

116TH CONGRESS  
1ST SESSION

# H. R. 3960

To allow United States citizens and legal residents to travel between the United States and Cuba.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2019

Mr. MCGOVERN (for himself, Mr. EMMER, Ms. CASTOR of Florida, Mr. CRAWFORD, Ms. LEE of California, Mr. LAHOOD, Mr. SERRANO, Mr. RESCHENTHALER, Mr. BEYER, and Mr. RIGGLEMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To allow United States citizens and legal residents to 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 for Ameri-  
5 cans to Travel to Cuba Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) During the more than 50 years since the  
2 United States initially restricted travel by Americans  
3 to Cuba—

4           (A) the Soviet Union has dissolved into a  
5 dozen independent states; and

6           (B) the United States has resumed diplo-  
7 matic and trade relations with the communist  
8 governments of China and of Vietnam.

9           (2) There are no such restrictions on travel by  
10 Americans to any other country except North Korea.

11           (3) While restrictions on travel by Cuban Amer-  
12 icans were lifted in 2009, continuing restrictions on,  
13 and requirements of licenses for, travel by non-  
14 Cuban Americans are discriminatory and without  
15 justification.

16           (4) Since 2013, the Government of Cuba—

17           (A) has ended restrictions on foreign travel  
18 for most Cubans;

19           (B) has permitted Cubans to buy and sell  
20 real property;

21           (C) has permitted hundreds of thousands  
22 of Cubans to work as private entrepreneurs;  
23 and

24           (D) has greatly expanded public access to  
25 the Internet.

1           (5) Restrictions on travel by Americans to Cuba  
2           have resulted in a significant loss of revenue for pri-  
3           vate Airbnb hosts, restaurants, taxi drivers, and  
4           other small businesses in Cuba.

5           (6) Many companies in Europe, Canada, Rus-  
6           sia, and other countries regularly send their rep-  
7           resentatives to Cuba, while American companies can-  
8           not do so, preventing American companies, including  
9           banks and credit card companies, from providing  
10          services to Americans who travel to Cuba under a  
11          general license issued by the Office of Foreign As-  
12          sets Control of the Department of the Treasury.

13          (7) A majority of Americans from every region  
14          of the country and in both major political parties  
15          consistently support normalizing travel by Americans  
16          to Cuba.

17          (8) Ending restrictions on travel to Cuba, and  
18          transactions incident to such travel would—

19                 (A) pose no threat to the security of the  
20                 United States;

21                 (B) advance United States national inter-  
22                 ests in the hemisphere; and

23                 (C) foster free enterprise and democracy in  
24                 Cuba.

1 **SEC. 3. TRAVEL TO CUBA.**

2 Subject to section 4, on or after the date of the enact-  
3 ment of this Act—

4 (1) the President may not prohibit or otherwise  
5 restrict travel to or from Cuba by United States citi-  
6 zens or legal residents, or any of the transactions in-  
7 cident to such travel, including banking transactions;  
8 and

9 (2) any law, regulation, or policy in effect on  
10 such date of enactment that prohibits or otherwise  
11 restricts travel to or from Cuba by United States  
12 citizens or legal residents, or any of the transactions  
13 incident to such travel, including banking trans-  
14 actions, shall cease to have any force or effect.

15 **SEC. 4. EXCEPTIONS.**

16 (a) SAVINGS PROVISIONS.—Nothing in this Act may  
17 be construed to limit the authority of the President to re-  
18 strict travel described in section 3, or any transaction inci-  
19 dent to such travel, on a case-by-case basis, if the Presi-  
20 dent determines that such restriction—

21 (1) is necessary to protect the national security  
22 of the United States; or

23 (2) is necessary to protect the health or safety  
24 of United States citizens or legal residents resulting  
25 from traveling to or from Cuba; or

1 (b) WRITTEN JUSTIFICATION.—Not later than 5  
2 days before restricting travel described in section 3 or a  
3 transaction incident to such travel, pursuant to the au-  
4 thority referred to in subsection (a), the President shall  
5 submit a written justification for such restriction to—

6 (1) the Committee on Foreign Relations of the  
7 Senate;

8 (2) the Committee on Appropriations of the  
9 Senate;

10 (3) the Committee on Foreign Affairs of the  
11 House of Representatives; and

12 (4) the Committee on Appropriations of the  
13 House of Representatives.

14 **SEC. 5. INAPPLICABILITY.**

15 The provisions of this Act shall apply notwith-  
16 standing section 102(h) of the Cuban Liberty and Demo-  
17 cratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C.  
18 6032(h)) and section 910(b) of the Trade Sanctions Re-  
19 form and Export Enhancement Act of 2000 (22 U.S.C.  
20 7209(b)).

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