (a)
17 shall cease to be effective upon the enactment
18 of a joint resolution of disapproval with respect
19 to that action.

20 (C) REFERRAL TO COMMITTEES.—

21 (i) SENATE.—A joint resolution of
22 disapproval introduced in the Senate shall
23 be referred to the Committee on Foreign
24 Relations.

1 (ii) HOUSE OF REPRESENTATIVES.—A
2 joint resolution of disapproval introduced
3 in the House of Representatives shall be
4 referred to the Committee on Foreign Af-
5 fairs.

6 (D) PROCEDURES.—

7 (i) SENATE.—A joint resolution of
8 disapproval shall be considered in the Sen-
9 ate in accordance with the provisions of
10 section 601(b) of the International Secu-
11 rity Assistance and Arms Export Control
12 Act of 1976 (Public Law 94–329; 90 Stat.
13 765).

14 (ii) HOUSE OF REPRESENTATIVES.—
15 For the purpose of expediting the consider-
16 ation and enactment of a joint resolution
17 of disapproval, a motion to proceed to the
18 consideration of such a resolution after it
19 has been reported by the appropriate com-
20 mittee under subparagraph (C) shall be
21 treated as highly privileged in the House of
22 Representatives.

23 (iii) LIMITATION.—Not more than one
24 joint resolution of disapproval may be con-

1 sidered in the Senate and the House of
2 Representatives in—

3 (I) the 180-day period beginning
4 on the date on which the President
5 notifies Congress under paragraph
6 (1)(A) with respect to action taken
7 under subsection (a); and

8 (II) each 180-day period there-
9 after.

10 (E) RULES OF HOUSE OF REPRESENTA-
11 TIVES AND SENATE.—This paragraph is en-
12 acted by Congress—

13 (i) as an exercise of the rulemaking
14 power of the Senate and the House of Rep-
15 resentatives, respectively, and as such is
16 deemed a part of the rules of each House,
17 respectively, and supersedes other rules
18 only to the extent that it is inconsistent
19 with such rules; and

20 (ii) with full recognition of the con-
21 stitutional right of either House to change
22 the rules (so far as relating to the proce-
23 dure of that House) at any time, in the
24 same manner, and to the same extent as in
25 the case of any other rule of that House.

1 **SEC. 308. IMPLEMENTATION; PENALTIES.**

2 (a) IMPLEMENTATION; PENALTIES.—

3 (1) IMPLEMENTATION.—The President may ex-
4 ercise all authorities provided to the President under
5 sections 203 and 205 of the International Emer-
6 gency Economic Powers Act (50 U.S.C. 1702 and
7 1704) to carry out this title.

8 (2) PENALTIES.—A person that violates, at-
9 tempts to violate, conspires to violate, or causes a
10 violation of this title or any regulation, license, or
11 order issued to carry out this title shall be subject
12 to the penalties set forth in subsections (b) and (c)
13 of section 206 of the International Emergency Eco-
14 nomic Powers Act (50 U.S.C. 1705) to the same ex-
15 tent as a person that commits an unlawful act de-
16 scribed in subsection (a) of that section.

17 (3) WAIVER.—The President may waive the ap-
18 plication of sanctions under this title with respect to
19 a foreign person if the President, not later than 10
20 days before the waiver is to take effect, determines
21 and certifies to the appropriate congressional com-
22 mittees that such a waiver is in the vital national se-
23 curity interest of the United States. The President
24 shall submit with the certification a detailed jus-
25 tification explaining the reasons for the waiver.

1 **SEC. 309. REPORT ON SPECIFIC LICENSES THAT AUTHOR-**
2 **IZE TRANSACTIONS WITH SANCTIONED PER-**
3 **SONS.**

4 (a) REPORT REQUIRED.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, and
7 every 90 days thereafter, the Secretary of the Treas-
8 ury, in coordination with the Secretary of State,
9 shall submit to the committees specified in sub-
10 section (c) a report that includes a list of specific li-
11 censes issued by the Secretary of the Treasury dur-
12 ing the period specified in paragraph (2) that au-
13 thorize any transaction with a person with respect to
14 which sanctions have been imposed under section
15 303, 304, or 305.

16 (2) PERIOD SPECIFIED.—The period specified
17 in this paragraph is—

18 (A) in the case of the first report required
19 by paragraph (1), the 180-day period preceding
20 submission of the report; and

21 (B) in the case of any subsequent report
22 required by that paragraph, the 90-day period
23 preceding submission of the report.

24 (b) SUBMISSION OF COPIES OF LICENSES ON RE-
25 QUEST.—The Secretary of the Treasury shall expedi-
26 tiously provide to the committees specified in subsection

1 (c) a copy of any license identified in a report submitted
 2 under subsection (a) if an appropriate Member of Con-
 3 gress requests a copy of that license not later than 60
 4 days after the report is submitted.

5 (c) COMMITTEES SPECIFIED.—The committees speci-
 6 fied in this subsection are—

7 (1) the Committee on Banking, Housing, and
 8 Urban Affairs and the Committee on Foreign Rela-
 9 tions of the Senate; and

10 (2) the Committee on Financial Services and
 11 the Committee on Foreign Affairs of the House of
 12 Representatives.

13 **SEC. 310. REPORT ON FOREIGN PERSONS DOING BUSINESS**
 14 **WITH THE MADURO REGIME.**

15 Not later than 180 days after the date of the enact-
 16 ment of this Act, the Secretary of State, in consultation
 17 with the heads of other relevant Federal agencies, shall
 18 submit to the appropriate congressional committees a re-
 19 port that identifies any foreign person that—

20 (1) engages in or has engaged in a significant
 21 transaction or transactions, or any other dealings
 22 with, or has provided material support to or for—

23 (A) the Government of Venezuela;

24 (B) any person the President determines
 25 to be knowingly responsible for or complicit in,

1 or responsible for ordering, controlling, or oth-
2 erwise directing, or to have participated in, di-
3 rectly or indirectly—

4 (i) actions or policies that significantly
5 undermine democratic processes or institu-
6 tions;

7 (ii) significant acts of violence or con-
8 duct that constitute serious human rights
9 abuse, including against persons involved
10 in antigovernment protests in Venezuela on
11 or after February 1, 2014;

12 (iii) actions that prohibit, limit, or pe-
13 nalize the exercise of freedom of expression
14 or peaceful assembly; or

15 (iv) significant public corruption by
16 senior officials within the Government of
17 Venezuela; or

18 (C) any entity that has, or whose members
19 have, engaged in any activity described in sub-
20 paragraph (B);

21 (2) operates in the gold, financial, energy, ship-
22 ping, or shipbuilding sector of the economy of Ven-
23 ezuela;

24 (3) operates in the ports, free trade zones, or
25 special economic zones of Venezuela;

1 (4) is owned or controlled by a foreign person
2 described in paragraph (1), (2), or (3); or

3 (5) has knowingly materially assisted, spon-
4 sored, or provided significant financial, material, or
5 technological support for, or goods or services in
6 support of, a foreign person described in paragraph
7 (1), (2), or (3).

8 **TITLE IV—ASSISTANCE TO A**
9 **FREE AND INDEPENDENT**
10 **VENEZUELA**

11 **SEC. 401. POLICY TOWARD A TRANSITION GOVERNMENT**
12 **AND A DEMOCRATICALLY ELECTED GOVERN-**
13 **MENT IN VENEZUELA.**

14 It is the policy of the United States—

15 (1) to support the self-determination of the peo-
16 ple of Venezuela;

17 (2) to recognize that the self-determination of
18 the people of Venezuela is a sovereign and national
19 right of the citizens of Venezuela, which must be ex-
20 ercised free of interference by the government of any
21 other country;

22 (3) to encourage the people of Venezuela to em-
23 power themselves with a government that reflects
24 the self-determination of the people of Venezuela;

1 (4) to recognize the potential for a difficult
2 transition from the current regime in Venezuela,
3 which may result from the initiatives taken by the
4 people of Venezuela for self-determination in re-
5 sponse to the intransigence of the regime of Nicolàs
6 Maduro in not allowing any substantive political or
7 economic reforms;

8 (5) to be prepared to provide the people of Ven-
9 ezuela with humanitarian, developmental, and other
10 economic assistance;

11 (6) in solidarity with the people of Venezuela,
12 to provide appropriate forms of assistance—

13 (A) to a transition government in Ven-
14 ezuela;

15 (B) to facilitate the rapid movement from
16 such a transition government to a democrat-
17 ically elected government in Venezuela, which
18 results from an expression of the self-deter-
19 mination of the people of Venezuela; and

20 (C) to support such a democratically elect-
21 ed government;

22 (7) through such assistance, to facilitate a
23 peaceful transition to representative democracy and
24 a market economy in Venezuela and to consolidate
25 democracy in Venezuela;

1 (8) to deliver such assistance to the people of
2 Venezuela only through—

3 (A) a transition government in Venezuela;

4 (B) a democratically elected government in
5 Venezuela;

6 (C) United States Federal departments
7 and agencies; or

8 (D) United States, international, or appro-
9 priate local nongovernmental organizations;

10 (9) to encourage other countries and multilat-
11 eral organizations to provide similar assistance, and
12 to work cooperatively with such countries and orga-
13 nizations to coordinate such assistance;

14 (10) to ensure that appropriate assistance is
15 rapidly provided and distributed to the people of
16 Venezuela upon the institution of a transition gov-
17 ernment in Venezuela;

18 (11) not to provide favorable treatment or influ-
19 ence on behalf of any individual or entity in the se-
20 lection by the people of Venezuela of their future
21 government;

22 (12) to assist a transition government in Ven-
23 ezuela and a democratically elected government in
24 Venezuela to prepare the Venezuelan military forces
25 for an appropriate role in a democracy;

1 (13) to take steps to remove economic and dip-
2 lomatic sanctions imposed with respect to Ven-
3 ezuelan persons, as appropriate, when the President
4 determines that a transition to a democratically
5 elected government in Venezuela has begun;

6 (14) to assist a democratically elected govern-
7 ment in Venezuela to strengthen and stabilize the
8 national currency of Venezuela; and

9 (15) to pursue mutually beneficial trade rela-
10 tions with a free, democratic, and independent Ven-
11 ezuela.

12 **SEC. 402. ASSISTANCE FOR THE PEOPLE OF VENEZUELA.**

13 (a) PLANS FOR PROVIDING ASSISTANCE.—

14 (1) DEVELOPMENT OF PLANS.—

15 (A) IN GENERAL.—The President shall de-
16 velop—

17 (i) a plan for providing assistance to
18 Venezuela under a transition government;
19 and

20 (ii) a plan for providing assistance to
21 Venezuela under a democratically elected
22 government.

23 (B) STRATEGY FOR DISTRIBUTION.—Each
24 plan developed under subparagraph (A) shall

1 include a strategy for distributing assistance
2 under the plan.

3 (2) TYPES OF ASSISTANCE.—

4 (A) TRANSITION GOVERNMENT.—

5 (i) IN GENERAL.—Except as provided
6 in clause (ii), assistance to Venezuela
7 under a transition government under the
8 plan developed under paragraph (1)(A)(i)
9 shall be limited to—

10 (I) such food, medicine, medical
11 supplies and equipment, and assist-
12 ance to meet emergency energy needs,
13 as is necessary to meet the basic
14 human needs of the people of Ven-
15 ezuela; and

16 (II) assistance described in sub-
17 paragraph (C).

18 (ii) ADDITIONAL ASSISTANCE.—As-
19 sistance in addition to assistance under
20 clause (i) may be provided to Venezuela
21 under a transition government if the Presi-
22 dent certifies to the appropriate congres-
23 sional committees, in accordance with pro-
24 cedures applicable to reprogramming noti-
25 fications under section 634A of the For-

1 eign Assistance Act of 1961 (22 U.S.C.
2 2394–1), that such assistance is essential
3 to the successful and timely completion of
4 the transition to democracy.

5 (B) DEMOCRATICALLY ELECTED GOVERN-
6 MENT.—Assistance to Venezuela under a demo-
7 cratically elected government under the plan de-
8 veloped under paragraph (1)(A)(ii) may include,
9 in addition to assistance available under sub-
10 paragraphs (A) and (C)—

11 (i) assistance under—

12 (I) chapter 1 of part I of the
13 Foreign Assistance Act of 1961 (22
14 U.S.C. 2151 et seq.) (relating to de-
15 velopment assistance); and

16 (II) chapter 4 of part II of that
17 Act (22 U.S.C. 2346 et seq.) (relating
18 to the economic support fund);

19 (ii) assistance under the Food for
20 Peace Act (7 U.S.C. 1691 et seq.);

21 (iii) financing, guarantees, and other
22 forms of assistance provided by the Ex-
23 port-Import Bank of the United States;

24 (iv) support provided by the United
25 States International Development Finance

1 Corporation for investment projects in
2 Venezuela;

3 (v) assistance provided by the Trade
4 and Development Agency;

5 (vi) Peace Corps programs; and

6 (vii) other appropriate assistance to
7 carry out the policy set forth in section
8 401.

9 (C) MILITARY ADJUSTMENT ASSIST-
10 ANCE.—Assistance to a transition government
11 in Venezuela and to a democratically elected
12 government in Venezuela shall also include as-
13 sistance in preparing the Venezuelan military
14 forces to adjust to an appropriate role in a de-
15 mocracy.

16 (3) DISTRIBUTION.—Assistance under a plan
17 developed under paragraph (1) shall be provided
18 through United States Federal departments and
19 agencies and nongovernmental organizations and
20 private and voluntary organizations, whether within
21 or outside the United States, including humani-
22 tarian, educational, labor, and private sector organi-
23 zations.

24 (4) COMMUNICATION WITH PEOPLE OF VEN-
25 EZUELA.—The President shall take the necessary

1 steps to communicate to the people of Venezuela the
2 plans for assistance developed under paragraph (1).

3 (5) REPORT TO CONGRESS.—Not later than 90
4 days after the date of the enactment of this Act, the
5 President shall submit to the appropriate congress-
6 sional committees a report describing in detail the
7 plans developed under paragraph (1).

8 (b) IMPLEMENTATION OF PLANS; REPORTS TO CON-
9 GRESS.—

10 (1) IMPLEMENTATION WITH RESPECT TO TRAN-
11 SITION GOVERNMENT.—Upon submitting to the ap-
12 propriate congressional committees a determination
13 under section 101(a) that a transition government is
14 in power in Venezuela, the President shall commence
15 the delivery and distribution of assistance to the
16 transition government under the plan developed
17 under subsection (a)(1)(A)(i).

18 (2) REPORTS TO CONGRESS.—

19 (A) PLAN FOR ASSISTANCE UNDER TRAN-
20 SITION GOVERNMENT.—The President shall
21 submit to the appropriate congressional com-
22 mittees a report—

23 (i) setting forth the plan developed
24 under subsection (a)(1)(A)(i) for providing

1 assistance to Venezuela under a transition
2 government; and

3 (ii) describing the types of assistance,
4 and the extent to which such assistance
5 has been distributed, in accordance with
6 the plan.

7 (B) DEADLINES FOR SUBMISSION.—The
8 President shall submit to the appropriate con-
9 gressional committees—

10 (i) a preliminary report described in
11 subparagraph (A) not later than 15 days
12 after making the determination described
13 in paragraph (1); and

14 (ii) the final report described in sub-
15 paragraph (A) not later than 90 days after
16 making that determination.

17 (3) IMPLEMENTATION WITH RESPECT TO
18 DEMOCRATICALLY ELECTED GOVERNMENT.—Upon
19 submitting to the appropriate congressional commit-
20 tees a determination under section 101(a) that a
21 democratically elected government is in power in
22 Venezuela, the President shall commence the deliv-
23 ery and distribution of assistance to the democrat-
24 ically elected government under the plan developed
25 under subsection (a)(1)(A)(ii).

1 (4) ANNUAL REPORTS TO CONGRESS.—Not
2 later than 60 days after the end of each fiscal year,
3 the President shall submit to the appropriate con-
4 gressional committees a report on the assistance
5 provided under the plans developed under subsection
6 (a), including—

7 (A) a description of each type of assistance
8 and the amounts expended for such assistance
9 during the preceding fiscal year; and

10 (B) a description of the assistance to be
11 provided under the plans in the fiscal year in
12 which the report is submitted.

13 (c) COORDINATING OFFICIAL.—The President shall
14 designate a coordinating official who shall be responsible
15 for—

16 (1) implementing the strategies for distributing
17 assistance described in subsection (a)(1)(B);

18 (2) ensuring the speedy and efficient distribu-
19 tion of such assistance; and

20 (3) ensuring coordination among, and appro-
21 priate oversight by, the agencies of the United
22 States that provide assistance described in section
23 402(a), including resolving any disputes among such
24 agencies.

1 (d) REPROGRAMMING.—Any changes in the assist-
2 ance to be provided under a plan developed under sub-
3 section (a) may not be made unless the President notifies
4 the appropriate congressional committees at least 15 days
5 in advance in accordance with the procedures applicable
6 to reprogramming notifications under section 634A of the
7 Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

8 (e) FUNDING LIMITATION.—Assistance may be pro-
9 vided under this section only if amounts are authorized
10 to be appropriated, and are appropriated, to provide such
11 assistance.

12 (f) INTERNATIONAL EFFORTS.—The President shall
13 take the necessary steps—

14 (1) to seek to obtain the agreement of other
15 countries and of international financial institutions
16 and multilateral organizations to provide to a transi-
17 tion government in Venezuela, and to a democrat-
18 ically elected government in Venezuela, assistance
19 comparable to that provided by the United States
20 under this section; and

21 (2) to work with such countries, institutions,
22 and organizations to coordinate all such assistance
23 programs.

1 **SEC. 403. REPORT ON TRADE AND INVESTMENT RELATIONS**
2 **BETWEEN THE UNITED STATES AND VEN-**
3 **EZUELA.**

4 (a) **REPORT TO CONGRESS.**—Upon submitting to the
5 appropriate congressional committees a determination
6 under section 101(a) that a democratically elected govern-
7 ment is in power in Venezuela, the President shall submit
8 to the Committee on Ways and Means of the House of
9 Representatives, the Committee on Finance of the Senate,
10 and the appropriate congressional committees a report
11 that describes—

12 (1) acts, policies, and practices that constitute
13 significant barriers to, or distortions of, United
14 States trade in goods or services or foreign direct in-
15 vestment with respect to Venezuela; and

16 (2) policy objectives of the United States re-
17 garding trade relations with a democratically elected
18 government in Venezuela, and the reasons for such
19 objectives, including possible reciprocal extension of
20 nondiscriminatory trade treatment (most-favored-na-
21 tion treatment).

22 (b) **CONSULTATION.**—With respect to the policy ob-
23 jectives described in subsection (a), the President shall—

24 (1) consult with the Committee on Ways and
25 Means of the House of Representatives, the Com-

1 mittee on Finance of the Senate, and the appro-
2 priate congressional committees; and

3 (2) seek advice from the appropriate advisory
4 committees established under section 135 of the
5 Trade Act of 1974 (19 U.S.C. 2155).

6 **TITLE V—GENERAL PROVISIONS**

7 **SEC. 501. EFFECT OF ACT ON LAWFUL UNITED STATES**

8 **GOVERNMENT ACTIVITIES.**

9 Nothing in this Act prohibits any lawfully authorized
10 investigative, protective, or intelligence activity of a law
11 enforcement agency, or of an intelligence agency, of the
12 United States.

13 **SEC. 502. EXCEPTION RELATING TO IMPORTATION OF**

14 **GOODS.**

15 (a) **IN GENERAL.**—Notwithstanding any other provi-
16 sion of this Act, the authorities and requirements to im-
17 pose sanctions under this Act shall not include the author-
18 ity or a requirement to impose sanctions on the importa-
19 tion of goods.

20 (b) **GOOD DEFINED.**—In this section, the term
21 “good” means any article, natural or manmade substance,
22 material, supply or manufactured product, including in-
23 spection and test equipment, and excluding technical data.

○