

117TH CONGRESS  
2D SESSION

# S. 5317

To promote democracy in Venezuela, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 20, 2022

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

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## 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.

## 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-
- 7 gime of Nicolás Maduro and any nondemocratic suc-
- 8 cessor;

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

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

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

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

21          (6) to maintain sanctions on the Maduro regime  
22 so long as it continues to refuse to move toward de-  
23 mocratization and greater respect for internationally  
24 recognized human rights; and

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

7 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
 8 **FINED.**

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

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

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

21          (a) IN GENERAL.—Upon making a determination  
 22          that a transition government or a democratically elected  
 23          government is in power in Venezuela, the President shall  
 24          submit that determination to the appropriate congres-  
 25          sional committees.

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

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

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

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

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

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

24          (E) has released all political prisoners and  
25      allowed for investigations of Venezuelan prisons

1 by appropriate international human rights orga-  
2 nizations;

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

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

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

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

20 (iii) to be conducted under the super-  
21 vision of observers from the Organization  
22 of American States, the United Nations,  
23 and other internationally recognized elec-  
24 tion observers;

1 (H) makes public commitments to and is  
2 making demonstrable progress in—

3 (i) establishing an independent judici-  
4 ary;

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

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

13 (I) does not include Nicolás Maduro or any  
14 persons—

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

18 (ii) sought by the United States De-  
19 partment of Justice.

20 (2) ADDITIONAL FACTORS.—In addition to the  
21 requirements set forth in paragraph (1), in deter-  
22 mining under subsection (a) whether a transition  
23 government is in power in Venezuela, the President  
24 shall take into account the extent to which that gov-  
25 ernment—

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

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

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

14 (iii) assuring the right to private  
15 property;

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

21 (C) is not providing any support to any  
22 group, in any other country, that seeks the vio-  
23 lent overthrow of the government of that coun-  
24 try; and

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

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

10 (1) results from free and fair elections—

11 (A) conducted under the supervision of  
 12 internationally recognized election observers;  
 13 and

14 (B) in which—

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

18 (ii) all candidates were permitted full  
 19 access to the media;

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

23 (3) is committed to making constitutional  
 24 changes that would ensure regular free and fair elec-  
 25 tions and the full enjoyment of basic civil liberties

1 and internationally recognized human rights by the  
2 citizens of Venezuela;

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

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

7 **TITLE II—PROMOTING DEMO-**  
8 **CRATIC CHANGE IN VEN-**  
9 **EZUELA**

10 **SEC. 201. UNITED STATES POLICY REGARDING MEMBER-**  
11 **SHIP OF VENEZUELA IN INTERNATIONAL FI-**  
12 **NANCIAL INSTITUTIONS.**

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

22 (b) STEPS AFTER TRANSITION GOVERNMENT IN  
23 POWER.—On and after the date on which the President  
24 submits to the appropriate congressional committees a de-

1 termination under section 101(a) that a transition govern-  
2 ment is in power in Venezuela—

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

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

16 (c) REDUCTION IN UNITED STATES PAYMENTS TO  
17 INTERNATIONAL FINANCIAL INSTITUTIONS.—

18 (1) IN GENERAL.—If a covered international fi-  
19 nancial institution approves a loan or other assist-  
20 ance to the regime of Nicolás Maduro or any non-  
21 democratic successor government over the opposition  
22 of the United States, the Secretary of the Treasury  
23 shall withhold from payment to that institution an  
24 amount equal to the amount of the loan or other as-

1       sistance, from either of the following types of pay-  
2       ment:

3               (A) The paid-in portion of the increase in  
4       capital stock of the institution.

5               (B) The callable portion of the increase in  
6       capital stock of the institution.

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

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

18              (1) The International Monetary Fund.

19              (2) The International Bank for Reconstruction  
20      and Development.

21              (3) The International Development Association.

22              (4) The International Finance Corporation.

23              (5) The Multilateral Investment Guarantee  
24      Agency.

25              (6) The Inter-American Development Bank.

1 **SEC. 202. UNITED STATES POLICY REGARDING MEMBER-**  
2 **SHIP OF VENEZUELA IN THE ORGANIZATION**  
3 **OF AMERICAN STATES.**

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

13 **SEC. 203. AUTHORIZATION OF SUPPORT FOR DEMOCRATIC**  
14 **AND HUMAN RIGHTS GROUPS AND INTER-**  
15 **NATIONAL OBSERVERS.**

16       (a) IN GENERAL.—Notwithstanding any other provi-  
17 sion of law (other than section 634A of the Foreign Assist-  
18 ance Act of 1961 (22 U.S.C. 2394–1) or any comparable  
19 notification requirement contained in any Act making ap-  
20 propriations for the Department of State, foreign oper-  
21 ations, and related programs), the President may provide  
22 assistance and other support for individuals and inde-  
23 pendent nongovernmental organizations to support democ-  
24 racy-building efforts in Venezuela, including as described  
25 in subsections (b) and (c).

1 (b) ORGANIZATION OF AMERICAN STATES EMER-  
2 GENCY FUND.—

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

11 (2) VOLUNTARY CONTRIBUTIONS FOR FUND.—  
12 The President should provide not less than  
13 \$5,000,000 of the voluntary contributions of the  
14 United States to the Organization of American  
15 States solely for the purposes of the special fund re-  
16 ferred to in paragraph (1).

17 (c) ACTION OF OTHER MEMBER STATES.—The  
18 President should instruct the United States Permanent  
19 Representative to the Organization of American States to  
20 encourage other member states of the Organization to join  
21 in calling for the Government of Venezuela to allow the  
22 immediate deployment of independent human rights mon-  
23 itors of the Organization throughout Venezuela and on-  
24 site visits to Venezuela by the Inter-American Commission  
25 on Human Rights.

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

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

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

9 (1) any other provision of law, including section  
10 620(a) of the Foreign Assistance Act of 1961 (22  
11 U.S.C. 2370(a)); or

12 (2) the exercise of authorities, before the date  
13 of the enactment of this Act, under—

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

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

18 (C) the Export Control Reform Act of  
19 2018 (50 U.S.C. 4801 et seq.).

20 (b) DONATIONS OF FOOD.—Nothing in this or any  
21 other Act shall prohibit donations of food to independent  
22 nongovernmental organizations or individuals in Ven-  
23 ezuela.

24 (c) EXPORTS OF MEDICINES AND MEDICAL SUP-  
25 PLIES.—

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

5                   (A) to the extent such a restriction would  
6           be permitted under section 203(b)(2) of the  
7           International Emergency Economic Powers Act  
8           (50 U.S.C. 1702(b)(2)); or

9                   (B) in a case in which the President deter-  
10          mines—

11                   (i) there is a reasonable likelihood  
12           that the item to be exported will be used  
13           for purposes of torture or other abuses of  
14           internationally recognized human rights;

15                   (ii) the item to be exported could be  
16           used in the production or distribution of il-  
17           licit narcotics or in activities related to ille-  
18           gal mining; or

19                   (iii) there is a reasonable likelihood  
20           that the item to be exported will be reex-  
21           ported.

22          (2) ON-SITE VERIFICATIONS REQUIRED.—

23                   (A) IN GENERAL.—Except as provided by  
24           subparagraph (B), medicines or medical sup-  
25           plies, instruments, or equipment may be ex-

ported to Venezuela under paragraph (1) only if the President determines that the United States Government is able to verify, by on-site inspections and other appropriate means, that the item to be exported is to be used for the purposes for which it was intended and only for the use and benefit of the people of Venezuela.

(B) EXCEPTION.—Subparagraph (A) does not apply to donations to independent nongovernmental organizations in Venezuela of medicines for humanitarian purposes.

(3) LICENSES REQUIRED.—The export of medicines or medical supplies, instruments, or equipment to Venezuela under paragraph (1) shall be made pursuant to specific licenses issued by the United States Government.

(d) ASSISTANCE TO SUPPORT DEMOCRACY IN VENEZUELA.—The United States Government may provide assistance, through appropriate independent nongovernmental organizations, for the support of individuals and organizations to promote democratic change in Venezuela.

## **TITLE III—SANCTIONS**

### **SEC. 301. DEFINITIONS.**

In this title:

1           (1) ENTITY.—The term “entity” means a part-  
2           nership, association, trust, joint venture, corpora-  
3           tion, group, subgroup, or organization.

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

6                   (A) the state and Government of Ven-  
7                   ezuela;

8                   (B) any political subdivision, agency, or in-  
9                   strumentality thereof, including the Central  
10                  Bank of Venezuela and Petróleos de Venezuela,  
11                  S.A.;

12                  (C) any person owned or controlled, di-  
13                  rectly or indirectly, by an entity described in  
14                  subparagraph (A) or (B); and

15                  (D) any person that has acted or pur-  
16                  ported to act directly or indirectly for or on be-  
17                  half of, an entity described in subparagraph  
18                  (A), (B), or (C), including as a member of the  
19                  regime of Nicolás Maduro or any nondemocratic  
20                  successor government in Venezuela.

21           (3) PERSON.—The term “person” means an in-  
22           dividual or entity.

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

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

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

8 (C) any person physically located in the  
9 United States.

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

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

18 (b) SANCTIONS AGAINST COUNTRIES ASSISTING A  
19 NONDEMOCRATIC GOVERNMENT IN VENEZUELA.—

20 (1) IN GENERAL.—The President may impose  
21 the following sanctions with respect to any country  
22 that provides assistance to the regime of Nicolás  
23 Maduro or any nondemocratic successor government  
24 in Venezuela:

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

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

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

17 (c) DEFINITIONS.—In this section:

18 (1) ASSISTANCE TO VENEZUELA.—The term  
19 “assistance to Venezuela”—

20 (A) means assistance to or for the benefit  
21 of the Government of Venezuela that is pro-  
22 vided by grant, concessional sale, guaranty, or  
23 insurance, or by any other means on terms  
24 more favorable than that generally available in

the applicable market, whether in the form of  
a loan, lease, credit, or otherwise;

(B) includes—

(i) subsidies for exports to Venezuela;

(ii) favorable tariff treatment of articles that are the growth, product, or manufacture of Venezuela; and

(iii) an exchange, reduction, or forgiveness of debt owed by the Government of Venezuela to a foreign country in return for a grant of an equity interest in a property, investment, or operation of the Government of Venezuela (including any agency or instrumentality of the Government of Venezuela) or a national of Venezuela; and

(C) does not include—

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

(ii) exports of medicines or medical supplies, instruments, or equipment permitted under section 204(c).

(2) AGENCY OR INSTRUMENTALITY OF THE  
GOVERNMENT OF VENEZUELA.—The term “agency

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

8 **SEC. 303. FINANCIAL SANCTIONS WITH RESPECT TO DEBT**  
 9 **INSTRUMENTS OF MADURO REGIME.**

10 (a) PROHIBITION OF CERTAIN TRANSACTIONS.—

11 (1) IN GENERAL.—Beginning on the date of the  
 12 enactment of this Act, all transactions by a United  
 13 States person or within the United States that relate  
 14 to, provide financing for, or otherwise deal in debt  
 15 instruments issued by, for, or on behalf of Petr6leos  
 16 de Venezuela, S.A., or the regime of Nicol6s Maduro  
 17 or any nondemocratic successor government in Ven-  
 18 ezuela, are prohibited.

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

21 (A) entering into any transaction in—

22 (i) debt instruments with a maturity  
 23 of more than 90 days issued by Petr6leos  
 24 de Venezuela, S.A., on or after the date of  
 25 the enactment of this Act;

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

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

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

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

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

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

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

23          (D) entering into any transaction related  
24          to any debt owed to the Maduro regime that is

pledged as collateral after May 21, 2018, including accounts receivable;

(E) entering into any transaction involving the selling, transferring, assigning, or pledging as collateral by the Maduro regime of any equity interest in any entity in which the Maduro regime has a 50 percent or greater ownership interest;

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

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

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, may take such actions, including prescribing rules and regulations, as are necessary to implement this section.

(2) DELEGATION.—The Secretary of the Treasury may redelegate the authority described in paragraph (1) to other officers and agencies of the United States Government.

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

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

8       (a) PROHIBITION OF CERTAIN TRANSACTIONS.—

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

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

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

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

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

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

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

10       (b) RULEMAKING.—

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

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

20       (c) RESPONSIBILITY OF OTHER AGENCIES.—All  
21 agencies of the United States Government shall take all  
22 appropriate measures within their authority to carry out  
23 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 Nicolás 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-

sidered in the Senate and the House of  
Representatives in—

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

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

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

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

(ii) with full recognition of the con-  
stitutional right of either House to change  
the rules (so far as relating to the proce-  
dure of that House) at any time, in the  
same manner, and to the same extent as in  
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 **TITLE IV—ASSISTANCE TO A**  
 2 **FREE AND INDEPENDENT**  
 3 **VENEZUELA**

4 **SEC. 401. POLICY TOWARD A TRANSITION GOVERNMENT**  
 5 **AND A DEMOCRATICALLY ELECTED GOVERN-**  
 6 **MENT IN VENEZUELA.**

7 It is the policy of the United States—

8 (1) to support the self-determination of the peo-  
 9 ple of Venezuela;

10 (2) to recognize that the self-determination of  
 11 the people of Venezuela is a sovereign and national  
 12 right of the citizens of Venezuela, which must be ex-  
 13 ercised free of interference by the government of any  
 14 other country;

15 (3) to encourage the people of Venezuela to em-  
 16 power themselves with a government that reflects  
 17 the self-determination of the people of Venezuela;

18 (4) to recognize the potential for a difficult  
 19 transition from the current regime in Venezuela,  
 20 which may result from the initiatives taken by the  
 21 people of Venezuela for self-determination in re-  
 22 sponse to the intransigence of the regime of Nicolàs  
 23 Maduro in not allowing any substantive political or  
 24 economic reforms;

1           (5) to be prepared to provide the people of Ven-  
2           ezuela with humanitarian, developmental, and other  
3           economic assistance;

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

6                 (A) to a transition government in Ven-  
7                 ezuela;

8                 (B) to facilitate the rapid movement from  
9                 such a transition government to a democrat-  
10                ically elected government in Venezuela, which  
11                results from an expression of the self-deter-  
12                mination of the people of Venezuela; and

13                (C) to support such a democratically elect-  
14                ed government;

15           (7) through such assistance, to facilitate a  
16           peaceful transition to representative democracy and  
17           a market economy in Venezuela and to consolidate  
18           democracy in Venezuela;

19           (8) to deliver such assistance to the people of  
20           Venezuela only through—

21                 (A) a transition government in Venezuela;

22                 (B) a democratically elected government in  
23                 Venezuela;

24                 (C) United States Federal departments  
25                 and agencies; or

1 (D) United States, international, or appro-  
2 priate local nongovernmental organizations;

3 (9) to encourage other countries and multilat-  
4 eral organizations to provide similar assistance, and  
5 to work cooperatively with such countries and orga-  
6 nizations to coordinate such assistance;

7 (10) to ensure that appropriate assistance is  
8 rapidly provided and distributed to the people of  
9 Venezuela upon the institution of a transition gov-  
10 ernment in Venezuela;

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

15 (12) to assist a transition government in Ven-  
16 ezuela and a democratically elected government in  
17 Venezuela to prepare the Venezuelan military forces  
18 for an appropriate role in a democracy;

19 (13) to take steps to remove economic and dip-  
20 lomatic sanctions imposed with respect to Ven-  
21 ezuelan persons, as appropriate, when the President  
22 determines that a transition to a democratically  
23 elected government in Venezuela has begun;

1           (14) to assist a democratically elected govern-  
 2           ment in Venezuela to strengthen and stabilize the  
 3           national currency of Venezuela; and

4           (15) to pursue mutually beneficial trade rela-  
 5           tions with a free, democratic, and independent Ven-  
 6           ezuela.

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

8           (a) PLANS FOR PROVIDING ASSISTANCE.—

9           (1) DEVELOPMENT OF PLANS.—

10           (A) IN GENERAL.—The President shall de-  
 11           velop—

12           (i) a plan for providing assistance to  
 13           Venezuela under a transition government;  
 14           and

15           (ii) a plan for providing assistance to  
 16           Venezuela under a democratically elected  
 17           government.

18           (B) STRATEGY FOR DISTRIBUTION.—Each  
 19           plan developed under subparagraph (A) shall  
 20           include a strategy for distributing assistance  
 21           under the plan.

22           (2) TYPES OF ASSISTANCE.—

23           (A) TRANSITION GOVERNMENT.—

24           (i) IN GENERAL.—Except as provided  
 25           in clause (ii), assistance to Venezuela

1 under a transition government under the  
2 plan developed under paragraph (1)(A)(i)  
3 shall be limited to—

4 (I) such food, medicine, medical  
5 supplies and equipment, and assist-  
6 ance to meet emergency energy needs,  
7 as is necessary to meet the basic  
8 human needs of the people of Ven-  
9 ezuela; and

10 (II) assistance described in sub-  
11 paragraph (C).

12 (ii) ADDITIONAL ASSISTANCE.—As-  
13 sistance in addition to assistance under  
14 clause (i) may be provided to Venezuela  
15 under a transition government if the Presi-  
16 dent certifies to the appropriate congres-  
17 sional committees, in accordance with pro-  
18 cedures applicable to reprogramming noti-  
19 fications under section 634A of the For-  
20 eign Assistance Act of 1961 (22 U.S.C.  
21 2394–1), that such assistance is essential  
22 to the successful and timely completion of  
23 the transition to democracy.

24 (B) DEMOCRATICALLY ELECTED GOVERN-  
25 MENT.—Assistance to Venezuela under a demo-

1 cratically elected government under the plan de-  
2 veloped under paragraph (1)(A)(ii) may include,  
3 in addition to assistance available under sub-  
4 paragraphs (A) and (C)—

5 (i) assistance under—

6 (I) chapter 1 of part I of the  
7 Foreign Assistance Act of 1961 (22  
8 U.S.C. 2151 et seq.) (relating to de-  
9 velopment assistance); and

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

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

15 (iii) financing, guarantees, and other  
16 forms of assistance provided by the Ex-  
17 port-Import Bank of the United States;

18 (iv) support provided by the United  
19 States International Development Finance  
20 Corporation for investment projects in  
21 Venezuela;

22 (v) assistance provided by the Trade  
23 and Development Agency;

24 (vi) Peace Corps programs; and

1 (vii) other appropriate assistance to  
2 carry out the policy set forth in section  
3 401.

4 (C) MILITARY ADJUSTMENT ASSIST-  
5 ANCE.—Assistance to a transition government  
6 in Venezuela and to a democratically elected  
7 government in Venezuela shall also include as-  
8 sistance in preparing the Venezuelan military  
9 forces to adjust to an appropriate role in a de-  
10 mocracy.

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

19 (4) COMMUNICATION WITH PEOPLE OF VEN-  
20 EZUELA.—The President shall take the necessary  
21 steps to communicate to the people of Venezuela the  
22 plans for assistance developed under paragraph (1).

23 (5) REPORT TO CONGRESS.—Not later than 90  
24 days after the date of the enactment of this Act, the  
25 President shall submit to the appropriate congres-

1 sional committees a report describing in detail the  
2 plans developed under paragraph (1).

3 (b) IMPLEMENTATION OF PLANS; REPORTS TO CON-  
4 GRESS.—

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

13 (2) REPORTS TO CONGRESS.—

14 (A) PLAN FOR ASSISTANCE UNDER TRAN-  
15 SITION GOVERNMENT.—The President shall  
16 submit to the appropriate congressional com-  
17 mittees a report—

18 (i) setting forth the plan developed  
19 under subsection (a)(1)(A)(i) for providing  
20 assistance to Venezuela under a transition  
21 government; and

22 (ii) describing the types of assistance,  
23 and the extent to which such assistance  
24 has been distributed, in accordance with  
25 the plan.

1 (B) DEADLINES FOR SUBMISSION.—The  
2 President shall submit to the appropriate con-  
3 gressional committees—

4 (i) a preliminary report described in  
5 subparagraph (A) not later than 15 days  
6 after making the determination described  
7 in paragraph (1); and

8 (ii) the final report described in sub-  
9 paragraph (A) not later than 90 days after  
10 making that determination.

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

20 (4) ANNUAL REPORTS TO CONGRESS.—Not  
21 later than 60 days after the end of each fiscal year,  
22 the President shall submit to the appropriate con-  
23 gressional committees a report on the assistance  
24 provided under the plans developed under subsection  
25 (a), including—

1 (A) a description of each type of assistance  
2 and the amounts expended for such assistance  
3 during the preceding fiscal year; and

4 (B) a description of the assistance to be  
5 provided under the plans in the fiscal year in  
6 which the report is submitted.

7 (c) COORDINATING OFFICIAL.—The President shall  
8 designate a coordinating official who shall be responsible  
9 for—

10 (1) implementing the strategies for distributing  
11 assistance described in subsection (a)(1)(B);

12 (2) ensuring the speedy and efficient distribu-  
13 tion of such assistance; and

14 (3) ensuring coordination among, and appro-  
15 priate oversight by, the agencies of the United  
16 States that provide assistance described in section  
17 402(a), including resolving any disputes among such  
18 agencies.

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

1 (e) FUNDING LIMITATION.—Assistance may be pro-  
2 vided under this section only if amounts are authorized  
3 to be appropriated, and are appropriated, to provide such  
4 assistance.

5 (f) INTERNATIONAL EFFORTS.—The President shall  
6 take the necessary steps—

7 (1) to seek to obtain the agreement of other  
8 countries and of international financial institutions  
9 and multilateral organizations to provide to a transi-  
10 tion government in Venezuela, and to a democrat-  
11 ically elected government in Venezuela, assistance  
12 comparable to that provided by the United States  
13 under this section; and

14 (2) to work with such countries, institutions,  
15 and organizations to coordinate all such assistance  
16 programs.

17 **SEC. 403. REPORT ON TRADE AND INVESTMENT RELATIONS**  
18 **BETWEEN THE UNITED STATES AND VEN-**  
19 **EZUELA.**

20 (a) REPORT TO CONGRESS.—Upon submitting to the  
21 appropriate congressional committees a determination  
22 under section 101(a) that a democratically elected govern-  
23 ment is in power in Venezuela, the President shall submit  
24 to the Committee on Ways and Means of the House of  
25 Representatives, the Committee on Finance of the Senate,

1 and the appropriate congressional committees a report  
2 that describes—

3           (1) acts, policies, and practices that constitute  
4           significant barriers to, or distortions of, United  
5           States trade in goods or services or foreign direct in-  
6           vestment with respect to Venezuela; and

7           (2) policy objectives of the United States re-  
8           garding trade relations with a democratically elected  
9           government in Venezuela, and the reasons for such  
10          objectives, including possible reciprocal extension of  
11          nondiscriminatory trade treatment (most-favored-na-  
12          tion treatment).

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

15               (1) consult with the Committee on Ways and  
16               Means of the House of Representatives, the Com-  
17               mittee on Finance of the Senate, and the appro-  
18               priate congressional committees; and

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

1 **TITLE V—GENERAL PROVISIONS**

2 **SEC. 501. EFFECT OF ACT ON LAWFUL UNITED STATES**  
3 **GOVERNMENT ACTIVITIES.**

4 Nothing in this Act prohibits any lawfully authorized  
5 investigative, protective, or intelligence activity of a law  
6 enforcement agency, or of an intelligence agency, of the  
7 United States.

8 **SEC. 502. EXCEPTION RELATING TO IMPORTATION OF**  
9 **GOODS.**

10 (a) IN GENERAL.—Notwithstanding any other provi-  
11 sion of this Act, the authorities and requirements to im-  
12 pose sanctions under this Act shall not include the author-  
13 ity or a requirement to impose sanctions on the importa-  
14 tion of goods.

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

○