

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 883

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 1995

Mr. RANGEL introduced the following bill; which was referred to the Committee on International Relations and, in addition, to the Committees on Ways and Means, Commerce, and Government Reform and Oversight, 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. SHORT TITLE.**

4        This Act may be cited as the “Free Trade With Cuba  
5        Act”.

6        **SEC. 2. FINDINGS.**

7        The Congress finds that—

8                (1) with the end of the Cold War and the col-  
9        lapse of the Soviet Union, Cuba is no longer a threat  
10        to the United States or the Western Hemisphere;

1           (2) the continuation of the embargo on trade  
2 between the United States and Cuba that was de-  
3 clared in February of 1962 is counterproductive,  
4 adding to the hardships of the Cuban people while  
5 making the United States the scapegoat for the fail-  
6 ures of the communist system;

7           (3) in the former Soviet Union, the Eastern  
8 bloc countries, China, and Vietnam, the United  
9 States is using economic, cultural, academic, and  
10 scientific engagement to support its policy of pro-  
11 moting democratic and human rights reforms; and

12           (4) the United States can best support demo-  
13 cratic change in Cuba by promoting trade and com-  
14 merce, travel, communications, and cultural, aca-  
15 demic, and scientific exchanges.

16 **SEC. 3. REMOVAL OF PROVISIONS RESTRICTING TRADE**  
17 **AND OTHER RELATIONS WITH CUBA.**

18           (a) **AUTHORITY FOR EMBARGO AND SUGAR**  
19 **QUOTA.**—Section 620(a) of the Foreign Assistance Act of  
20 1961 (22 U.S.C. 2370(a)) is repealed.

21           (b) **TRADING WITH THE ENEMY ACT.**—The authori-  
22 ties conferred upon the President by section 5(b) of the  
23 Trading With the Enemy Act, which were being exercised  
24 with respect to Cuba on July 1, 1977, as a result of a  
25 national emergency declared by the President before that

1 date, and are being exercised on the day before the effec-  
2 tive date of this Act, may not be exercised on or after  
3 such effective date with respect to Cuba. Any regulations  
4 in effect on the day before such effective date pursuant  
5 to the exercise of such authorities, shall cease to be effec-  
6 tive on such date.

7 (c) EXERCISE OF AUTHORITIES UNDER OTHER PRO-  
8 VISIONS OF LAW.—

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

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

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

20 (B) exercise the authorities he has under  
21 the International Emergency Economic Powers  
22 Act with respect to Cuba pursuant to a declara-  
23 tion of national emergency required by that Act  
24 that is made on account of an unusual and ex-  
25 traordinary threat, that did not exist before the

1 enactment of this Act, to the national security,  
2 foreign policy, or economy of the United States.

3 (d) CUBAN DEMOCRACY ACT.—The Cuban Democ-  
4 racy Act (title XVII of Public Law 102–484) is repealed.

5 (e) TERMINATION OF DENIAL OF FOREIGN TAX  
6 CREDIT WITH RESPECT TO CUBA.—Subparagraph (A) of  
7 section 901(j)(2) of the Internal Revenue Code of 1986  
8 (relating to denial of foreign tax credit, etc., with respect  
9 to certain foreign countries) is amended by adding at the  
10 end thereof the following new flush sentence:

11 “Notwithstanding the preceding sentence, this  
12 subsection shall not apply to Cuba after the  
13 date which is 60 days after the date of the en-  
14 actment of this sentence.”.

15 **SEC. 4. TELECOMMUNICATIONS EQUIPMENT AND FACILI-**  
16 **TIES.**

17 Any common carrier within the meaning of section  
18 3 of the Communications Act of 1934 (47 U.S.C. 153)  
19 is authorized to install, maintain, and repair telecommuni-  
20 cations equipment and facilities in Cuba, and otherwise  
21 provide telecommunications services between the United  
22 States and Cuba. The authority of this section includes  
23 the authority to upgrade facilities and equipment.

1 **SEC. 5. TRAVEL.**

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

7 (b) TRANSACTIONS INCIDENT TO TRAVEL.—Any  
8 transactions ordinarily incident to travel which may not  
9 be regulated or prohibited under subsection (a) include,  
10 but are not limited to—

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

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

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

17 The United States Postal Service shall take such ac-  
18 tions as are necessary to provide direct mail service to and  
19 from Cuba, including, in the absence of common carrier  
20 service between the 2 countries, the use of charter provid-  
21 ers.

22 **SEC. 7. NEGOTIATIONS WITH CUBA.**

23 (a) NEGOTIATIONS.—The President should take all  
24 necessary steps to conduct negotiations with the Govern-  
25 ment of Cuba—

1           (1) for the purpose of settling claims of nation-  
2           als of the United States against the Government of  
3           Cuba for the taking of property by such government;  
4           and

5           (2) for the purpose of securing the protection of  
6           internationally recognized human rights.

7           (b) DEFINITIONS.—As used in this section, the terms  
8           “national of the United States” and “property” have the  
9           meanings given those terms in section 502 of the Inter-  
10          national Claims Settlement Act of 1949 (22 U.S.C.  
11          1643a).

12          **SEC. 8. EFFECTIVE DATE.**

13          This Act shall take effect 60 days after the date of  
14          the enactment of this Act.

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