

or participating in (directly or indirectly) any activity in or in relation to Venezuela, on or after January 23, 2019, that significantly undermines or threatens the integrity of—

(A) the democratically-elected National Assembly of Venezuela; or

(B) the President of such National Assembly, while serving as Interim President of Venezuela, or the senior government officials under the supervision of such President;

(2) is the spouse or adult child of a foreign person described in paragraph (1); or

(3) is the spouse or adult child of¹ Venezuelan person sanctioned under—

(A) section 5(a) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113-278), as amended by section 163 of this title;²

(B) section 1903(b) of title 21; or

(C) Executive Orders 13692 (50 U.S.C. 1701 note) and 13850.

(b) Removal from visa revocation list

Pursuant to such procedures as the Secretary of State may establish to implement this section—

(1) if any person described in subsection (a)(1) recognizes and pledges support for the Interim President of Venezuela or a subsequent democratically elected government of Venezuela, that person and any family members of that person who were subject to visa restrictions pursuant to subsection (a)(2) shall no longer be subject to such visa restrictions; and

(2) if any person described in subparagraphs (A) through (C) of subsection (a)(3) recognizes and pledges support for the Interim President of Venezuela or a subsequent democratically elected government of Venezuela, any family members of that person who were subject to visa restrictions pursuant to subsection (a)(3) shall no longer be subject to such visa restrictions.

(c) Visa restrictions described

(1) Visas, admission, or parole

An alien described in subsection (a) is—

(A) inadmissible to the United States;

(B) ineligible to receive a visa or other documentation to enter the United States; and

(C) otherwise ineligible to be admitted or paroled into the United States or to receive any benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) Current visas revoked

(A) In general

An alien described in subsection (a) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(B) Immediate effect

A revocation under subparagraph (A) shall—

(i) take effect immediately; and

(ii) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(3) Exceptions

Sanctions under paragraphs (1) and (2) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(B) to carry out or assist law enforcement activity in the United States.

(d) Rulemaking

The President shall issue such regulations, licenses, and orders as may be necessary to carry out this section.

(Pub. L. 116-94, div. J, title I, § 132, Dec. 20, 2019, 133 Stat. 3035.)

Editorial Notes

REFERENCES IN TEXT

Section 5(a) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113-278), referred to in subsec. (a)(3)(A), is section 5(a) of Pub. L. 113-278, Dec. 18, 2014, 128 Stat. 3011, which is set out in a note under section 1701 of Title 50, War and National Defense. Section 5(a) was not amended by section 163 of title I of div. J of Pub. L. 116-94. However, an earlier version of the Act comprising such title I (S. 1025 of the 116th Cong., 1st Sess.) contained a section 603 that did amend section 5(a) of Pub. L. 113-278, but the amendment was not included anywhere in the version enacted by Pub. L. 116-94.

Executive Order No. 13692, referred to in subsec. (a)(3)(C), is Ex. Ord. No. 13692, Mar. 8, 2015, 80 F.R. 12747, which is listed in a table under section 1701 of Title 50, War and National Defense.

Executive Order No. 13850, referred to in subsec. (a)(3)(C), is Ex. Ord. No. 13850, Nov. 1, 2018, 83 F.R. 55243, which is listed in a table under section 1701 of Title 50, War and National Defense.

The Immigration and Nationality Act, referred to in subsec. (c)(1)(C), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§ 1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

§ 9722. Waiver for sanctioned officials that recognize the Interim President of Venezuela

(a) Removal of sanctions

If a person sanctioned under any of the provisions of law described in subsection (b) recognizes and pledges supports for the Interim President of Venezuela or a subsequent democratically elected government, the person shall no longer be subject to such sanctions, pursuant to such procedures as the Secretary of State and the Secretary of the Treasury may establish to implement this section.

(b) Sanctions described

The sanctions described in this subsection are set forth in the following provisions of law:

(1)(A) Paragraphs (3) and (4) of section 5(a) of the Venezuela Defense of Human Rights and

¹ So in original. Probably should be followed by "a".

² See References in Text note below.

Civil Society Act of 2014 (Public Law 113–278), as amended by section 163 of this title.¹

(B) Paragraph (5)¹ of section 5(a) of such Act, to the extent such paragraph relates to the sanctions described in paragraph (3) or (4) of such subsection.¹

(2)(A) Clauses (1) and (4) of section 1(a)(ii)(A) of Executive Order 13692 (50 U.S.C. 1701 note).

(B) Subparagraph (D)(2) of section 1(a)(ii) of such Executive Order, to the extent such subparagraph relates to the provisions of law cited in subparagraph (A).

(3)(A) Section 1(a)(ii) of Executive Order 13850.

(B) Paragraph (iii) of section 1(a) of such Executive Order, to the extent such paragraph relates to the provision of law cited in subparagraph (A).

(c) Rulemaking

The President shall issue such regulations, licenses, and orders as may be necessary to carry out this section.

(Pub. L. 116–94, div. J, title I, §133, Dec. 20, 2019, 133 Stat. 3036.)

Editorial Notes

REFERENCES IN TEXT

Section 5(a) of the Venezuela Defense of Human Rights and Civil Society Act of 2014, referred to in subsec. (b)(1), is section 5(a) of Pub. L. 113–278, Dec. 18, 2014, 128 Stat. 3011, which is set out in a note under section 1701 of Title 50, War and National Defense. Section 5(a) was not amended by section 163 of title I of div. J of Pub. L. 116–94 and does not contain a par. (4) or (5). However, an earlier version of the Act comprising such title I (S. 1025 of the 116th Cong., 1st Sess.) contained a section 603 that did amend section 5(a) of Pub. L. 113–278 by redesignating par. (3) as (5) and adding new pars. (3) and (4) relating to sanctions on persons undermining democratic governance and responsible for public corruption. That amendment was not included anywhere in the version enacted by Pub. L. 116–94.

Executive Order No. 13692, referred to in subsec. (b)(2), is Ex. Ord. No. 13692, Mar. 8, 2015, 80 F.R. 12747, which is listed in a table under section 1701 of Title 50, War and National Defense.

Executive Order No. 13850, referred to in subsec. (b)(3), is Ex. Ord. No. 13850, Nov. 1, 2018, 83 F.R. 55243, which is listed in a table under section 1701 of Title 50, War and National Defense.

SUBCHAPTER IV—RESTORING DEMOCRACY AND ADDRESSING THE POLITICAL CRISIS IN VENEZUELA

§ 9731. Support for international election observation and democratic civil society

(a) In general

The Secretary of State, in coordination with the Administrator of the United States Agency for International Development—

(1) shall work with the Organization of American States to ensure credible international observation of future elections in Venezuela that contributes to free, fair, and transparent democratic electoral processes; and

(2) shall work with nongovernmental organizations—

(A) to strengthen democratic governance and institutions, including the democratically elected National Assembly of Venezuela;

(B) to defend internationally recognized human rights for the people of Venezuela, including support for efforts to document crimes against humanity and violations of human rights;

(C) to support the efforts of independent media outlets to broadcast, distribute, and share information beyond the limited channels made available by the Maduro regime; and

(D) to combat corruption and improve the transparency and accountability of institutions that are part of the Maduro regime.

(b) Engagement at the Organization of American States

The Secretary of State, acting through the United States Permanent Representative to the Organization of American States, should advocate and build diplomatic support for sending an election observation mission to Venezuela to ensure that democratic electoral processes are organized and carried out in a free, fair, and transparent manner.

(c) Briefing requirement

Not later than 180 days after December 20, 2019, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall provide a briefing on the strategy to carry out the activities described in subsection (a) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

(d) Authorization of appropriations

(1) In general

There are authorized to be appropriated to the Secretary of State for fiscal year 2020, \$17,500,000 to carry out the activities set forth in subsection (a).

(2) Notification requirements

Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 2346(c) of this title and from the Development Assistance Fund under section 2413(a) of this title, to the extent that such funds are expended.

(Pub. L. 116–94, div. J, title I, §143, Dec. 20, 2019, 133 Stat. 3038.)

SUBCHAPTER V—SUPPORTING THE RECONSTRUCTION OF VENEZUELA

§ 9741. Recovering assets stolen from the Venezuelan people

(a) Recovering assets

The President, acting through the Secretary of State and in consultation with the Secretary

¹ See References in Text note below.