

July 16 / Administration of George W. Bush, 2004

Letter to Congressional Leaders on Review of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996

July 16, 2004

Dear _____:

Consistent with section 306(c)(2) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), (the “Act”), I hereby determine and report to the Congress that suspension for 6 months beginning August 1, 2004, of the right to bring an action under title III of the Act is necessary to the national interests of the United States and will expedite a transition to democracy in Cuba.

Sincerely,

GEORGE W. BUSH

NOTE: Identical letters were sent to Richard G. Lugar, chairman, and Joseph R. Biden, Jr., ranking member, Senate Committee on Foreign Relations; Ted Stevens, chairman, and Robert C. Byrd, ranking member, Senate Committee on Appropriations; Henry J. Hyde, chairman, and Tom Lantos, ranking member, House Committee on International Relations; and C.W. Bill Young, chairman, and David R. Obey, ranking member, House Committee on Appropriations.

Message to the Senate Transmitting a Protocol Amending the Netherlands-United States Convention on Taxation

July 16, 2004

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification, the Protocol Amending the Convention Between the United States of America and the Kingdom of the Netherlands for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Washington, D.C., on March 8, 2004. Transmitted for the Senate’s information is an exchange of notes with an attached Understanding, which provides clarification with respect to the application of the Convention, as amended, in specific cases. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Protocol.

The Protocol would bring the existing Convention into closer conformity with current U.S. tax treaty policy. As modified by the Protocol, the Convention would be similar to tax treaties between the United

States and other developed nations. The Protocol was concluded in recognition of the importance of the United States’ economic relations with the Netherlands.

The Protocol would modify the treatment of certain cross-border dividend payments and would modernize the Convention’s anti-treaty-shopping provisions. The Protocol also would liberalize provisions in the existing Convention regarding the mutual recognition of each country’s pension plans. Other provisions in the Protocol update the Convention to take account of changes in law in the two countries over the last 10 years. The exchange of notes with an attached Understanding provides guidance to taxpayers and each government regarding the intended interpretation of certain provisions of the existing Convention, as amended.

I recommend that the Senate give early and favorable consideration to this Protocol,