

117TH CONGRESS
1ST SESSION

H. R. 621

To prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2021

Mr. WALTZ (for himself, Ms. WASSERMAN SCHULTZ, Mr. DIAZ-BALART, Mrs. MURPHY of Florida, Ms. SALAZAR, Miss GONZÁLEZ-COLÓN, Mr. GIMENEZ, Mr. GAETZ, Mr. HASTINGS, Mr. FITZPATRICK, Mr. POSEY, and Mr. GONZALEZ of Ohio) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. PROHIBITION ON CONTRACTING WITH PERSONS**
2 **THAT HAVE BUSINESS OPERATIONS WITH**
3 **THE MADURO REGIME.**

4 (a) PROHIBITION.—Except as provided under sub-
5 sections (c), (d), and (e), the head of an executive agency
6 may not enter into a contract for the procurement of
7 goods or services with any person that has business oper-
8 ations with an authority of the government of Venezuela
9 that is not recognized as the legitimate government of
10 Venezuela by the United States Government.

11 (b) EXCEPTIONS.—

12 (1) IN GENERAL.—The prohibition under sub-
13 section (a) does not apply to a contract that the
14 head of an executive agency and the Secretary of
15 State jointly determine—

16 (A) is necessary—

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

20 (ii) for purposes of providing disaster
21 relief and other urgent life-saving meas-
22 ures; or

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

25 (B) is vital to the national security inter-
26 ests of the United States.

1 (2) NOTIFICATION REQUIREMENT.—The head
2 of an executive agency shall notify each appropriate
3 congressional committee, the Committee on Foreign
4 Affairs of the House of Representatives, and the
5 Committee on Foreign Relations of the Senate of
6 any contract entered into on the basis of an excep-
7 tion provided for under paragraph (1).

8 (c) OFFICE OF FOREIGN ASSETS CONTROL LI-
9 CENSES.—The prohibition in subsection (a) shall not
10 apply to a person that has a valid license to operate in
11 Venezuela issued by the Office of Foreign Assets Control
12 of the Department of the Treasury.

13 (d) AMERICAN DIPLOMATIC MISSION IN VEN-
14 EZUELA.—The prohibition in subsection (a) shall not
15 apply to contracts related to the operation and mainte-
16 nance of the United States Government’s consular offices
17 and diplomatic posts in Venezuela.

18 (e) DEFINITIONS.—In this section:

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

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

4 (3) GOVERNMENT OF VENEZUELA.—The term
5 “government of Venezuela” includes the government
6 of any political subdivision of Venezuela, and any
7 agency or instrumentality of the Government of Ven-
8 ezuela. For purposes of this paragraph, the term
9 “agency or instrumentality of the Government of
10 Venezuela” means an agency or instrumentality of a
11 foreign state as defined in section 1603(b) of title
12 28, United States Code, with each reference in such
13 section to “a foreign state” deemed to be a reference
14 to “Venezuela”.

15 (4) PERSON.—The term “person” means—

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

20 (B) any governmental entity or instrumen-
21 tality of a government, including a multilateral
22 development institution (as defined in section
23 1701(c)(3) of the International Financial Insti-
24 tutions Act (22 U.S.C. 262r(c)(3))); and

1 (C) any successor, subunit, parent entity,
2 or subsidiary of, or any entity under common
3 ownership or control with, any entity described
4 in subparagraph (A) or (B).

5 (f) *APPLICABILITY*.—This section shall apply with re-
6 spect to any contract entered into on or after the date
7 of the enactment of this section.

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