

105TH CONGRESS  
1ST SESSION

# H. R. 2904

To make an exception to the United States embargo on trade with Cuba for the export of medicines or medical supplies, instruments, or equipment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. NADLER introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To make an exception to the United States embargo on trade with Cuba for the export of medicines or medical supplies, instruments, or equipment, 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. AMENDMENT TO EMBARGO AUTHORITY IN THE**

4                   **FOREIGN ASSISTANCE ACT OF 1961.**

5       Section 620(a)(1) of the Foreign Assistance Act of

6 1961 (22 U.S.C. 2370(a)(1)) is amended by inserting be-

7 fore the period at the end of the second sentence the fol-

8 lowing: “, except that any such embargo shall not apply

1 with respect to the export of any medicines or medical sup-  
2 plies, instruments and equipment”.

3 **SEC. 2. LIMITATION ON EXISTING RESTRICTIONS ON**  
4 **TRADE WITH CUBA.**

5 Upon the enactment of this Act, any regulation, proc-  
6 lamation, or provision of law, including Presidential Proc-  
7 lamation 3447 of February 3, 1962, the Export Adminis-  
8 tration Regulations (15 CFR 368–399), and the Cuban  
9 Assets Control Regulations (31 CFR 515), that prohibits  
10 exports to Cuba or transactions involving exports to Cuba  
11 and that is in effect on the date of the enactment of this  
12 Act, shall not apply with respect to the export to Cuba  
13 of medicines or medical supplies, instruments, or equip-  
14 ment.

15 **SEC. 3. LIMITATION ON THE FUTURE EXERCISE OF**  
16 **AUTHORITY.**

17 (a) EXPORT ADMINISTRATION ACT OF 1979.—After  
18 the enactment of this Act, the President may not exercise  
19 the authorities contained in the Export Administration  
20 Act of 1979 to restrict the exportation to Cuba of medi-  
21 cines or medical supplies, instruments, or equipment, ex-  
22 cept to the extent such restrictions would be permitted  
23 under section 5 of that Act for goods containing parts or  
24 components subject to export controls under such section.

1       (b) INTERNATIONAL EMERGENCY ECONOMIC POW-  
2   ERS ACT.—After the enactment of this Act, the President  
3   may not exercise the authorities contained in section 203  
4   of the International Emergency Economic Powers Act to  
5   restrict the export to Cuba of medicines or medical sup-  
6   plies, instruments, or equipment, to the extent such au-  
7   thorities are exercised to deal with a threat to the foreign  
8   policy or economy of the United States.

9 **SEC. 4. CONFORMING AMENDMENTS.**

10       Section 1705 of the Cuban Democracy Act of 1992  
11   (22 U.S.C. 6004) is amended—

12           (1) by amending subsection (c)(1) to read as  
13   follows:

14           “(1) except to the extent such restrictions—

15               “(A) would be permitted under section 5 of  
16   the Export Administration Act of 1979 for  
17   goods containing parts or components subject  
18   to export controls under such section; or

19               “(B) are imposed under section 203 of the  
20   International Emergency Economic Powers Act  
21   to deal with a threat to the national security of  
22   the United States;”; and

1 (2) by striking subsection (d) and redesignating  
2 subsections (e), (f), and (g) as subsections (d), (e),  
3 and (f), respectively.

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