

- (A) determines that such a waiver is in the national interest of the United States; and
- (B) submits a notice of, and justification for, such waiver to the appropriate congressional committees.

**(6) Sunset**

This subsection shall terminate on the date that is 1 year after December 20, 2019.

(Pub. L. 116–94, div. J, title I, §165, Dec. 20, 2019, 133 Stat. 3043.)

**Editorial Notes**

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (c)(2)(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.

**§ 9754. Restriction on export of covered articles and services to certain security forces of Venezuela**

**(a) Short title**

This section may be cited as the “Venezuela Arms Restriction Act”.

**(b) Definitions**

In this section:

**(1) Appropriate congressional committees**

The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on Banking, Housing, and Urban Affairs of the Senate;
- (C) the Committee on Foreign Affairs of the House of Representatives; and
- (D) the Committee on Financial Services of the House of Representatives.

**(2) Covered article or service**

The term “covered article or service”—

- (A) for purposes of subsection (c), means—
  - (i) a defense article or defense service (as such terms are defined in section 2794 of this title); and
  - (ii) any article included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled for crime control purposes, if the end user is likely to use the article to violate the human rights of the citizens of Venezuela; and
- (B) for purposes of subsection (d), means—
  - (i) any defense article or defense service of the type described in section 2794 of this title; and
  - (ii) any article of the type included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations and controlled for crime control purposes.

**(3) Foreign person**

The term “foreign person” means a person that is not a United States person.

**(4) Person**

The term “person” means an individual or entity.

**(5) Security forces of Venezuela**

The term “security forces of Venezuela” includes—

- (A) the Bolivarian National Armed Forces, including the Bolivarian National Guard;
- (B) the Bolivarian National Intelligence Service;
- (C) the Bolivarian National Police; and
- (D) the Bureau for Scientific, Criminal and Forensic Investigations of the Ministry of Interior, Justice, and Peace.

**(6) United States person**

The term “United States person” means—

- (A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or
- (B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

**(c) Restriction on export of covered articles and services to certain security forces of Venezuela**

**(1) In general**

Notwithstanding any other provision of law, covered articles or services may not be exported from the United States to any element of the security forces of the Maduro regime.

**(2) Determination**

Not later than 180 days after December 20, 2019, the Secretary of State, in consultation with the Secretary of Commerce and the heads of other departments and agencies, as appropriate, shall—

- (A) determine, using such information that is available to the Secretary of State, whether any covered article or service has been transferred since July 2017 to the security forces of Venezuela without a license or other authorization as required by law; and
- (B) submit such determination in writing to the appropriate congressional committees.

**(d) Report**

**(1) In general**

Not later than 180 days after December 20, 2019, the Secretary of State, in consultation with the Secretary of Commerce, as appropriate, shall submit a report to the appropriate congressional committees regarding the transfer by foreign persons of covered articles or services to elements of the security forces of Venezuela that are under the authority of the Maduro regime.

**(2) Matters to be included**

The report required under paragraph (1) shall include—

- (A) a list of all significant transfers by foreign persons of covered articles or services to such elements of the security forces of Venezuela since July 2017;
- (B) a list of all foreign persons who maintain an existing defense relationship with

such elements of the security forces of Venezuela; and

(C) any known use of covered articles or services by such elements of the security forces of Venezuela or associated forces, including paramilitary groups, that have coordinated with such security forces to assault, intimidate, or murder political activists, protesters, dissidents, and other civil society leaders, including Juan Guaidó.

**(e) Sunset**

This section shall terminate on the earlier of—

(1) the date that is 3 years after December 20, 2019; or

(2) the date on which the President certifies to the appropriate congressional committees that the Government of Venezuela has returned to a democratic form of government with respect for the essential elements of representative democracy as set forth in Article 3 of the Inter-American Democratic Charter, adopted by the Organization of American States in Lima on September 11, 2001.

(Pub. L. 116-94, div. J, title I, §166, Dec. 20, 2019, 133 Stat. 3044.)

SUBCHAPTER VII—MISCELLANEOUS PROVISIONS

**§ 9761. Congressional briefings**

**(a) Humanitarian assistance; sanctions coordination**

**(1) In general**

Not later than 15 days after any of the congressional committees listed in paragraph (2) requests a briefing regarding the implementation—

(A) of section 9711 of this title, the Secretary of State and the Administrator of the United States Agency for International Development shall provide such briefing to such committee; and

(B) of section 9751 of this title, the Secretary of State shall provide such briefing to such committee.

**(2) Congressional committees**

The committees listed in this paragraph are—

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

(B) the Committee on Appropriations of the Senate;

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

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

**(b) United Nations; negotiated solution; crimes against humanity**

**(1) In general**

Not later than 15 days after any congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 9703 of this title, 9712 of this title, or 142,<sup>1</sup> the Secretary of State shall provide such briefing to such committee.

**(2) Congressional committees**

The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

**(c) Regime cohesion**

**(1) In general**

Not later than 15 days after a congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 131,<sup>1</sup> the Secretary of State and the Director of National Intelligence shall provide such briefing to such committee.

**(2) Congressional committees**

The congressional committees listed in this paragraph are—

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

(B) the Select Committee on Intelligence of the Senate;

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

(D) the Permanent Select Committee on Intelligence of the House of Representatives.

**(d) International election observation; democratic civil society**

Not later than 15 days after a congressional committee listed in subsection (a)(2) requests a briefing regarding the implementation of section 9731 of this title, the Secretary of State and the Administrator of the United States Agency for International Development shall provide such briefing to such committee.

**(e) Visa restrictions; sanctions waiver**

Not later than 15 days after a congressional committee listed in subsection (b)(2) requests a briefing regarding the implementation of section 9721 or 9722 of this title, the Secretary of State shall provide such briefing to such committee.

**(f) Recovery of stolen assets**

**(1) In general**

Not later than 15 days after a congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 9741 of this title, the Secretary of State, the Secretary of the Treasury, and the Attorney General shall provide such briefing to such committee.

**(2) Congressional committees**

The congressional committees listed in this paragraph are—

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

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Financial Services of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

<sup>1</sup> See References in Text note below.