

109TH CONGRESS  
1ST SESSION

# H. R. 1814

To allow travel between the United States and Cuba.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2005

Mr. FLAKE (for himself, Mr. MCGOVERN, Mrs. EMERSON, Mr. DELAHUNT, Mr. OTTER, Mr. ABERCROMBIE, Mrs. BONO, Ms. BALDWIN, Mr. BOOZMAN, Mr. BERMAN, Mr. GRAVES, Mr. BERRY, Mr. HERGER, Mr. CLAY, Mr. JOHNSON of Illinois, Mr. DEFazio, Mr. LAHOOD, Mr. LEACH, Mr. DOYLE, Mr. MANZULLO, Mr. FARR, Mr. MORAN of Kansas, Mr. LYNCH, Mr. OSBORNE, Mr. MOORE of Kansas, Mr. PAUL, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Mr. RANGEL, Mr. RYAN of Wisconsin, Mr. ROSS, Mr. SHAYS, Ms. SCHAKOWSKY, Mr. SHIMKUS, Mr. SNYDER, Mr. TIBERI, Ms. SOLIS, Mr. TANNER, Mr. THOMPSON of California, Mr. TOWNS, Mr. UDALL of New Mexico, Mr. VAN HOLLEN, and Mr. BASS) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To allow travel between the United States and 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 “Export Freedom to  
5   Cuba Act of 2005”.

1 **SEC. 2. TRAVEL TO CUBA.**

2 (a) FREEDOM OF TRAVEL FOR UNITED STATES CITI-  
3 ZENS AND LEGAL RESIDENTS.—Subject to section 3, the  
4 President shall not regulate or prohibit, directly or indi-  
5 rectly, travel to or from Cuba by United States citizens  
6 or legal residents, or any of the transactions incident to  
7 such travel that are set forth in subsection (b).

8 (b) TRANSACTIONS INCIDENT TO TRAVEL.—The  
9 transactions referred to in subsection (a) are—

10 (1) any transactions ordinarily incident to trav-  
11 el to or from Cuba, including the importation into  
12 Cuba or the United States of accompanied baggage  
13 for personal use only;

14 (2) any transactions ordinarily incident to trav-  
15 el or maintenance within Cuba, including the pay-  
16 ment of living expenses and the acquisition of goods  
17 or services for personal use;

18 (3) any transactions ordinarily incident to the  
19 arrangement, promotion, or facilitation of travel to,  
20 from, or within Cuba;

21 (4) any transactions incident to nonscheduled  
22 air, sea, or land voyages, except that this paragraph  
23 does not authorize the carriage of articles into Cuba  
24 or the United States except accompanied baggage;  
25 and

1           (5) normal banking transactions incident to the  
2           activities described in the preceding provisions of  
3           this subsection, including the issuance, clearing,  
4           processing, or payment of checks, drafts, travelers  
5           checks, credit or debit card instruments, or similar  
6           instruments;

7           except that this section does not authorize the importation  
8           into the United States of any goods for personal consump-  
9           tion acquired in Cuba.

10   **SEC. 3. EXCEPTION.**

11           The restrictions on authority contained in section 2  
12           do not apply in a case in which the United States is at  
13           war with Cuba, armed hostilities between the two coun-  
14           tries are in progress, or there is imminent danger to the  
15           public health or the physical safety of United States trav-  
16           elers.

17   **SEC. 4. APPLICABILITY.**

18           This Act applies to actions taken by the President  
19           before the date of the enactment of this Act which are  
20           in effect on such date of enactment, and to actions taken  
21           on or after such date.

22   **SEC. 5. INAPPLICABILITY OF OTHER PROVISIONS.**

23           This Act applies notwithstanding section 102(h) of  
24           the Cuban Liberty and Democratic Solidarity  
25           (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and sec-

tion 910(b) of the Trade Sanctions Reform and Export  
Enhancement Act of 2000 (22 U.S.C. 7209(b)).

