

118TH CONGRESS  
1ST SESSION

# H. R. 5670

To require certain actions relating to the protection of free, fair, and transparent elections in Venezuela, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2023

Ms. WASSERMAN SCHULTZ (for herself and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To require certain actions relating to the protection of free, fair, and transparent elections 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.**

4 This Act may be cited as the “Venezuelans Over-  
5 coming Interference and Corruption in Elections Act” or  
6 the “VOICE Act”.

7 **SEC. 2. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

1           (1) the arbitrary and unconstitutional actions of  
2 the Maduro regime to undermine Venezuelan democ-  
3 racy, including attempts to disqualify opposition can-  
4 didates from participating in the 2024 presidential  
5 election, demonstrate flagrant disregard for the  
6 basic political rights of Venezuelans and merit con-  
7 demnation in the strongest terms from the United  
8 States and other Western Hemisphere democracies;

9           (2) the disqualification of political opponents il-  
10 lustrates the Maduro regime’s intent to continue to  
11 remove checks and balances on the executive, politi-  
12 cize the judiciary, undermine the independence of  
13 the legislature through use of executive decree pow-  
14 ers, persecute and prosecute its political opponents,  
15 curtail freedom of the press, and limit the free ex-  
16 pression of its citizens;

17           (3) the United States supports the people of  
18 Venezuela in their efforts to advance representative  
19 democracy, human rights, and the rule of law within  
20 their country; and

21           (4) the United States should make every pos-  
22 sible effort to promote international recognition of  
23 the legitimacy of the presidential primary organized  
24 by the democratic Unitary Platform, and to support  
25 the registration and participation of Venezuelan mi-

1 grants and refugees residing in the United States in  
2 the election.

3 **SEC. 3. SANCTIONS FOR CERTAIN ACTIONS RELATING TO**  
4 **DISQUALIFICATION OF VENEZUELAN PRESI-**  
5 **DENTIAL CANDIDATES.**

6 (a) IN GENERAL.—The President shall impose the  
7 sanctions described in subsection (b) with respect to any  
8 foreign person, including any current or former official of  
9 the Government of Venezuela or any person acting on be-  
10 half of that Government, that the President determines—

11 (1) has prevented, or is responsible for ordering  
12 or otherwise directing the prevention of, any indi-  
13 vidual that the President determines to be an oppo-  
14 nent candidate, or prospective opponent candidate,  
15 seeking presidential election (including María Corina  
16 Machado, Henrique Capriles, and Freddy Superlano)  
17 from participating in the 2024 Venezuelan presi-  
18 dential election; or

19 (2) has knowingly materially assisted, spon-  
20 sored, or provided significant financial, material, or  
21 technological support for, or goods or services in  
22 support of, the commission of the acts described in  
23 paragraph (1).

24 (b) SANCTIONS DESCRIBED.—

1           (1) IN GENERAL.—The sanctions described in  
2 this subsection are the following:

3           (A) ASSET BLOCKING.—The exercise of all  
4 powers granted to the President by the Inter-  
5 national Emergency Economic Powers Act (50  
6 U.S.C. 1701 et seq.) to the extent necessary to  
7 block and prohibit all transactions in all prop-  
8 erty and interests in property of a person deter-  
9 mined by the President to be subject to sub-  
10 section (a) if such property and interests in  
11 property are in the United States, come within  
12 the United States, or are or come within the  
13 possession or control of a United States person.

14           (B) EXCLUSION FROM THE UNITED  
15 STATES AND REVOCATION OF VISA OR OTHER  
16 DOCUMENTATION.—In the case of an alien de-  
17 termined by the President to be subject to sub-  
18 section (a), denial of a visa to, and exclusion  
19 from the United States of, the alien, and rev-  
20 ocation in accordance with section 221(i) of the  
21 Immigration and Nationality Act (8 U.S.C.  
22 1201(i)), of any visa or other documentation of  
23 the alien.

24           (2) PENALTIES.—A person that violates, at-  
25 tempts to violate, conspires to violate, or causes a

1 violation of paragraph (1)(A) or any regulation, li-  
2 cense, or order issued to carry out paragraph (1)(A)  
3 shall be subject to the penalties set forth in sub-  
4 sections (b) and (c) of section 206 of the Inter-  
5 national Emergency Economic Powers Act (50  
6 U.S.C. 1705) to the same extent as a person that  
7 commits an unlawful act described in subsection (a)  
8 of that section.

9 (3) EXCEPTIONS.—The sanctions described in  
10 paragraph (1) shall not apply with respect to a for-  
11 eign person—

12 (A) that the President determines is the  
13 subject of other sanctions equivalent to those  
14 described in paragraph (1); or

15 (B) that is an alien, if admitting the alien  
16 into the United States is necessary to permit  
17 the United States to comply with the Agree-  
18 ment regarding the Headquarters of the United  
19 Nations, signed at Lake Success June 26,  
20 1947, and entered into force November 21,  
21 1947, between the United Nations and the  
22 United States, or other applicable international  
23 obligations.

1 (c) WAIVER.—The President may waive the applica-  
2 tion of sanctions under subsection (b) with respect to a  
3 foreign person if the President—

4 (1) determines that such a waiver is in the na-  
5 tional interest of the United States; and

6 (2) on or before the date on which the waiver  
7 takes effect, submits to the Committee on Foreign  
8 Relations and the Committee on Appropriations of  
9 the Senate and the Committee on Foreign Affairs  
10 and the Committee on Appropriations of the House  
11 of Representatives a notice of and justification for  
12 the waiver.

13 (d) REGULATORY AUTHORITY.—The President shall  
14 issue such regulations, licenses, and orders as are nec-  
15 essary to carry out this section.

16 (e) DEFINITION.—In this section:

17 (1) ADMITTED; ALIEN.—The terms “admitted”  
18 and “alien” have the meanings given those terms in  
19 section 101 of the Immigration and Nationality Act  
20 (8 U.S.C. 1101).

21 (2) FOREIGN PERSON.—The term “foreign per-  
22 son” means a person that is not a United States  
23 person.

24 (3) GOOD.—The term “good” has the meaning  
25 given that term in section 16 of the Export Adminis-

1       tration Act of 1979 (50 U.S.C. App. 2415) (as con-  
2       tinued in effect pursuant to the International Emer-  
3       gency Economic Powers Act (50 U.S.C. 1701 et  
4       seq.)).

5           (4) KNOWINGLY.—The term “knowingly”, with  
6       respect to conduct, a circumstance, or a result,  
7       means that a person has actual knowledge, or should  
8       have known, of the conduct, the circumstance, or the  
9       result.

10          (5) MATERIALLY ASSISTED.—The term “mate-  
11       rially assisted” means the provision of assistance  
12       that is significant and of a kind directly relevant to  
13       acts described in paragraphs (1) through (3) of sub-  
14       section (a).

15          (6) UNITED STATES PERSON.—The term  
16       “United States person” means—

17           (A) a United States citizen or an alien law-  
18       fully admitted for permanent residence to the  
19       United States; or

20           (B) an entity organized under the laws of  
21       the United States or of any jurisdiction within  
22       the United States, including a foreign branch of  
23       such an entity.

1 **SEC. 4. INTERNATIONAL COORDINATION ON BEHALF OF**  
2 **VENEZUELAN DEMOCRACY.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that the United States should engage with the Gov-  
5 ernment of Canada, the European Union, the governments  
6 of other European countries, and the democratically elect-  
7 ed governments of countries in Latin America and the  
8 Caribbean to enhance diplomatic cooperation and policy  
9 coordination toward the shared objective of restoring de-  
10 mocracy for the Venezuelan people.

11 (b) INTERNATIONAL ORGANIZATIONS.—The Presi-  
12 dent, in consultation with the Secretary of State, shall di-  
13 rect the appropriate officials of the United States Govern-  
14 ment to use the voice, vote, and influence of the United  
15 States at international organizations to—

16 (1) urge the Organization of American States  
17 and the United Nations, as well as any subordinate  
18 entities of either organization responsible for pro-  
19 moting democracy, to support the mission of the  
20 independent Venezuelan primary organizing commis-  
21 sion by—

22 (A) assisting efforts to register eligible  
23 Venezuelan nationals residing in third countries  
24 to vote in future elections in Venezuela;

25 (B) ensuring the integrity and security of  
26 personal identifying information collected from



1 Venezuelan nationals residing in other coun-  
2 tries;

3 (C) facilitating the delivery by nongovern-  
4 mental organizations of humanitarian assist-  
5 ance and other critical services to the Ven-  
6 ezuelan people, who may be subject to increas-  
7 ingly restrictive policies in advance of the 2024  
8 election;

9 (D) dispatching independent election ob-  
10 servers to conduct oversight of the handling of  
11 the 2024 Venezuelan presidential election by  
12 the Maduro regime; and

13 (E) documenting and reporting on at-  
14 tempts by the Maduro regime to suppress the  
15 vote through threats, intimidation, violence,  
16 blackmail, or extortion;

17 (2) encourage international organizations to  
18 condemn the practice of the Maduro regime of dis-  
19 qualifying political opponents; and

20 (3) commend the efforts of the Venezuelan  
21 democratic opposition to organize a free, fair, and  
22 transparent election in 2024 and provide an electoral  
23 alternative to the Maduro regime, which has com-  
24 mitted crimes against humanity as evidenced by the  
25 Independent International Fact-Finding Mission on

1 the Bolivarian Republic of Venezuela established by  
2 the United Nations Human Rights Council, in the  
3 report of such mission published in October 2022.

4 **SEC. 5. ADDITIONAL ACTIONS IN SUPPORT OF DEMOCRACY**  
5 **IN VENEZUELA.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-  
7 gress that a solution of the political and humanitarian cri-  
8 sis in Venezuela must include—

9 (1) a new presidential election in Venezuela  
10 that complies with international standards for a free,  
11 fair, and transparent electoral process;

12 (2) an end to the usurpation of presidential au-  
13 thorities by Nicolás Maduro;

14 (3) the restoration of democracy and the rule of  
15 law in Venezuela;

16 (4) freeing political prisoners in Venezuela;

17 (5) consistent and unhindered delivery of hu-  
18 manitarian aid to Venezuelans; and

19 (6) accountability for the perpetrators of acts  
20 determined to be crimes against humanity by the  
21 Independent International Fact-Finding Mission on  
22 the Bolivarian Republic of Venezuela established by  
23 the United Nations Human Rights Council.

24 (b) SPECIAL REPRESENTATIVE.—Not later than 90  
25 days after the date of the enactment of this Act, the Presi-

1 dent, in consultation with the Secretary of State, shall ap-  
2 point a Special Representative for Venezuela from among  
3 the officers and employees of the Department of State,  
4 who shall assume primary responsibility for the following:

5 (1) Coordinating initiatives across the United  
6 States Government to assist in streamlining United  
7 States policy toward Venezuela and ensuring prompt  
8 response to any changing political, economic, and  
9 humanitarian dynamics in Venezuela.

10 (2) Supporting the Venezuela Affairs Unit in  
11 delivering information to Federal departments and  
12 agencies responsible for developing and imple-  
13 menting United States policy toward Venezuela.

14 (3) Assisting the Venezuela Affairs Unit, the  
15 United States Citizenship and Immigration Services,  
16 and other Federal departments and agencies respon-  
17 sible for the administration of consular affairs in  
18 providing consular services to United States citizens  
19 in Venezuela and Venezuelans residing in the United  
20 States or in third countries.

21 (4) Facilitating the participation of members of  
22 the Venezuelan diaspora residing in the United  
23 States in Venezuelan elections determined by the  
24 President to be free and fair with the uninhibited  
25 participation of opposition candidates.

1           (5) Providing the appropriate congressional  
2           committees with briefs on the status of democracy  
3           and human rights in Venezuela.

4           (c) REPORT REQUIRED.—Not later than 90 days  
5           after the date of the enactment of this Act, the Secretary  
6           of State, the Administrator for the United States Agency  
7           for International Development, and the Chief Executive  
8           Officer of the United States Agency for Global Media,  
9           shall jointly submit to the appropriate congressional com-  
10          mittees a report on obstacles to promoting independent  
11          news media and free access to information in Venezuela.  
12          Such report shall include—

13                 (1) an evaluation of the governmental, political,  
14                 and technological obstacles faced by the people of  
15                 Venezuela in their efforts to obtain accurate, objec-  
16                 tive, and comprehensive news and information about  
17                 domestic and international affairs;

18                 (2) a list of all television channels, radio sta-  
19                 tions, online news sites, and other media platforms  
20                 operating in Venezuela that are directly or indirectly  
21                 owned or beneficially controlled by Nicolás Maduro,  
22                 members of the Maduro family, or individuals associ-  
23                 ated with his regime, and the extent of the oper-  
24                 ational scale and reach of any such platforms;

1           (3) a list of all television channels, radio sta-  
2           tions, online news sites, and other media platforms  
3           operating in Venezuela that are directly or indirectly  
4           owned or beneficially controlled by individuals or en-  
5           tities associated with the Russian Federation, the  
6           Chinese Communist Party, the Islamic Republic of  
7           Iran, the Ortega regime in Nicaragua, or the Com-  
8           munist government of Cuba, and the operational  
9           scale and reach of any such platforms;

10           (4) a list of any independent press organization,  
11           or person affiliated with such an organization, that  
12           has experienced intimidation, harassment, physical  
13           assault, theft of property, or fatal injury by agents  
14           of the Maduro regime or pro-government supporters  
15           in direct relation to their journalistic activities since  
16           April 2013;

17           (5) an assessment of the extent to which the  
18           current level and type of news and related program-  
19           ming and content provided by the Voice of America  
20           and other sources is addressing the informational  
21           needs of the people of Venezuela;

22           (6) a description of existing United States ef-  
23           forts to strengthen freedom of the press and freedom  
24           of expression in Venezuela, including recommenda-  
25           tions to expand upon those efforts; and

1           (7) a proposed strategy for strengthening inde-  
2           pendent broadcasting, information distribution, and  
3           media platforms in Venezuela.

4           (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
5           DEFINED.—In this section, the term “appropriate con-  
6           gressional committees” means—

7           (1) the Committee on Foreign Affairs and the  
8           Committee on Appropriations of the House of Rep-  
9           resentatives; and

10          (2) the Committee on Foreign Relations and  
11          the Committee on Appropriations of the Senate.

○