

106TH CONGRESS  
1ST SESSION

# H. R. 1181

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1999

Mr. PAUL 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, 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7       1961 (22 U.S.C. 2370(a)) is repealed.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) TERMINATION OF DENIAL OF FOREIGN TAX  
11 CREDIT WITH RESPECT TO CUBA.—Subparagraph (A) of  
12 section 901(j)(2) of the Internal Revenue Code of 1986  
13 (relating to denial of foreign tax credit, etc., with respect  
14 to certain foreign countries) is amended by adding at the  
15 end thereof the following new flush sentence: “Notwith-  
16 standing the preceding sentence, this subsection shall not  
17 apply to Cuba after the date which is 60 days after the  
18 date of the enactment of this sentence.”.

19 (g) SUGAR QUOTA PROHIBITION UNDER FOOD SE-  
20 CURITY ACT OF 1985.—Section 902(c) of the Food Secu-  
21 rity Act of 1985 is repealed.

22 **SEC. 2. TELECOMMUNICATIONS EQUIPMENT AND FACILI-**  
23 **TIES.**

24 Any common carrier within the meaning of section  
25 3 of the Communications Act of 1934 (47 U.S.C. 153)

1 is authorized to install, maintain, and repair telecommuni-  
2 cations equipment and facilities in Cuba, and otherwise  
3 provide telecommunications services between the United  
4 States and Cuba. The authority of this section includes  
5 the authority to upgrade facilities and equipment.

6 **SEC. 3. TRAVEL.**

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

12 (b) TRANSACTIONS INCIDENT TO TRAVEL.—Any  
13 transactions ordinarily incident to travel which may not  
14 be regulated or prohibited under subsection (a) include,  
15 but are not limited to—

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

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

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

22 The United States Postal Service shall take such ac-  
23 tions as are necessary to provide direct mail service to and  
24 from Cuba, including, in the absence of common carrier

1 service between the 2 countries, the use of charter pro-  
2 viders.

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

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

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

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

9 (A) assistance to or for the benefit of Cuba  
10 that is provided by grant, commercial sale,  
11 guaranty, or insurance, or by any other means  
12 on terms more favorable than that generally  
13 available in the applicable market, whether in  
14 the form of a loan, lease, credit, or a reserve,  
15 including, but not limited to—

16 (i) insurance, financing, extensions of  
17 credit, or participation in extensions of  
18 credit provided by the Export-Import Bank  
19 of the United States for exports to or im-  
20 ports from Cuba;

21 (ii) insurance, reinsurance, financing,  
22 or equity investment provided by the Over-  
23 seas Private Investment Corporation for  
24 projects in Cuba;

1           (iii) any export credit, credit guar-  
2           anty, bonus, or other payment carried out  
3           through the Commodity Credit Corporation  
4           in support of export sales of agricultural  
5           commodities to Cuba;

6           (iv) assistance under any provision of  
7           the Agricultural Trade and Development  
8           Assistance Act of 1954 to, or in support of  
9           export sales of agricultural commodities to,  
10          Cuba;

11          (v) financing or other assistance  
12          under the Agricultural Trade Act of 1978  
13          in support of export sales of agricultural  
14          commodities to Cuba; and

15          (vi) any loan, credit, or other financ-  
16          ing by any United States agency to any  
17          person for the purpose of financing trans-  
18          actions involving confiscated property  
19          (within the meaning of section 4 of the  
20          Cuba Liberty and Democratic Solidarity  
21          (LIBERTAD) Act of 1996, as in effect on  
22          the day before the date of the enactment  
23          of this Act);

24          and

1 (B) an exchange, reduction, or forgiveness  
2 of Cuban debt owed in return for a grant of an  
3 equity interest in a property, investment, or op-  
4 eration of the Government of Cuba (including  
5 the government of any political subdivision of  
6 Cuba, and any agency or instrumentality of the  
7 Government of Cuba) or of a Cuban national;  
8 and

9 (2) the term “agency or instrumentality of the  
10 Government of Cuba” means an agency or instru-  
11 mentality of a foreign state as defined in section  
12 1603(b) of title 28, United States Code, with each  
13 reference in such section to “a foreign state”  
14 deemed to be a reference to Cuba.

15 **SEC. 6. EFFECTIVE DATE.**

16 This Act shall take effect 60 days after the date of  
17 the enactment of this Act.

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