

106TH CONGRESS
1ST SESSION

S. 1829

To amend the Foreign Assistance Act of 1961 to prohibit the payment of debts incurred by the communist government of Cuba.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 1999

Mr. HELMS introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Foreign Assistance Act of 1961 to prohibit the payment of debts incurred by the communist government of Cuba.

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 “Castro Bailout Prohi-

5 bition Act of 1999”.

6 **SEC. 2. AMENDMENT OF THE FOREIGN ASSISTANCE OF**
7 **1961.**

8 Chapter 1 of part III of the Foreign Assistance Act
9 of 1961 (22 U.S.C. 2351 et seq.) is amended by adding
10 at the end the following new section:

1 **“SEC. 620J. PROHIBITION ON PAYMENT OF DEBTS IN-**
 2 **CURRED BY COMMUNIST CUBA.**

3 “(a) PROHIBITION OF FUNDS.—Notwithstanding any
 4 other provision of law, none of the funds appropriated pur-
 5 suant to this Act or any other Act shall be made available
 6 to pay, in whole or in part, any debts incurred by the com-
 7 munist government of Cuba.

8 “(b) OPPOSITION TO INTERNATIONAL FINANCIAL IN-
 9 STITUTION ASSISTANCE TO PAY DEBTS.—The Secretary
 10 of the Treasury shall instruct the United States executive
 11 director of each international financial institution to use
 12 the voice and vote of the United States to oppose any loan,
 13 assistance, or program any proceeds of which will be used
 14 to pay, in whole or in part, any debts incurred by the com-
 15 munist government of Cuba.

16 “(c) DEFINITIONS.—In this section:

17 “(1) AGENCY OR INSTRUMENTALITY.—The
 18 term ‘agency or instrumentality’ means an agency or
 19 instrumentality of a foreign state as defined in sec-
 20 tion 1603(b) of title 28, United States Code, with
 21 each reference in such section to ‘a foreign state’
 22 deemed to be a reference to ‘the communist govern-
 23 ment of Cuba’.

24 “(2) COMMUNIST GOVERNMENT OF CUBA.—The
 25 term ‘communist government of Cuba’ includes any
 26 government in Cuba, including the government of

1 any political subdivision or any agency or instrumen-
 2 tality thereof, in power during the period between
 3 January 1, 1959, and the date upon which the
 4 President transmits a determination to the appro-
 5 priate committees of Congress, in accordance with
 6 section 203(c)(1) of the Cuban Liberty and Demo-
 7 cratic Solidarity (LIBERTAD) Act of 1996 (22
 8 U.S.C. 6063(c)(1)), that a transition government is
 9 in power in Cuba.

10 “(3) DEBTS.—The term ‘debts’ means any
 11 amount owed to a foreign government or agency or
 12 instrumentality thereof, an international financial in-
 13 stitution, or a private person incurred through a
 14 loan agreement, barter agreement, sales agreement,
 15 legal judgment, or contract.

16 “(4) INTERNATIONAL FINANCIAL INSTITU-
 17 TION.—The term ‘international financial institution’
 18 means the International Monetary Fund, the Inter-
 19 national Bank for Reconstruction and Development,
 20 the International Development Association, the
 21 International Finance Corporation, the Multilateral
 22 Investment Guaranty Agency, and the Inter-Amer-
 23 ican Development Bank.”.

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