

107TH CONGRESS  
1ST SESSION

# H. R. 2662

To lift the trade embargo on Cuba, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2001

Mr. PAUL introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Government Reform, and Agriculture, 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

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## A BILL

To lift the trade embargo on Cuba, 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. REMOVAL OF PROVISIONS RESTRICTING**  
4               **TRADE AND OTHER RELATIONS WITH CUBA.**

5       (a) AUTHORITY FOR EMBARGO AND SUGAR  
6       QUOTA.—Section 620(a) of the Foreign Assistance Act of  
7       1961 (22 U.S.C. 2370(a)) is repealed.

8       (b) TRADING WITH THE ENEMY ACT.—The authori-  
9       ties conferred upon the President by section 5(b) of the  
10      Trading With the Enemy Act (50 U.S.C. App. 5(b)),

1 which were being exercised with respect to Cuba on July  
2 1, 1977, as a result of a national emergency declared by  
3 the President before that date, and are being exercised  
4 on the day before the effective date of this Act, may not  
5 be exercised on or after such effective date with respect  
6 to Cuba. Any regulations in effect on the day before such  
7 effective date pursuant to the exercise of such authorities,  
8 shall cease to be effective on such date.

9 (c) EXERCISE OF AUTHORITIES UNDER OTHER PRO-  
10 VISIONS OF LAW.—

11 (1) REMOVAL OF PROHIBITIONS.—Any prohibi-  
12 tion on exports to Cuba that is in effect on the day  
13 before the effective date of this Act under the Ex-  
14 port Administration Act of 1979 shall cease to be ef-  
15 fective on such effective date.

16 (2) AUTHORITY FOR NEW RESTRICTIONS.—The  
17 President may, on and after the effective date of this  
18 Act—

19 (A) impose export controls with respect to  
20 Cuba under section 5, 6(j), 6(l), or 6(m) of the  
21 Export Administration Act of 1979, and

22 (B) exercise the authorities he has under  
23 the International Emergency Economic Powers  
24 Act with respect to Cuba pursuant to a declara-  
25 tion of national emergency required by that Act

1           that is made on account of an unusual and ex-  
2           traordinary threat, that did not exist before the  
3           enactment of this Act, to the national security,  
4           foreign policy, or economy of the United States.

5           (d) CUBAN DEMOCRACY ACT.—The Cuban Democ-  
6   racy Act of 1992 (22 U.S.C. 6001 and following) is re-  
7   pealed.

8           (e) REPEAL OF CUBAN LIBERTY AND DEMOCRATIC  
9   SOLIDARITY (LIBERTAD) ACT OF 1996.—

10           (1) REPEAL.—The Cuban Liberty and Demo-  
11   cratic Solidarity (LIBERTAD) Act of 1996 is re-  
12   pealed.

13           (2) CONFORMING AMENDMENTS.—(A) Section  
14   498A of the Foreign Assistance Act of 1961 (22  
15   U.S.C. 2295a) is amended—

16           (i) in subsection (a)(11) by striking “and  
17   intelligence facilities, including the military and  
18   intelligence facilities at Lourdes and Cien-  
19   fuegos,” and inserting “facilities,”;

20           (ii) in subsection (b)—

21           (I) in paragraph (4) by adding “and”  
22   after the semicolon;

23           (II) by striking paragraph (5); and

24           (III) by redesignating paragraph (6)  
25   as paragraph (5); and

1 (iii) by striking subsection (d).

2 (B) Section 498B(k) of the Foreign Assistance  
3 Act of 1961 (22 U.S.C. 2295b(k)) is amended by  
4 striking paragraphs (3) and (4).

5 (C) Section 1611 of title 28, United States  
6 Code, is amended by striking subsection (c).

7 (D) Sections 514 and 515 of the International  
8 Claims Settlement Act of 1949 (22 U.S.C. 1643l  
9 and 1643m) are repealed.

10 (f) TRADE SANCTIONS REFORM AND EXPORT EN-  
11 HANCEMENT ACT OF 2000.—The Trade Sanctions Re-  
12 form and Export Enhancement Act of 2000 (title IX of  
13 H.R. 5426, as enacted into law by section 1(a) of Public  
14 Law 106–387, and as contained in the appendix of such  
15 Public Law) is amended—

16 (1) in section 906(a)(1)—

17 (A) by striking “to Cuba or”; and

18 (B) by inserting “(other than Cuba)” after  
19 “to the government of a country”;

20 (2) in section 908—

21 (A) by striking subsection (b);

22 (B) in subsection (a)—

23 (i) by striking “PROHIBITION” and all  
24 that follows through “(1) IN GENERAL.—”  
25 and inserting “IN GENERAL.—”;

1 (ii) by striking “for exports to Cuba  
2 or”;

3 (iii) by striking paragraph (2); and

4 (iv) by redesignating paragraph (3) as  
5 subsection (b) (and conforming the margin  
6 accordingly); and

7 (C) in subsection (b) (as redesignated), by  
8 striking “paragraph (1)” and inserting “sub-  
9 section (a)”;

10 (3) by striking section 909;

11 (4) by striking section 910; and

12 (5) by redesignating section 911 as section 909.

13 (g) REPEAL OF PROHIBITION ON TRANSACTIONS OR  
14 PAYMENTS WITH RESPECT TO CERTAIN UNITED STATES  
15 INTELLECTUAL PROPERTY.—Section 211 of the Depart-  
16 ment of Commerce and Related Agencies Appropriations  
17 Act, 1999 (as contained in section 101(b) of division A  
18 of Public Law 105–277; 112 Stat. 2681–88) is repealed.

19 (h) TERMINATION OF DENIAL OF FOREIGN TAX  
20 CREDIT WITH RESPECT TO CUBA.—Subparagraph (A) of  
21 section 901(j)(2) of the Internal Revenue Code of 1986  
22 (relating to denial of foreign tax credit, etc., with respect  
23 to certain foreign countries) is amended by adding at the  
24 end thereof the following new flush sentence: “Notwith-  
25 standing the preceding sentence, this subsection shall not

1 apply to Cuba after the date which is 60 days after the  
 2 date of the enactment of this sentence.”.

3 (i) SUGAR QUOTA PROHIBITION UNDER FOOD SECU-  
 4 RITY ACT OF 1985.—Section 902(c) of the Food Security  
 5 Act of 1985 is repealed.

6 **SEC. 2. TELECOMMUNICATIONS EQUIPMENT AND FACILI-**  
 7 **TIES.**

8 Any common carrier within the meaning of section  
 9 3 of the Communications Act of 1934 (47 U.S.C. 153)  
 10 is authorized to install, maintain, and repair telecommuni-  
 11 cations equipment and facilities in Cuba, and otherwise  
 12 provide telecommunications services between the United  
 13 States and Cuba. The authority of this section includes  
 14 the authority to upgrade facilities and equipment.

15 **SEC. 3. TRAVEL.**

16 (a) IN GENERAL.—Travel to and from Cuba by indi-  
 17 viduals who are citizens or residents of the United States,  
 18 and any transactions ordinarily incident to such travel,  
 19 may not be regulated or prohibited if such travel would  
 20 be lawful in the United States.

21 (b) TRANSACTIONS INCIDENT TO TRAVEL.—Any  
 22 transactions ordinarily incident to travel which may not  
 23 be regulated or prohibited under subsection (a) include,  
 24 but are not limited to—

1           (1) transactions ordinarily incident to travel or  
2           maintenance in Cuba; and

3           (2) normal banking transactions involving for-  
4           eign currency drafts, traveler's checks, or other ne-  
5           gotiable instruments incident to such travel.

6 **SEC. 4. DIRECT MAIL DELIVERY TO CUBA.**

7           The United States Postal Service shall take such ac-  
8           tions as are necessary to provide direct mail service to and  
9           from Cuba, including, in the absence of common carrier  
10          service between the 2 countries, the use of charter pro-  
11          viders.

12 **SEC. 5. PROHIBITION ON FEDERAL ASSISTANCE.**

13          (a) PROHIBITION.—No Federal funds may be used  
14          to provide any assistance to Cuba.

15          (b) DEFINITIONS.—For purposes of subsection (a)—

16               (1) the term “assistance to Cuba” includes, but  
17               is not limited to—

18                       (A) assistance to or for the benefit of Cuba  
19                       that is provided by grant, commercial sale,  
20                       guaranty, or insurance, or by any other means  
21                       on terms more favorable than that generally  
22                       available in the applicable market, whether in  
23                       the form of a loan, lease, credit, or a reserve,  
24                       including, but not limited to—

1 (i) insurance, financing, extensions of  
2 credit, or participation in extensions of  
3 credit provided by the Export-Import Bank  
4 of the United States for exports to or im-  
5 ports from Cuba;

6 (ii) insurance, reinsurance, financing,  
7 or equity investment provided by the Over-  
8 seas Private Investment Corporation for  
9 projects in Cuba;

10 (iii) any export credit, credit guar-  
11 anty, bonus, or other payment carried out  
12 through the Commodity Credit Corporation  
13 in support of export sales of agricultural  
14 commodities to Cuba;

15 (iv) assistance under any provision of  
16 the Agricultural Trade and Development  
17 Assistance Act of 1954 to, or in support of  
18 export sales of agricultural commodities to,  
19 Cuba;

20 (v) financing or other assistance  
21 under the Agricultural Trade Act of 1978  
22 in support of export sales of agricultural  
23 commodities to Cuba; and

24 (vi) any loan, credit, or other financ-  
25 ing by any United States agency to any

1 person for the purpose of financing trans-  
2 actions involving confiscated property  
3 (within the meaning of section 4 of the  
4 Cuba Liberty and Democratic Solidarity  
5 (LIBERTAD) Act of 1996, as in effect on  
6 the day before the date of the enactment  
7 of this Act);

8 and

9 (B) an exchange, reduction, or forgiveness  
10 of Cuban debt owed in return for a grant of an  
11 equity interest in a property, investment, or op-  
12 eration of the Government of Cuba (including  
13 the government of any political subdivision of  
14 Cuba, and any agency or instrumentality of the  
15 Government of Cuba) or of a Cuban national;

16 and

17 (2) the term “agency or instrumentality of the  
18 Government of Cuba” means an agency or instru-  
19 mentality of a foreign state as defined in section  
20 1603(b) of title 28, United States Code, with each  
21 reference in such section to “a foreign state”  
22 deemed to be a reference to Cuba.

1 **SEC. 6. EFFECTIVE DATE.**

2       This Act shall take effect 60 days after the date of  
3 the enactment of this Act.

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