AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

EXPRESSING SUPPORT TO THE GOVERNMENT OF ARGENTINA FOR ITS INVESTIGATION INTO THE TERRORIST BOMBING OF THE EMBASSY OF ISRAEL IN BUENOS AIRES ON MARCH 17, 1992; EXPRESSING CONCERN AND CONDEMNATION OVER THE POLITICAL, ECONOMIC, SOCIAL, AND HUMANITARIAN CRISIS IN VENEZUELA; REAFFIRMING A STRONG COMMITMENT TO THE UNITED STATES-MEXICO PARTNERSHIP; AND NICARAGUA INVESTMENT CONDITIONALITY ACT OF 2017

MARKUP

BEFORE THE

SUBCOMMITTEE ON THE WESTERN HEMISPHERE

OF THE

COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

ON

H. Res. 201, H. Res. 259, H. Res. 336 and H.R. 1918

MAY 24, 2017

Serial No. 115–25

Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: http://www.foreignaffairs.house.gov/ or http://www.gpo.gov/fdsys/

U.S. GOVERNMENT PUBLISHING OFFICE

25–555PDF WASHINGTON : 2017

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON FOREIGN AFFAIRS

EDWARD R. ROYCE, California, *Chairman*

CHRISTOPHER H. SMITH, New Jersey
ILEANA ROS-LEHTINEN, Florida
DANA ROHRABACHER, California
STEVE CHABOT, Ohio
JOE WILSON, South Carolina
MICHAEL T. MCCAUL, Texas
TED POE, Texas
DARRELL E. ISSA, California
TOM MARINO, Pennsylvania
JEFF DUNCAN, South Carolina
MO BROOKS, Alabama
PAUL COOK, California
SCOTT PERRY, Pennsylvania
RON DESANTIS, Florida
MARK MEADOWS, North Carolina
TED S. YOHO, Florida
ADAM KINZINGER, Illinois
LEE M. ZELDIN, New York
DANIEL M. DONOVAN, JR., New York
F. JAMES SENSENBRENNER, JR., Wisconsin
ANN WAGNER, Missouri
BRIAN J. MAST, Florida
FRANCIS ROONEY, Florida
BRIAN K. FITZPATRICK, Pennsylvania
THOMAS A. GARRETT, JR., Virginia

ELIOT L. ENGEL, New York
BRAD SHERMAN, California
GREGORY W. MEEKS, New York
ALBIO SIRES, New Jersey
GERALD E. CONNOLLY, Virginia
THEODORE E. DEUTCH, Florida
KAREN BASS, California
WILLIAM R. KEATING, Massachusetts
DAVID N. CICILLINE, Rhode Island
AMI BERA, California
LOIS FRANKEL, Florida
TULSI GABBARD, Hawaii
JOAQUIN CASTRO, Texas
ROBIN L. KELLY, Illinois
BRENDAN F. BOYLE, Pennsylvania
DINA TITUS, Nevada
NORMA J. TORRES, California
BRADLEY SCOTT SCHNEIDER, Illinois
THOMAS R. SUOZZI, New York
ADRIANO ESPAILLAT, New York
TED LIEU, California

AMY PORTER, *Chief of Staff* THOMAS SHEEHY, *Staff Director*
JASON STEINBAUM, *Democratic Staff Director*

SUBCOMMITTEE ON THE WESTERN HEMISPHERE

JEFF DUNCAN, South Carolina, *Chairman*

CHRISTOPHER H. SMITH, New Jersey
ILEANA ROS-LEHTINEN, Florida
MICHAEL T. MCCAUL, Texas
MO BROOKS, Alabama
RON DESANTIS, Florida
TED S. YOHO, Florida
FRANCIS ROONEY, Florida

ALBIO SIRES, New Jersey
JOAQUIN CASTRO, Texas
ROBIN L. KELLY, Illinois
NORMA J. TORRES, California
ADRIANO ESPAILLAT, New York
GREGORY W. MEEKS, New York

CONTENTS

Page

MARKUP ON

H. Res. 201, Expressing support to the Government of Argentina for its investigation into the terrorist bombing of the Embassy of Israel in Buenos Aires on March 17, 1992 2
Amendment to H. Res. 201 offered by the Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey 5
H. Res. 259, Expressing concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela 7
Amendment in the nature of a substitute to H. Res. 259 offered by the Honorable Jeff Duncan, a Representative in Congress from the State of South Carolina, and chairman, Subcommittee on the Western Hemisphere 13
Amendment to the amendment in the nature of a substitute offered by the Honorable Joaquin Castro, a Representative in Congress from the State of Texas 20
Amendment to the amendment in the nature of a substitute offered by the Honorable Norma J. Torres, a Representative in Congress from the State of California 21
H. Res. 336, Reaffirming a strong commitment to the United States-Mexico Partnership 22
H.R. 1918, To oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes 26
Amendment to H.R. 1918 offered by the Honorable Ileana Ros-Lehtinen, a Representative in Congress from the State of Florida 42

LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE RECORD

APPENDIX

Markup notice 44
Markup minutes 45
Markup summary 46
The Honorable Jeff Duncan, a Representative in Congress from the State of South Carolina, and chairman, Subcommittee on the Western Hemisphere: Prepared statement 47
The Honorable Albio Sires, a Representative in Congress from the State of New Jersey: Prepared statement 49
The Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey: Prepared statement 52
The Honorable Ileana Ros-Lehtinen, a Representative in Congress from the State of Florida: Prepared statement 54
The Honorable Michael T. McCaul, a Representative in Congress from the State of Texas: Prepared statement 58

EXPRESSING SUPPORT TO THE GOVERNMENT OF ARGENTINA FOR ITS INVESTIGATION INTO THE TERRORIST BOMBING OF THE EMBASSY OF ISRAEL IN BUENOS AIRES ON MARCH 17, 1992; EXPRESSING CONCERN AND CONDEMNATION OVER THE POLITICAL, ECONOMIC, SOCIAL, AND HUMANITARIAN CRISIS IN VENEZUELA; REAFFIRMING A STRONG COMMITMENT TO THE UNITED STATES-MEXICO PARTNERSHIP; AND NICARAGUA INVESTMENT CONDITIONALITY ACT OF 2017

WEDNESDAY, MAY 24, 2017

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE WESTERN HEMISPHERE,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:09 p.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen presiding.

Ms. ROS-LEHTINEN. The subcommittee will come to order.

Pursuant to notice, we meet today to mark up four bipartisan measures. As members were notified previously, to ensure that we can move expeditiously to our hearing, we will consider today's items en bloc.

And so without objection, the following items provided to your offices earlier this week will be considered en bloc and are considered as read: House Resolution 201, Expressing support for the Government of Argentina for its investigation into the terrorist bombings of the Embassy of Israel in Buenos Aires on March 17, 1992; Smith amendment, which was worked out between majority and minority staff last night and this morning; House Resolution 259, Expressing concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela; the Duncan amendment in the nature of a substitute to H.R. 259; the Castro amendment—that is the good Castro—19 to the ANS; the Torres amendment 29 to the ANS; House Resolution 336, Reaffirming a strong commitment to the United States-Mexico partnership; H.R. 1918, the Nicaraguan Investment Conditionality Act of 2017; and Ros-Lehtinen amendment 23 to H.R. 1918.

[The information referred to follows:]

IV

115TH CONGRESS
1ST SESSION

H. RES. 201

Expressing support to the Government of Argentina for its investigation into the terrorist bombing of the Embassy of Israel in Buenos Aires on March 17, 1992.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2017

Ms. ROS-LEHTINEN (for herself, Mr. DEUTCH, Mr. ROYCE of California, Mr. ENGEL, Mr. DUNCAN of South Carolina, and Mr. SIRES) submitted the following resolution; which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Expressing support to the Government of Argentina for its investigation into the terrorist bombing of the Embassy of Israel in Buenos Aires on March 17, 1992.

Whereas twenty-five years ago, on March 17, 1992, the Embassy of Israel in Buenos Aires was the site of a barbaric terrorist bombing;

Whereas 29 people lost their lives in this attack, among them Israeli diplomats and their spouses, as well as Argentinian citizens;

Whereas this attack also seriously wounded 242 individuals, some of whom have never recovered from their injuries;

Whereas in 1999, the Supreme Court of Argentina, after conducting the investigation, found that the Lebanese terrorist organization Hezbollah was responsible for the bombing;

Whereas evidence shows that the world's leading state sponsor of terrorism, Iran, directed, financed, and assisted Hezbollah in the execution of this terrorist attack;

Whereas two years after the bombing of the Embassy of Israel in Argentina, on July 18, 1994, 85 people were killed in a similar terrorist attack on the Argentine-Israeli Mutual Association (AMIA) building in Buenos Aires;

Whereas in 2006, Argentina issued international arrests warrants against nine Iranian officials in connection with the AMIA atrocity;

Whereas the culprits of these heinous crimes have never been brought to justice;

Whereas the House of Representatives commends President Mauricio Macri of Argentina for appointing a Special Investigator to examine the AMIA terrorist attack;

Whereas the Government of Argentina and the former Special Prosecutor in charge of investigating the AMIA terrorist attack, Alberto Nisman, determined the bombing was conducted by Iranian proxy Hezbollah; and

Whereas, on January 19, 2015, Alberto Nisman was found dead in his apartment in Argentina under suspicious circumstances, the reason for his death has not been determined yet: Now, therefore, be it

Resolved, That the House of Representatives—

(1) calls on the United States Government to assist the Government of Argentina in any possible way so that the perpetrators of these horrific atrocities, the attacks on the Embassy of Israel in Buenos Aires in 1992 and the Argentine-Israeli Mutual Association (AMIA) in Buenos Aires in 1994, finally be brought to justice;

(2) determines that the murderous terrorist attacks upon Israel's Embassy in Argentina and the AMIA constitute an affront to humanity, and the values of civilized society, and reminds us that the international community must cooperate and work together to combat and defeat international terrorism and its state sponsors, such as Iran; and

(3) urges the Government of Iran to take meaningful steps towards fully complying with investigations by the Government of Argentina, including immediately providing all available information from all entities of the Government of Iran regarding the attacks against Israel's Embassy in Buenos Aires in 1992 and the AMIA in Buenos Aires in 1994.

○

AMENDMENT TO H. RES. 201

OFFERED BY MR. SMITH OF NEW JERSEY

After paragraph (1) of the resolved text, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

(2) calls upon the United States Government to weigh evidence uncovered by the Special Investigator investigating the AMIA terrorist attack concerning culpable persons and consider the imposition of sanctions on such persons, including—

(A)(i) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(ii) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation; and

(B) the blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of such a person if such property and interests in prop-

erty are in the United States, come within the United States, or are or come within the possession or control of a United States person;

☒

115TH CONGRESS
1ST SESSION

H. RES. 259

Expressing concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2017

Mr. DESANTIS (for himself, Ms. ROS-LEHTINEN, Mr. MCCAUL, Mr. CURBELO of Florida, Mr. YOHO, Mr. WEBER of Texas, Mr. BILIRAKIS, Mr. SIRES, and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Expressing concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela.

Whereas there is no separation of powers or independent institutions in Venezuela and President Maduro controls the Presidency, a majority of the municipalities, the Supreme Court, the military leadership, and the leadership of Petróleos de Venezuela (PDVSA);

Whereas Venezuela's National Electoral Council postponed elections for governors and mayors scheduled for December 2016 and has not set a date to reschedule elections;

Whereas there have been several attempts at dialogue between President Maduro and the opposition over the past year, which have all failed to achieve results;

Whereas a political solution is the way to provide sustainable change for the Venezuelan people, but the dialogues up until now have helped provide Maduro a lifeline while his government is collapsing;

Whereas the Venezuelan government continues to silence its citizens through political arrests, with more than 100 political prisoners currently in jail, including opposition leader Leopoldo López;

Whereas Joshua Holt, a United States citizen, remains imprisoned in Venezuela awaiting a trial, with five postponed hearings to date;

Whereas police and military raids have led to widespread allegations of abuse, including extrajudicial killings, mass arbitrary detentions, torture in prisons, forced evictions, and arbitrary deportations;

Whereas Venezuela is immersed in a deep economic crisis, with the highest inflation in the world and current inflation estimated to top roughly 1,600 percent in 2017, according to the International Monetary Fund;

Whereas in July 2016, President Maduro handed over control of the food supply system to the military, which has enabled corruption, fraud, and food trafficking by the military contributing to food shortages, a scarcity of basic goods, and political discrimination in the distribution of food and basic goods;

Whereas deteriorating conditions in health care persist, with the World Health Organization estimating that there are shortages for 75 percent of necessary medications and medical supplies, up from 55 percent in 2014 and 67 percent in 2015;

Whereas the country is facing increasing outbreaks of malaria and diphtheria, previously eradicated diseases in Venezuela;

Whereas the country has experienced an increase in emigration, according to multiple press reports, including the Wall Street Journal, New York Times, and Washington Post;

Whereas Venezuela is the leading country for asylum requests to the United States in the world, according to data reported by the U.S. Citizenship and Immigration Services;

Whereas the Government of Venezuela has expanded its powers to regulate media and reduce the number of dissenting media outlets, including CNN en Español after CNN broadcasted a report alleging that Vice President Tareck El Aissami was directly linked to passport fraud involving members of Hezbollah;

Whereas, on February 13, 2017, the United States Department of the Treasury's Office of Foreign Assets Control designated Tareck Zaidan El Aissami Maddah as a Specially Designated Narcotics Trafficker pursuant to the Foreign Narcotics Kingpin Designation Act for playing a significant role in international narcotics trafficking and imposed sanctions on Mr. El Aissami and froze his assets in the United States;

Whereas, on March 14, 2017, the Secretary General of the Organization of American States (OAS), Luis Almagro, issued a second report on the crisis in Venezuela following his May 2016 report, documenting an altercation of the Inter-American Democratic Charter by the Government of Venezuela and calling for free, fair, and open

elections and the release of political prisoners without delay;

Whereas, on March 23, 2017, fourteen OAS Member States published a joint statement calling for the Government of Venezuela to hold elections, restore the constitutional powers of the National Assembly, and release political prisoners;

Whereas, on March 28, 2017, the OAS Permanent Council agreed by a vote of 20 in favor, 11 against, 2 abstentions, and 1 absent/nonvoting Member States to move forward in discussing the situation in Venezuela;

Whereas, on March 28, 2017, the Supreme Court of Venezuela stripped opposition leaders of the National Assembly of their parliamentary immunity and began to take steps to consider prosecuting them for treason;

Whereas, on March 29, 2017, the Venezuelan Supreme Court seized power from the democratically elected National Assembly and nullified the legislative branch's ability to function;

Whereas, on March 31, 2017, in the first major break of a sitting Venezuelan public official, Venezuelan Attorney General Luisa Ortega Diaz affirmed the Supreme Court's actions "had broken constitutional order";

Whereas, on March 31, 2017, Venezuelan citizens took to the streets protesting the Supreme Court's breach of power;

Whereas, on April 1, 2017, during an emergency meeting of the Mercosur countries, the foreign ministers of Argentina, Brazil, Paraguay, and Uruguay released a statement urging the Government of Venezuela to follow its constitution and guarantee "the effective separation of powers"; and

Whereas, on April 1, 2017, the Supreme Court reversed its earlier decisions taking over the National Assembly's legislative powers and stripping the legislators of their parliamentary immunity: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the decisions by the Venezuelan Supreme Court on March 28, 2017, and March 29, 2017, stripping the opposition legislators of their parliamentary immunity and seizing power from the National Assembly, nullifying all legislative actions;

(2) recognizes the decision by the Venezuelan Supreme Court on April 1, 2017, to restore the opposition legislators' parliamentary immunity and the National Assembly's legislative powers;

(3) urges the Government of Venezuela to heed the calls of the international community to hold free, fair, and open elections, release all political prisoners, including U.S. citizens, and immediately accept international humanitarian assistance only through nongovernmental organizations;

(4) urges OAS Member States to continue all efforts, including the consideration of a potential suspension of Venezuela from the OAS, if the Government of Venezuela fails to hold free, fair, and open elections and release all political prisoners in a timely manner; and

(5) encourages the President of the United States to prioritize a resolution of the political, economic, social, and humanitarian crisis in Venezuela, including through bilateral, targeted sanctions against individuals in the Government of Venezuela responsible for the deterioration of democratic institutions and the rule of law in the country.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE

TO H. RES. 259

OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

Strike the preamble and insert the following:

Whereas in Venezuela, President Nicolas Maduro controls the Presidency, a majority of the municipalities, the Supreme Court, the military leadership, and the leadership of Petróleos de Venezuela (PDVSA), and has gutted the National Assembly of the power it constitutionally holds;

Whereas in late October 2016, Venezuela's state courts and National Electoral Council, which are comprised of political allies of President Maduro, halted efforts to hold a referendum pursuant to provisions of the Venezuelan constitution to recall President Maduro, thereby denying the Venezuelan people the ability to pursue a democratic solution to Venezuela's crisis;

Whereas Venezuela's National Electoral Council postponed elections for governors and mayors scheduled for December 2016 and has not set a date to reschedule these elections;

Whereas there have been several attempts at dialogue between President Maduro and the opposition over the past year, which have all failed to achieve results;

Whereas a political solution is the way to provide sustainable change for the Venezuelan people, but the dialogues up until now have not been successful;

Whereas the Government of Venezuela continues to silence its citizens through political arrests, with more than 180 political prisoners currently in jail, including opposition leader Leopoldo López;

Whereas Joshua Holt, a United States citizen, remains imprisoned in Venezuela awaiting a trial, with five postponed hearings to date;

Whereas police and military raids have led to widespread allegations of abuse, including extrajudicial killings, mass arbitrary detentions, torture in prisons, forced evictions, and arbitrary deportations;

Whereas Venezuela is immersed in a deep economic crisis, with the highest inflation in the world and current inflation estimated to top roughly 1,600 percent in 2017, according to the International Monetary Fund;

Whereas in July 2016, President Maduro handed over control of the food supply system to the military, which has enabled corruption, fraud, and food trafficking by the military contributing to food shortages, a scarcity of basic goods, and political discrimination in the distribution of food and basic goods;

Whereas deteriorating conditions in health care persist, with the World Health Organization estimating that there are shortages for 75 percent of necessary medications and medical supplies, up from 55 percent in 2014 and 67 percent in 2015;

Whereas a recent survey – conducted jointly by the Central University of Venezuela, the Andrés Bello Catholic University and the Simón Bolivar University – found that almost 75 percent of Venezuelans lost an average of at

least 19 pounds in 2016 as a result of a lack of proper nutrition amidst the country's economic crisis;

Whereas the country is facing increasing outbreaks of malaria and diphtheria, previously eradicated diseases in Venezuela;

Whereas the Health Ministry in Venezuela published an epidemiological bulletin in May 2017 (the first since 2015), showing a 30 percent increase in infant mortality, a 66 percent rise in maternal mortality, and a 76 percent increase in malaria cases;

Whereas the country has experienced an increase in emigration, evident by the over 18,000 asylum requests from Venezuelans seeking to enter the United States in 2016, which according to United States Citizenship and Immigration Services was the highest number of requests made by any nationality last year;

Whereas the Government of Venezuela has expanded its powers to regulate media and reduce the number of dissenting media outlets, including CNN en Español after CNN broadcasted a report alleging that Vice President Tareck El Aissami was directly linked to passport fraud involving members of Hezbollah;

Whereas, on February 13, 2017, the Department of the Treasury's Office of Foreign Assets Control designated Tareck Zaidan El Aissami Maddah as a Specially Designated Narcotics Trafficker pursuant to the Foreign Narcotics Kingpin Designation Act for playing a significant role in international narcotics trafficking, and imposed sanctions on Mr. El Aissami and froze his assets in the United States;

Whereas, on March 14, 2017, the Secretary General of the Organization of American States (OAS), Luis Almagro, issued a second report on the crisis in Venezuela following his May 2016 report, documenting an altercation of the Inter-American Democratic Charter by the Government of Venezuela and calling for free, fair, and open elections and the release of political prisoners without delay;

Whereas, on March 23, 2017, fourteen OAS Member States published a joint statement calling for the Government of Venezuela to hold elections, restore the constitutional powers of the National Assembly, and release political prisoners;

Whereas, on March 28, 2017, the OAS Permanent Council agreed by a vote of 20 in favor, 11 against, 2 abstentions, and 1 absent/nonvoting Member States to move forward in discussing the situation in Venezuela;

Whereas, on March 28, 2017, the Supreme Court of Venezuela stripped opposition leaders of the National Assembly of their parliamentary immunity and began to take steps to consider prosecuting them for treason;

Whereas, on March 29, 2017, the Venezuelan Supreme Court seized power from the democratically elected National Assembly and nullified the legislative branch's ability to function;

Whereas, on March 31, 2017, in the first major break of a sitting Venezuelan public official, Venezuelan Attorney General Luisa Ortega Díaz affirmed the Supreme Court's actions "had broken constitutional order";

Whereas, on March 31, 2017, Venezuelan citizens took to the streets protesting the Supreme Court's breach of power;

Whereas, on April 1, 2017, during an emergency meeting of the Mercosur countries, the foreign ministers of Argentina, Brazil, Paraguay, and Uruguay released a statement urging the Government of Venezuela to follow its constitution and guarantee "the effective separation of powers";

Whereas, on April 1, 2017, the Supreme Court reversed its earlier decisions taking over the National Assembly's legislative powers and stripping the legislators of their parliamentary immunity;

Whereas, on April 26, 2017, the Government of Venezuela announced its intent to withdraw from the OAS;

Whereas on May 1, 2017, President Maduro announced a national vote to create a Constituent Assembly to rewrite the Venezuelan Constitution of 1999 which was an attempt to distract the country's citizens and the international community from the country's political and economic crisis;

Whereas the OAS Permanent Council voted to hold a Meeting of Consultation of Ministers of Foreign Affairs, which is scheduled to occur on May 31, 2017, to consider the situation in Venezuela;

Whereas peaceful protests by Venezuelan citizens in March, April, and May of 2017 have been met with violence from Venezuelan authorities that has caused over 40 deaths and over 1,600 imprisonments;

Whereas, on May 17, 2017, the United Nations Security Council met to discuss the humanitarian crisis in Venezuela; and

Whereas, on May 18, 2017, the Department of the Treasury announced United States sanctions against eight Ven-

ezuelan Government officials, all members of Venezuela's Supreme Court, pursuant to Executive Order 13692, for their responsibility in issuing a number of rulings that "interfere with or limit the National Assembly's authority" and that "limit the ability of the National Assembly to conduct its constitutional duties": Now, therefore, be it

Strike all after the resolved clause and insert the following:

That the House of Representatives—

(1) condemns the decisions by the Venezuelan Supreme Court on March 28, 2017, and March 29, 2017, stripping the opposition legislators of their parliamentary immunity and seizing power from the National Assembly, nullifying all legislative actions;

(2) recognizes the decision by the Venezuelan Supreme Court on April 1, 2017, to restore the opposition legislators' parliamentary immunity and the National Assembly's legislative powers;

(3) urges the Government of Venezuela to heed the calls of the international community without delay to hold free, fair, and open elections, release all political prisoners, including United States citizens, respect the rights of the National Assembly, and accept international humanitarian assistance through nongovernmental organizations;

(4) urges Organization of American States (OAS) Member States to continue all efforts to support the Venezuelan people, regardless of Venezuela's intent to withdraw from the OAS, if the Government of Venezuela fails to hold free, fair, and open elections and release all political prisoners in a timely manner;

(5) recognizes the strong leadership of OAS Secretary General Luis Almagro in building a coalition of OAS Member States in support of the rights of the Venezuelan people; and

(6) encourages the President of the United States to prioritize a resolution of the political, economic, social, and humanitarian crisis in Venezuela through both multilateral cooperation with partners in Latin America and the Caribbean at the OAS and in the United Nations, and through targeted sanctions against individuals in the Government of Venezuela responsible for the deterioration of democratic institutions and the rule of law in the country, as well as human rights violations.

☒

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 259 OFFERED BY MR. CASTRO OF TEXAS

In the preamble, insert after the 7th clause the following:

Whereas in its 2016 report, Venezuela's Violence Observatory assessed a widespread use of firearms by criminals and increased use of violence by police and military officials, contributing to a homicide rate of 91.8 per 100,000 residents, making Venezuela the second-most violent country outside a warzone in the world;



AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 259 OFFERED BY MRS. TORRES OF CALIFORNIA

Insert after the 14th clause of the preamble the following:

Whereas the deteriorating conditions in Venezuela have prompted tens of thousands of Venezuelans to flee to countries throughout the Western Hemisphere, including to Brazil, Canada, Chile, Colombia, Panama, Perú, and the United States;

In the 15th clause of the preamble, strike "the country has experienced an increase in emigration, evident by the over" and insert "there were".

Page 7, beginning on line 15, insert ", and an effective response to the growing regional refugee crisis that is emanating from Venezuela," before "through".

☒

IV

115TH CONGRESS
1ST SESSION

H. RES. 336

Reaffirming a strong commitment to the United States-Mexico partnership.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2017

Mr. ENGEL (for himself, Mr. MCCAUL, Mr. GENE GREEN of Texas, Ms. LOFGREN, Mrs. TORRES, Mr. SIRES, Mr. CUELLAR, Mr. POLIS, Mr. DUFFY, Mr. HURD, Mr. VALADAO, Ms. MCSALLY, Ms. SÁNCHEZ, and Mr. POE of Texas) submitted the following resolution; which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Reaffirming a strong commitment to the United States-Mexico partnership.

Whereas shared cultural ties, values, and beliefs connect the citizens of the United States and Mexico and have long been the foundation from which the friendly, bilateral relationship has flourished;

Whereas the United States and Mexico have benefited from a bilateral, mutually beneficial partnership focused on advancing the economic and security interests of both countries;

Whereas it is in the national interests of the United States and Mexico to continue deepening economic cooperation and security cooperation;

Whereas consecutive United States and Mexican administrations have increased bilateral defense and law enforcement cooperation on counterterrorism and counternarcotics issues, including the illicit trafficking of weapons, money, people, and drugs across the United States southern border;

Whereas cooperation with Mexico during the administration of President Peña Nieto has led to the extradition of more than 270 individuals facing criminal charges in the United States;

Whereas, the January 19, 2017, extradition of drug kingpin Joaquin "El Chapo" Guzman to New York was a major victory for both countries that would not have been possible without a robust United States-Mexico security partnership;

Whereas the Mérida Initiative was established in 2007 and enabled a new level of security cooperation between the United States and Mexico on a range of issues including efforts to combat transnational organized crime and promote justice reform;

Whereas the United States and Mexico have begun cooperation to address the trafficking and production of heroin and fentanyl threatening the lives of citizens in both countries;

Whereas the United States has provided almost $2.8 billion in security assistance to Mexico through the Mérida Initiative between fiscal year 2008 and fiscal year 2017;

Whereas the United States and Mexico enjoy close diplomatic cooperation and Mexico has consistently voted with the United States at the United Nations on challenges related to Syria, North Korea, and Ukraine;

Whereas the United States and Mexico have closely collaborated at the Organization of American States (OAS) on issues related to Venezuela, where Mexico has played a leading role;

Whereas Mexico is an important security and defense partner to the United States, and regularly participates in training activities in coordination with United States Northern Command (NORTHCOM) and the North American Aerospace Defense Command (NORAD); and

Whereas the United States and Mexico launched the High Level Economic Dialogue on September 20, 2013, to help advance United States-Mexico economic and commercial priorities to promote mutual economic growth, job creation, educational exchanges and innovation, and global competitiveness: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms its strong commitment to a United States-Mexico partnership based on mutual respect and the promotion of shared democratic values and principles;

(2) supports continued bilateral cooperation through the High Level Economic Dialogue on issues related to the economic well-being and security of both countries;

(3) encourages continued security cooperation between the United States and Mexican law enforcement agencies and militaries, including on violence

reduction in Mexico, counterterrorism and the increased trafficking of heroin and fentanyl;

(4) supports continued engagement with Mexico to tackle regional issues and work together in international fora, including the United Nations and the Organization of American States; and

(5) supports efforts by the Government of Mexico to strengthen the rule of law, reduce corruption, and advance civil and human rights.

○

I

115TH CONGRESS
1ST SESSION

H. R. 1918

To oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2017

Ms. ROS-LEHTINEN (for herself, Mr. SIRES, Mr. DUNCAN of South Carolina, Ms. WASSERMAN SCHULTZ, Mr. YOHO, Mr. CÁRDENAS, Mr. DIAZ-BALART, Mr. NORCROSS, Mr. CURBELO of Florida, Mr. DEUTCH, Mr. BILIRAKIS, Mr. CUELLAR, Mr. SMITH of New Jersey, Ms. WILSON of Florida, Mr. POE of Texas, Mr. HASTINGS, Mr. DESANTIS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MCCAUL, Ms. KELLY of Illinois, Mr. WEBER of Texas, Mr. DONOVAN, Mr. CHABOT, Mr. THOMAS J. ROONEY of Florida, and Mr. FRANCIS ROONEY of Florida) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, 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 oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nicaraguan Investment Conditionality Act (NICA) of 2017".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In 2006, Nicaragua, under President Enrique Bolaños, entered into a $175,000,000, 5-year compact with the Millennium Challenge Corporation (MCC).

(2) After the 2008 municipal elections, the MCC stated that there was a pattern of decline in political rights and civil liberties in Nicaragua.

(3) In 2009, the MCC terminated the compact and reduced the amount of MCC funds available to Nicaragua by $61,500,000, which led to the compact ending in 2011.

(4) According to Nicaraguan law, the National Assembly is the only institution allowed to change the constitution but in 2009, Daniel Ortega circumvented the legislature and went to the Supreme Court, which he controls, to rule in his favor that Presidential term limits were inapplicable.

(5) The House Committee on Foreign Affairs convened a congressional hearing on December 1, 2011, entitled "Democracy Held Hostage in Nicaragua: Part 1" where former United States Ambas-

sador to Nicaragua Robert Callahan testified, "First, that Daniel Ortega's candidacy was illegal, illegitimate, and unconstitutional; second, that the period leading to the elections and the elections themselves were marred by serious fraud; third, that Daniel Ortega and his Sandinista party have systematically undermined the country's fragile governmental institutions.".

(6) From fiscal year 2012 until present, the Department of State found that Nicaragua did not meet international standards of fiscal transparency.

(7) On January 25, 2012, a press statement from Secretary of State Hillary Clinton said: "As noted by international observers and Nicaraguan civil society groups, Nicaragua's recent elections were not conducted in a transparent and impartial manner, and the entire electoral process was marred by significant irregularities. The elections marked a setback to democracy in Nicaragua and undermined the ability of Nicaraguans to hold their government accountable.".

(8) According to the Department of State's 2015 Fiscal Transparency Report: "Nicaragua's fiscal transparency would be improved by including all off-budget revenue and expenditure in the budget,

auditing state-owned enterprises, and conducting a full audit of the government's annual financial statements and making audit reports publicly available within a reasonable period of time.".

(9) According to the Department of State's Country Reports on Human Rights Practices for 2015: "In 2011 the Supreme Electoral Council (CSE) announced the re-election of President Daniel Ortega Saavedra of the Sandinista National Liberation Front (FSLN) in elections that international and domestic observers characterized as seriously flawed. International and domestic organizations raised concerns regarding the constitutional legitimacy of Ortega's re-election. The 2011 elections also provided the ruling party with a supermajority in the National Assembly, allowing for changes in the constitution, including extending the reach of executive branch power and the elimination of restrictions on re-election for executive branch officials and mayors. Observers noted serious flaws during the 2012 municipal elections and March 2014 regional elections.".

(10) According to the Department of State's Country Reports on Human Rights Practices for 2015 in Nicaragua: "The principal human rights

abuses were restrictions on citizens' right to vote; obstacles to freedom of speech and press, including government intimidation and harassment of journalists and independent media, as well as increased restriction of access to public information, including national statistics from public offices; and increased government harassment and intimidation of nongovernmental organizations (NGOs) and civil society organizations.".

(11) The same 2015 report stated: "Additional significant human rights abuses included considerably biased policies to promote single-party dominance; arbitrary police arrest and detention of suspects, including abuse during detention; harsh and life-threatening prison conditions with arbitrary and lengthy pretrial detention; discrimination against ethnic minorities and indigenous persons and communities.".

(12) In February 2016, the Ortega regime detained and expelled Freedom House's Latin America Director, Dr. Carlos Ponce, from Nicaragua.

(13) On June 3, 2016, the Nicaraguan Supreme Court—which is controlled by Nicaragua's leader, Daniel Ortega—instructed the Supreme Electoral Council not to swear in Nicaraguan opposition

members to the departmental and regional electoral councils.

(14) On June 5, 2016, regarding international observers for the 2016 Presidential elections, President Ortega stated: "Here, the observation ends. Go observe other countries . . . There will be no observation, neither from the European Union, nor the OAS . . .".

(15) On June 7, 2016, the Department of State's Bureau of Democracy, Human Rights and Labor posted on social media: "Disappointed government of Nicaragua said it will deny electoral observers requested by Nicaraguan citizens, church, and private sector . . . We continue to encourage the government of Nicaragua to allow electoral observers as requested by Nicaraguans.".

(16) On June 14, 2016, President Ortega expelled three United States Government officials (two officials from U.S. Customs and Border Protection and one professor from the National Defense University) from Nicaragua.

(17) On June 29, 2016, the Department of State issued a Nicaragua Travel Alert which stated: "The Department of State alerts U.S. citizens about increased government scrutiny of foreigners' activi-

ties, new requirements for volunteer groups, and the potential for demonstrations during the upcoming election season in Nicaragua . . . Nicaraguan authorities have denied entry to, detained, questioned, or expelled foreigners, including United States Government officials, academics, NGO workers, and journalists, for discussions, written reports or articles, photographs, and/or videos related to these topics. Authorities may monitor and question private United States citizens concerning their activities, including contact with Nicaraguan citizens.".

(18) On August 1, 2016, the Department of State issued a press release to express grave concern over the Nicaraguan government limiting democratic space leading up to the elections in November and stated that "[o]n June 8, the Nicaraguan Supreme Court stripped the opposition Independent Liberal Party (PLI) from its long recognized leader. The Supreme Court took similar action on June 17 when it invalidated the leadership of the Citizen Action Party, the only remaining opposition party with the legal standing to present a presidential candidate. Most recently, on July 29, the Supreme Electoral Council removed 28 PLI national assembly members

(16 seated and 12 alternates) from their popularly-elected positions.".

(19) On November 7, 2016, the Department of State issued a press release stating: "The United States is deeply concerned by the flawed presidential and legislative electoral process in Nicaragua, which precluded the possibility of a free and fair election on November 6. In advance of the elections, the Nicaraguan government sidelined opposition candidates for president, limited domestic observation at the polls and access to voting credentials, and took other actions to deny democratic space in the process. The decision by the Nicaraguan government not to invite independent international electoral observers further degraded the legitimacy of the election.".

(20) In November and December of 2016, the Board of Executive Directors of the Inter-American Development Bank postponed consideration of a policy based loan of $65 million to the Government of Nicaragua due to the efforts of the United States mission that expressed serious concerns of the absence of transparency, systemic corruption, and the lack of free and fair elections in Nicaragua.

(21) On February 2017, the European Parliament issued a resolution on the situation of

human rights and democracy in Nicaragua and expressed concern of the "deteriorating human rights situation in Nicaragua and deplores the attacks and acts of harassment to which human rights organizations and their members and independent journalists have been subjected by individuals, political forces and bodies linked to the State".

(22) According to the Department of State's Country Reports on Human Rights Practices for 2016: "[A]ctions by the ruling Sandinista National Liberation Front (FSLN) party resulted in de facto concentration of power in a single party, with an authoritarian executive branch exercising significant control over the legislative, judicial, and electoral functions.".

(23) According to the Department of State's Country Reports on Human Rights Practices for 2016 in Nicaragua, "The November 6 elections for president, vice president, national assembly members, and representatives for the Central American parliament did not meet the conditions of being free and fair . . . The November 6 presidential and legislative elections were marred by allegations of institutional fraud and the absence of independent opposition political parties. National observers and oppo-

sition leaders claimed rates of abstention from 60 to 70 percent.".

(24) According to the Department of State's Country Reports on Human Rights Practices for 2016: "Companies reported that bribery of public officials, unlawful seizures, and arbitrary assessments by customs and tax authorities were common . . . The courts remained particularly susceptible to bribes, manipulation, and other forms of corruption, especially by the FSLN, giving the sense that the FSLN heavily influenced CSJ and lower-level court actions.".

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

(1) the rule of law and an independent judiciary and electoral council in Nicaragua;

(2) independent pro-democracy organizations in Nicaragua;

(3) free, fair, and transparent elections under international and domestic observers in Nicaragua; and

(4) anti-corruption and transparency efforts in Nicaragua.

SEC. 4. INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—The President shall instruct the United States Executive Director at each international financial institution to use the voice, vote, and influence of the United States to oppose any loan for the benefit of the Government of Nicaragua, other than to address basic human needs or promote democracy, unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Nicaragua is taking effective steps to—

(1) hold free, fair, and transparent elections overseen by credible domestic and international electoral observers;

(2) promote democracy, as well as an independent judicial system and electoral council;

(3) strengthen the rule of law;

(4) respect the right to freedom of association and expression;

(5) combat corruption, including investigating and prosecuting government officials that are credibly alleged to be corrupt; and

(6) protect the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference.

(b) REPORT.—The Secretary of the Treasury shall submit to the appropriate congressional committees a written report assessing—

(1) the effectiveness of the international financial institutions in enforcing applicable program safeguards in Nicaragua; and

(2) the effects of the matters described in section 2 on long-term prospects for positive development outcomes in Nicaragua.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) INTERNATIONAL FINANCIAL INSTITUTION.—The term "international financial institution" means the International Monetary Fund, International Bank for Reconstruction and Develop-

ment, European Bank for Reconstruction and Development, International Development Association, International Finance Corporation, Multilateral Investment Guarantee Agency, African Development Bank, African Development Fund, Asian Development Bank, Inter-American Development Bank, Bank for Economic Cooperation and Development in the Middle East and North Africa, and Inter-American Investment Corporation.

(d) TERMINATION.—This section shall terminate on the day after the earlier of—

(1) the date on which the Secretary of State certifies and reports to the appropriate congressional committees that the requirements of subsection (a) are met; or

(2) 5 years after the date of the enactment of this Act.

(e) WAIVER.—The President may waive this section if the President determines that such a waiver is in the national interest of the United States.

SEC. 5. ORGANIZATION OF AMERICAN STATES.

(a) FINDINGS.—Congress finds that, according to the Organization of American States (OAS) report on the Nicaraguan 2011 Presidential elections, Nicaragua: Final Report, General Elections, OAS (2011), the OAS made the

following recommendations to the Government of Nicaragua:

(1) "Prepare alternative procedures for updating the electoral roll when a registered voter dies.".

(2) "Publish the electoral roll so that new additions, changes of address and exclusions can be checked.".

(3) "Reform the mechanism for accreditation of poll watchers using a formula that ensures that the political parties will have greater autonomy to accredit their respective poll watchers.".

(4) "Institute regulations to ensure that party poll watchers are involved in all areas of the electoral structure, including the departmental, regional and municipal electoral councils and polling stations. Rules should be crafted to spell out their authorities and functions and the means by which they can exercise their authority and perform their functions.".

(5) "Redesign the CSE administrative structure at the central and field levels, while standardizing technical and operational procedures, including the design of control mechanisms from the time registration to the delivery of the document to the citizens; the process of issuing identity cards should be timed

to the calendar and, to avoid congestion within the process, be evenly spaced.".

(b) ELECTORAL OBSERVATION MISSION.—The President shall direct the United States Permanent Representative to the OAS to use the voice, vote, and influence of the United States at the OAS to strongly advocate for an Electoral Observation Mission to be sent to Nicaragua in 2017.

SEC. 6. STATEMENT OF POLICY.

The Department of State and the United States Agency for International Development should prioritize foreign assistance to the people of Nicaragua to assist civil society in democracy and governance programs, including human rights documentation.

SEC. 7. REPORT ON CORRUPTION IN NICARAGUA.

(a) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), shall submit to Congress a report on the involvement of senior Nicaraguan government officials, including members of the Supreme Electoral Council, the National Assembly, and the judicial system, in acts of public corruption or human rights violations in Nicaragua.

(b) FORM.—The report required in subsection (a) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of the report shall be made available to the public.

○

AMENDMENT TO H.R. 1918

OFFERED BY MS. ROS-LEHTINEN OF FLORIDA

Page 12, line 1, strike ''The'' and insert ''Not later than 180 days after the date of the enactment of this Act, the''.

☒

Ms. ROS-LEHTINEN. Without objection, all members may have 5 days to submit statements and materials for the record.

In the interest of time, I plan to submit my remarks and Mr. Duncan's remarks for the Congressional Record. I encourage other members to submit their remarks for the Congressional Record as well.

And I want to applaud the leadership and help of all of our congressional subcommittee in bringing attention to all of these terrible situations throughout the world.

And with that, I would like to turn to Mr. Duncan's ranking member, Mr. Sires.

Mr. SIRES. I have no comments. I agree.

Ms. ROS-LEHTINEN. Thank you very much.

As you know, we have a series of votes on the floor, five votes. And so I will turn now to the page that does it legally.

Do any other members seek recognition to speak on today's business?

Seeing no members, the Chair now moves that the subcommittee favorably report the items considered en bloc to the full committee as amended.

All those in favor, say aye.

All those opposed, no.

In the opinion of the Chair, the ayes have it. The motion is approved. House resolution 201, 259, 336, and H.R. 1918 are reported favorably to the full committee as amended.

Without objection, staff is directed to make any technical or conforming changes.

As you know, all of the members and the staff have been working for 2 weeks now on this markup, so don't think that they haven't been read and studied.

The chairman wants to thank all of the members and staff for their assistance and cooperation on today's markup. And the subcommittee stands adjourned.

[Whereupon, at 1:12 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Record

SUBCOMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on the Western Hemisphere
Jeff Duncan (R-SC), Chairman

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs, to be held by the Subcommittee on the Western Hemisphere, in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at http://www.ForeignAffairs.house.gov):

DATE: Wednesday, May 24, 2017

TIME: 1:00 p.m.

MARKUP OF: H. Res. 201, Expressing support to the Government of Argentina for its investigation into the terrorist bombing of the Embassy of Israel in Buenos Aires on March 17, 1992;

H. Res. 259, Expressing concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela;

H. Res. 336, Reaffirming a strong commitment to the United States – Mexico Partnership; and

H.R. 1918, Nicaragua Investment Conditionality Act of 2017.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF SUBCOMMITTEE MARKUP

MINUTES OF SUBCOMMITTEE ON *the Western Hemisphere* MARKUP

Day *Wednesday* **Date** *May 24, 2017* **Room** *2172*

Starting Time *1:00 PM* **Ending Time** *1:12 PM*

Recesses *n/a* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Ileana Ros-Lehtinen

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

H. Res. 201, H. Res. 259, H. Res. 336, and H.R. 1918, the Nicaraguan Investment Conditionality Act (NICA) of 2017

COMMITTEE MEMBERS PRESENT:

Rep. Ileana Ros-Lehtinen, Ranking Member Albio Sires, Rep. Smith, Rep. Brooks, Rep. DeSantis, Rep Yoho, Rep. Rooney, Rep Castro, Rep. Kelly, Rep. Torres, Rep. Espaillat, Rep. Meeks

NON-COMMITTEE MEMBERS PRESENT:

n/a

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Chairman Duncan, Ranking Member Sires, Rep. Smith, Rep. Ros-Lehtinen, Rep. McCaul

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

A voice vote was taken and H. Res. 201, H. Res. 259, H. Res. 336, and H.R. 1918 were favorably reported to the Full Committee as amended.

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting
n/a				

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *1:12 PM*

Subcommittee Staff Associate

5/24/17 Western Hemisphere Subcommittee Markup Summary

By unanimous consent, the Chair called up the following measures and amendments, previously provided to Members, to be considered *en bloc*:

1. H. Res. 201 (Ros-Lehtinen), Expressing support to the Government of Argentina for its investigation into the terrorist bombing of the Embassy of Israel in Buenos Aires on March 17, 1992;
    a. Smith 36, an amendment to H. Res. 201.

2. H. Res. 259 (DeSantis), Expressing concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela;
    a. Duncan amendment in the nature of a substitute to H. Res. 259;
        a. Castro 19, an amendment to the Duncan ANS;
        b. Torres 29, an amendment to the Duncan ANS.

3. H. Res. 336 (Engel), Reaffirming a strong commitment to the United States – Mexico partnership.

4. H.R. 1918 (Ros-Lehtinen), Nicaragua Investment Conditionality Act of 2017;
    a. Ros-Lehtinen 23, an amendment to H.R. 1918.

The measures considered *en bloc* were agreed to by voice vote.

By unanimous consent, the measures as amended were ordered favorably reported to the full Committee.

The Committee adjourned.

Chairman Jeff Duncan, WHEM Subcommittee Markup, 05-24-2017

Opening Remarks

I want to applaud the leadership of Representatives Ros-Lehtinen, Sires, DeSantis, Engel, and McCaul in their bipartisan efforts with these pieces of legislation. House Resolution 201 is an important bill that follows sustained Congressional attention to the issue of Iran and Hezbollah's activities in the Western Hemisphere. It sends a message to Argentina that the United States supports justice for the perpetrators of the horrific terrorist attacks in Buenos Aires on the Embassy of Israel in 1992 and on the AMIA in 1994. Last year, I along with Ranking Member Sires, visited the AMIA where Argentina's deadliest terrorist attack occurred. 85 people were killed and 300 were wounded in a bombing at the hands of Hezbollah, a proxy of Iran. The subsequent murder of AMIA Special Prosecutor Alberto Nisman – who himself was key to uncovering evidence of Iranian penetration of several countries in the Western Hemisphere and issuing an indictment of Argentina's former president for obstruction of justice involving the AMIA attack – still remains unsolved even after two years. In view of this week's tragedy in Manchester and the upcoming anniversary of the AMIA attack on July 18th, we must do more to deter future attacks by working closely together to bring perpetrators of such acts to justice.

House Resolution 259 is also a significant bill that follows other legislative action on Venezuela in the 113th and 114th Congresses and multiple Congressional hearings. My Amendment in the Nature of a Substitute notes recent events in Venezuela, urges OAS Member States to continue supporting the Venezuelan people even if Venezuela withdraws from the OAS, affirms the leadership of OAS Secretary General Almagro, and encourages President Trump to work with countries in the OAS and at the United Nations to prioritize a resolution of the crisis in Venezuela. Over the past two months, Venezuelan security forces, backed by Cuban

intelligence agents and Russian and Chinese financial support, have literally mowed down protesters with their vehicles, raided homes and terrorized civilians, and discussed using snipers to target civilians. Last week's United Nations Security Council meeting about Venezuela, at the request of U.S. Ambassador Nikki Haley, and the U.S. Treasury Department's announcement of sanctions on eight members of Venezuela's Supreme Court were significant, and I commend the Trump Administration for its leadership in these areas.

House Resolution 336 affirms the strategic importance of the U.S.-Mexico relationship, which is vital to U.S. national security and economic interests. We share a 2,000-mile border, have extensive connections through the Gulf of Mexico, and cooperate on a wide range of mutually-important issues. Mexico is our third-largest trading partner, and we have an integrated commercial relationship. Our security partnership is critical to U.S. and Mexican interests, and we collaborate daily through
the Mérida Initiative, joint border security efforts on the U.S.-Mexico and Mexico-Guatemalan border, and in NORTHCOM and NORAD efforts, among many other activities.

H.R. 1918 urges the Government of Nicaragua to take actions to hold free, fair, and transparent elections. A similar version of this bill was considered by this Subcommittee in the 114th Congress and passed without objection. As the country has yet to improve in upholding democratic institutions for the Nicaraguan people amidst last year's controversial reelection of President Ortega, we believe it is important to consider this bill again today. Likewise, we remain concerned over the authoritarian nature of the Nicaraguan government, its increasing partnerships with Russia, China, and Iran, and its continued support of President Maduro's oppression and human rights abuses in Venezuela. With that, I want to hear from the authors of these pieces of legislation and any other Members who may wish to speak on these bills.

House Committee on Foreign Affairs
Subcommittee on the Western Hemisphere

Congressman Albio Sires (D-NJ)
Ranking Member

Opening Statement – Mark up of Measures on Argentina, Venezuela, Mexico and Argentina
Wednesday, May 24, 2017

- **Thank you very much Mr. Chairman. I'm grateful you've called this markup and we're able to advance these bipartisan measures today.**
- **Today we're here to markup four pieces of legislation and I am proud to be an original cosponsor of all of them.**
- **The first piece of legislation, H-Res. 201, sponsored by my good friend from Florida, Ileana Ros-Lehtinen, expresses support for the Government of Argentina for its investigation into the terrorist bombing of the Embassy of Israel in Buenos Aires in 1992 and the attack on the Argentine- Israeli Mutual Association (AMIA) building just two years later.**
- **These treacherous bombings killed 114 people and injured hundreds more, many of whom never recovered from their wounds.**
- **This resolution commends President Mauricio Macri for appointing a special prosecutor to hunt down those responsible for the bombings and finally hold Iranian officials accountable for their connection to the AMIA bombing.**
- **I was fortunate enough to travel to Argentina last year with Chairman Duncan and visit the AMIA center for a wreath laying ceremony.**
- **We met with members of the Jewish community and heard about their dedication to preserving their heritage and bringing the perpetrators of these acts to justice.**
- **This important legislation acknowledges the good efforts of Argentina's President Mauricio Macri and stands with the Argentine people who deserve answers about these brutal**

terrorist attacks and the still unanswered questions about how Iran and its proxies helped carry out the attacks.

- **Next, H – Res. 259 led by Congressman Ron DeSantis, expresses concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela.**
- **This resolution urges the Maduro regime to quit holding its people hostage and allow free fair and open elections to finally occur.**
- **The resolutions also calls for all O-A-S member states to stand shoulder to shoulder in support of the Venezuelan people and continue their efforts to hold Maduro accountable for his actions.**
- **H-Res336, led by Ranking Member Engel and Congressman Mike McCaul, reaffirms a strong commitment to the U-S – Mexico partnership.**
- **After months of listening to President Trump degrade the Mexican people and their government– it is time that Congress sends a clear message to try and undo the damage of his actions.**
- **The United States is lucky to have neighbors on both sides of our border with democratic countries that share our values.**
- **We enjoy a strong economic and security cooperation with Mexico and I hope my colleagues in Congress will join us as we do everything possible to deepen our strategic alliance with Mexico in the coming years.**
- **Lastly, the Subcommittee is considering H-R 1918, the Nicaragua Investment Conditionality Act.**
- **Daniel Ortega and his family continue to pocket millions while Nicaragua remains the second poorest country in the Western Hemisphere.**

- **He has spent years repressing the political opposition and has created a de facto monarchy by having his wife serve as his Vice President.**
- **I will continue fighting for the Nicaraguan people until their voices are heard.**
- **This legislation makes it clear that the U-S will not stand by and watch Ortega target human rights defenders and trample democracy while receiving loan after loan from the international community.**
- **I thank Ileana Ros-Lehtinen for her leadership on this issue and am grateful for her bipartisanship efforts to help pass the NICA Act.**
- **Again, I thank Chairman Duncan for all his efforts to have this mark up and I thank all our members and their staff for their hard work.**
- **I yield back.**

Western Hemisphere Subcommittee Mark-up

Excerpts of remarks by Rep. Chris Smith
May 23, 2017

Chairman Duncan, Ranking Member Sires, thank you for convening this mark-up of four substantive pieces of legislation.

I would like to speak first and foremost to my good friend Ileana Ros-Lehtinen's resolution – and my amendment – supporting the Argentine government in its efforts to bring to justice those people responsible for the horrific March 17, 1992 attack on the Embassy of Israel and the July 18, 1994 bombing of the Argentine-Israeli Mutual Association (AMIA) community center in Buenos Aires. We know that the government of Iran and its proxy Hezbollah were responsible for this horrific attack, but for years a proper investigation into Iran's culpability was thwarted by the left-wing government of Nestor Kirchner, followed by that of his wife Cristina. A heroic former special prosecutor, Alberto Nisman, paid with his life for seeking truth and accountability.

Now, with the government of Mauricio Macri in the Casa Rosada, Argentina has once again rededicated itself to seeking justice. Acts like this – as well as President Macri's decision to honor Argentina's debt – are the acts of a true leader, for President Macri choose to put the cause of justice above easy acquiescence to the status quo.

I myself have visited the site of the AMIA attack during a trip to Buenos Aires in 2007, and I attended a memorial service for the victims. Just as we saw in Manchester, England the other day, innocents were targeted by Islamists seeking to terrorize, kill and maim.

My amendment, for which I especially thank Ranking Member Sires and his staff for working with me and my staff on, would ask the Administration to consider imposing Magnitsky-type sanctions, including visa denial, once we have weighed evidence of individual culpability which the Argentine Special Investigator may uncover.

But I must commend Ileana for how relentless she has been in pursuing justice for the victims. I recall cosponsoring her resolution back in 2008, which condemned that attack on the AMIA Jewish community center, along with many other members of Congress that she had rallied, including a former congressman named Mike Pence, now our Vice President. For that, and for so many of her other legislative works over the

years calling attention to atrocities committed by terrorists and dictators, I thank you, Ileana – truly, from the bottom of my heart. You have been a comrade in the trenches, and a solace to many victims of Communism in Cuba and elsewhere.

Which also brings me to two other bills which are being marked up today which I am proud to cosponsor – the Nicaragua Investment Conditionality Act, H.R. 1918, again sponsored by the indefatigably Ileana Ros-Lehtinen, and Congressman DeSantis' resolution on the deteriorating crisis in Venezuela, H. Res. 259.

What all these three pieces of legislation have in common is that they are responding to situations that were exacerbated by governments of the political Left – though, happily, in the case of Argentina, the Argentine people have already corrected that and, it should be noted, the institutions of representative government were never entirely corrupted under the Kirschners and thus Argentina was able to chance course.

Nevertheless, these governments of the Left – which some euphemistically call "Socialist" or "Progressive" – are highly ideological ones whose stated values diverge from our (small "d") democratic ideals and principles, and whose people have suffered as a consequence of decisions made by those in power, who seek to cling to power despite the rising popular opposition in Nicaragua and especially in Venezuela.

As I have stated elsewhere, we ignore ideology at our own peril. There is a self-styled Bolivarian movement in Latin America, known by its Spanish-language acronym ALBA, translated variously in English as the Bolivarian Alternative to the Americas or the Bolivarian Alliance for the People of Our America. Venezuela and Cuba are its founding members, but since 2004 the ALBA movement has been joined by left-wing governments in Bolivia, Nicaragua, and Ecuador, as well as countries in the Caribbean. El Salvador, though not yet formally a member, is drifting into the ALBA orbit under the left-wing government of the FMLN, a former guerilla movement.

There also was a movement of New Left forces, which grew out of the São Paulo Forum, or Foro de São Paulo, held in Brazil in 1990. In the wake of the Fall of the Berlin Wall, various Left Wing movements gathered to renounce armed revolution as the path to power, embracing instead democratic mechanisms as a vehicle for obtaining power.

Once in power – as we see in Maduro's Venezuela and Ortega's Nicaragua today – these regimes seek to entrench themselves, ignoring the needs and desires of the very people in whose name they claim to govern.

That is why it is important that Congress speak with bipartisan clarity. I therefore thank all of you for these pieces of legislation – and also Ranking Member Engel and Congressman McCaul for your fine resolution on our partnership with our southern neighbor Mexico.

Chairman Ros-Lehtinen
WHEM Markup – AMIA, NICA Act, Venezuela, US-Mexico
Wednesday, May 24, 2017, 1:00 p.m.; 2172 Rayburn

Thank you, Chairman Duncan. And thanks to you and Ranking Member Sires for your hard work in convening this markup and bringing these four important measures before us today.

I am grateful to have worked with both of you in introducing H.R. 1918 – the Nicaraguan Investment and Conditionality Act, or NICA Act.

This important measure rightfully brings attention to Daniel Ortega's egregious efforts to consolidate power and trample on the rule of law and the democratic order in Nicaragua.

It gives the U.S. an important avenue by promoting democratic values and prevents Ortega's access to international funds until much needed reforms are made.

The NICA Act conditions our vote at international monetary institutions until free, fair, and transparent elections are held and are overseen by international electoral observers;

Until the independence of the judiciary and the electoral council are respected;

Until the rule of law is strengthened; and

Until the right to freedom of association and expression are protected;

Until corruption is rooted out of the regime; and

Until human rights defenders and journalists are protected.

These are similar conditions we apply to the Northern Triangle nations of Honduras, Guatemala, and El Salvador, and there is no reason why they should not be applicable to Nicaragua.

I urge my colleagues to once again support the NICA Act and stand in support of the people of Nicaragua.

I am also proud to have worked with Chairman Duncan, Ranking Member Sires, as well as Ted Deutch, Chairman Royce and Ranking Member Engel in introducing House Resolution 201, expressing support for Argentina's investigation into the 1992 terrorist bombing of the Israeli Embassy in Buenos Aires.

March 17th marked the 25th anniversary of this senseless, vile attack that took the lives of 29 people and wounded 242 more.

As if that weren't enough, two years later, on July 18th, another terrorist bombing took the lives of over 80 people at the AMIA Jewish community center in Buenos Aires.

In 1999, the Argentinian government's investigation concluded what we already knew: Iran's proxy, Hezbollah, is responsible for these heinous attacks.

The resolution commends President Macri for his efforts on the investigation and appointing a Special Investigator;

It recognizes the efforts of the former Special Prosecutor, Alberto Nisman, who died under suspicious circumstances after determining that Hezbollah was responsible for the AMIA bombing;

Terrorist organizations like Hezbollah must be held accountable for their crimes and I urge my colleagues to support this important resolution.

I would also like to express my full support for my Florida colleague Ron DeSantis for introducing House Resolution 259, of which I am proud to be an original cosponsor.

This resolution condemns some of the recent horrific developments in Venezuela and urges the Maduro regime and OAS Member States, including the United States, to take steps so that Venezuelans finally have free and fair elections, all political prisoners are released, and desperately needed humanitarian aid is delivered.

Since protests began in March, at least 48 people have been killed by the regime and hundreds of others have been beaten and imprisoned in Maduro's attempt to crush all opposition.

I thank my friend, Mr. DeSantis, for his work on this resolution and urge my colleagues to join me in offering their full support.

Finally, I would also like to express my full support for Ranking Member Engel's and McCaul's measure aimed at strengthening the US-Mexico partnership, House Resolution 336, of which I am also proud to be a cosponsor.

This resolution recognizes the collaboration between the US and Mexico on issues pertaining to the situation in Venezuela, demonstrating the values and ideals our two nations share.

By reaffirming our commitment to this alliance, we encourage continued bilateral security cooperation and future coordination in our efforts at the UN and the OAS.

I thank Mr. Engel and Mr. McCaul for bringing this resolution forward and urge my colleagues to support it.

Rep. McCaul Statement for the Record – 5.24.17 WHEM Markup

Chairman, Ranking Member Sires,

thank you for including H. Res. 336 – an important resolution I introduced with Ranking Member Engel in today's markup regarding the U.S.-Mexico relationship.

As a Texan, I am reminded daily that Mexico is the United States third largest trade partner. Our supply chains are interdependent and power immense economic growth and prosperity. Any interruption of goods and services between our two countries could wreak havoc on our economies, so we must foster the quick and reliable movement of legitimate trade and commerce across our shared border.

Our economic relationship must be supported by continued security cooperation, information sharing, and border security efforts.

A prime example is the Merida Initiative, a bilateral security partnership based on the rule-of-law, which has served as the driving force behind security collaboration between U.S. and Mexico.

Launched in 2007, the Merida Initiative has bolstered the capabilities of the Mexican government through increased law enforcement, military-to-military cooperation, and intelligence sharing.

In fact, the Merida Initiative has enabled Mexico to combat criminal enterprises that use the illicit flow of drugs as a fundraising tool, and it has also facilitated the high profile extradition of criminals to the U.S. to face charges, such as "el Chapo" Guzman.

This initiative has also helped Mexico enhance their own security apparatus along their southern border to limit the flow of migrants north from Central America.

Comprehensive security cooperation of this nature is critical to U.S. national security interests and its importance cannot be overstated.

While there remain areas of improvement in the U.S.-Mexico relationship, I believe it would be detrimental to the national security interests of both countries if cooperation on these fronts are diminished.

That is why we introduced this resolution, which reaffirms the enduring U.S. commitment to our partners in Mexico.

This resolution also urges continued economic and security cooperation. The ongoing U.S. efforts to bolster the ability of Mexican law enforcement agencies and military to reduce violence in Mexico, combat terrorism, and address the increased trafficking of heroin and fentanyl are crucial in our fight against transnational drug cartels. This resolution also urges continued cooperation on the international stage, including at the United Nations and the Organization of American States.

Next month, I will lead a bipartisan congressional delegation to Mexico City to meet with our Mexican counterparts during one of the more trying times in the U.S.-Mexico relationship.

I look forward to discussing ways in which we can further enhance our economic and security cooperation with a focus on national security, energy, and trade, as well as the need to work together to secure both Mexico's southern border, as well as our own.

The passage of this resolution is a signal of our commitment to our southern neighbors and will go far to reassure the Mexican government that our continued cooperation to strengthen Mexico is truly a priority to this Congress.

Mr. Chairman, the integral role Mexico plays in advancing our economic, and security interests must not be forgotten. This resolution is an important first step forward.

I yield back the balance of my time.

○