

107TH CONGRESS
1ST SESSION

S. 401

To normalize trade relations with Cuba, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2001

Mr. BAUCUS (for himself, Mr. ROBERTS, and Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To normalize trade relations with 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 “United States-Cuba
5 Trade Act of 2001”.

6 **SEC. 2. SENSE OF CONGRESS REGARDING TRADE WITH**
7 **CUBA.**

8 (a) FINDINGS.—The Congress finds that—

9 (1) with the end of the cold war and the col-
10 lapse of the Soviet Union, Cuba is no longer a threat
11 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 1962 is counterproductive, add-
4 ing to the hardships of the Cuban people while mak-
5 ing the United States the scapegoat for the failures
6 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;

12 (4) extension to Cuba of unconditional normal
13 trade relations treatment would assist Cuba in devel-
14 oping its economy based on free market principles
15 and becoming competitive in the global marketplace;

16 (5) the United States can best support demo-
17 cratic change and human rights in Cuba by pro-
18 moting trade and commerce, travel, communications,
19 and cultural, academic, and scientific exchanges;

20 (6) expanding bilateral trade relations is likely
21 to promote further progress in Cuba on human
22 rights and democratic rule and assist Cuba in adopt-
23 ing regional and world trading rules and principles;
24 and

1 (7) Cuba was one of the founding members of
2 the General Agreement on Tariffs and Trade in
3 1947 and is an original member of the World Trade
4 Organization, and extension of unconditional normal
5 trade relations treatment to Cuba would enable the
6 United States to avail itself of all rights under the
7 World Trade Organization with respect to Cuba;

8 (b) SENSE OF CONGRESS.—It is the sense of the
9 Congress that—

10 (1) the United States should promote demo-
11 cratic change and economic reform by normalizing
12 trade relations with Cuba; and

13 (2) upon the enactment of this Act, it will no
14 longer be necessary for the United States to con-
15 tinue to use article XXI of the GATT 1994 with re-
16 spect to Cuba, understanding that the President re-
17 tains full authority to invoke article XXI of the
18 GATT 1994 and comparable provisions in other
19 Uruguay Round Agreements in the future in all ap-
20 propriate circumstances.

21 (c) DEFINITIONS.—In this section, the term “GATT
22 1994” and “Uruguay Round Agreements” have the mean-
23 ings given those terms in section 2 of the Uruguay Round
24 Agreements Act.

1 **SEC. 3. EXTENSION OF NONDISCRIMINATORY TREATMENT**
2 **TO THE PRODUCTS OF CUBA.**

3 (a) HARMONIZED TARIFF SCHEDULE AMEND-
4 MENTS.—General note 3(b) of the Harmonized Tariff
5 Schedule of the United States is amended—

6 (1) by striking “to section 401 of the Tariff
7 Classification Act of 1962,”; and

8 (2) by striking “Cuba”.

9 (b) REPEAL OF SECTION 401 OF THE TARIFF CLAS-
10 SIFICATION ACT OF 1962.—Section 401 of the Tariff
11 Classification Act of 1962 is repealed.

12 (c) TERMINATION OF APPLICATION OF TITLE IV OF
13 THE TRADE ACT OF 1974 TO CUBA.—

14 (1) EXTENSION OF NONDISCRIMINATORY
15 TREATMENT.—Nondiscriminatory treatment (normal
16 trade relations treatment) shall apply to the prod-
17 ucts of Cuba.

18 (2) TERMINATION OF APPLICATION OF TITLE
19 IV.—Title IV of the Trade Act of 1974 shall cease
20 to apply to Cuba.

21 (d) EFFECTIVE DATE.—This section, and the amend-
22 ments and repeal made by this section, shall apply with
23 respect to goods entered, or withdrawn from warehouse
24 for consumption, on or after the 15th day after the date
25 of the enactment of this Act.

1 **SEC. 4. REPORT TO CONGRESS.**

2 The President shall submit to the Congress, not later
3 than 18 months after the date of the enactment of this
4 Act, a report on trade relations between the United States
5 and Cuba.

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