

107TH CONGRESS  
1ST SESSION

# H. R. 798

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2001

Mr. RANGEL (for himself, Mr. JEFFERSON, Mr. NEAL of Massachusetts, and Mr. RAMSTAD) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees 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. 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—

15 (4) the United States can best support democratic change in Cuba by promoting trade and commerce, travel, communications, and cultural, academic, and scientific exchanges.

19 SEC. 3. REMOVAL OF PROVISIONS RESTRICTING TRADE  
20 AND OTHER RELATIONS WITH CUBA.

21 (a) AUTHORITY FOR EMBARGO AND SUGAR  
22 QUOTA.—Section 620(a) of the Foreign Assistance Act of  
23 1961 (22 U.S.C. 2370(a)) is repealed.

24 (b) TRADING WITH THE ENEMY ACT.—The authori-  
25 ties conferred upon the President by section 5(b) of the

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

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

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

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

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

23 (B) exercise the authorities he has under  
24 the International Emergency Economic Powers  
25 Act with respect to Cuba pursuant to a declara-

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

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

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

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

21 (ii) in subsection (b)—

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

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

- 1 (III) by redesignating paragraph (6)  
2 as paragraph (5); and  
3 (iii) by striking subsection (d).

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

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

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

18 (1) in section 906(a)(1)—

19 (A) by striking “to Cuba or”; and

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

22 (2) in section 908—

23 (A) by striking subsection (b);

24 (B) in subsection (a)—

1 (i) by striking “PROHIBITION” and  
2 all that follows through “(1) IN GEN-  
3 ERAL.—” and inserting “IN GENERAL.—”;  
4 (ii) by striking “for exports to Cuba  
5 or”;  
6 (iii) by striking paragraph (2); and  
7 (iv) by redesignating paragraph (3) as  
8 subsection (b) (and conforming the margin  
9 accordingly); and  
10 (C) in subsection (b) (as redesignated), by  
11 striking “paragraph (1)” and inserting “sub-  
12 section (a)”;  
13 (3) by striking section 909;  
14 (4) by striking section 910; and  
15 (5) by redesignating section 911 as section 909.

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

22 (h) TERMINATION OF DENIAL OF FOREIGN TAX  
23 CREDIT WITH RESPECT TO CUBA.—Subparagraph (A) of  
24 section 901(j)(2) of the Internal Revenue Code of 1986  
25 (relating to denial of foreign tax credit, etc., with respect

1 to certain foreign countries) is amended by adding at the  
2 end thereof the following new flush sentence:

3           “Notwithstanding the preceding sentence, this  
4           subsection shall not apply to Cuba after the  
5           date which is 60 days after the date of the en-  
6           actment of this sentence.”.

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

10 **SEC. 4. TELECOMMUNICATIONS EQUIPMENT AND FACILI-  
11 TIES.**

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

19 **SEC. 5. TRAVEL.**

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

1       (b) TRANSACTIONS INCIDENT TO TRAVEL.—Any  
2 transactions ordinarily incident to travel which may not  
3 be regulated or prohibited under subsection (a) include,  
4 but are not limited to—  
5           (1) transactions ordinarily incident to travel or  
6 maintenance in Cuba; and  
7           (2) normal banking transactions involving for-  
8 eign currency drafts, traveler's checks, or other ne-  
9 gotiable instruments incident to such travel.

## 10 SEC. 6. DIRECT MAIL DELIVERY TO CUBA.

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

## 16 SEC. 7. NEGOTIATIONS WITH CUBA.

17 (a) NEGOTIATIONS.—The President should take all  
18 necessary steps to conduct negotiations with the Govern-  
19 ment of Cuba—

24 (2) for the purpose of securing the protection of  
25 internationally recognized human rights.

1       (b) DEFINITIONS.—As used in this section, the terms  
2    “national of the United States” and “property” have the  
3    meanings given those terms in section 502 of the Inter-  
4    national Claims Settlement Act of 1949 (22 U.S.C.  
5    1643a).

6    **SEC. 8. EFFECTIVE DATE.**

7       This Act shall take effect 60 days after the date of  
8    the enactment of this Act.

