

110TH CONGRESS
1ST SESSION

S. 721

To allow travel between the United States and Cuba.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2007

Mr. ENZI (for himself, Mr. DORGAN, Mr. BAUCUS, Mr. CRAIG, Mr. LEAHY, Mr. HARKIN, Mr. HAGEL, Mr. FEINGOLD, Mrs. FEINSTEIN, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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 “Freedom to Travel
5 to Cuba Act of 2007”.

6 SEC. 2. TRAVEL TO CUBA.

7 (a) FREEDOM OF TRAVEL FOR UNITED STATES CITI-
8 ZENS AND LEGAL RESIDENTS.—On and after the date of
9 the enactment of this Act, and subject to section 3—

10 (1) the President may not regulate or prohibit,
11 directly or indirectly, travel to or from Cuba by

1 United States citizens or legal residents, or any of
2 the transactions incident to such travel that are set
3 forth in subsection (b); and

4 (2) any regulation in effect on such date of en-
5 actment that regulates or prohibits travel to or from
6 Cuba by United States citizens or legal residents or
7 transactions incident to such travel shall cease to
8 have any force or effect.

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

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

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

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

22 (4) any transactions incident to nonscheduled
23 air, sea, or land voyages, except that this paragraph
24 does not authorize the carriage of articles into Cuba

1 or the United States except accompanied baggage;
2 and

3 (5) normal banking transactions incident to the
4 activities described in the preceding provisions of
5 this subsection, including the issuance, clearing,
6 processing, or payment of checks, drafts, traveler's
7 checks, credit or debit card instruments, or similar
8 instruments.

9 **SEC. 3. EXCEPTIONS.**

10 (a) SPECIAL CIRCUMSTANCES.—Section 2 shall not
11 apply in a case in which the United States is at war with
12 Cuba, armed hostilities between the two countries are in
13 progress, or there is imminent danger to the public health
14 or the physical safety of United States travelers.

15 (b) IMPORTATION OF GOODS FOR PERSONAL CON-
16 SUMPTION.—Section 2 does not authorize the importation
17 into the United States of any goods for personal consump-
18 tion acquired in Cuba.

19 **SEC. 4. APPLICABILITY.**

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

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

2 The provisions of this Act apply notwithstanding section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and section 910(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7210(b)).

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