

HR 4645 IH

111th CONGRESS

2d Session

H. R. 4645

To remove obstacles to legal sales of United States agricultural commodities to Cuba and to end travel restrictions on all Americans to Cuba.

IN THE HOUSE OF REPRESENTATIVES

February 23, 2010

Mr. PETERSON (for himself, Mr. MORAN of Kansas, Ms. DELAURO, Mrs. EMERSON, Mr. DELAHUNT, Mr. FLAKE, Mr. MCGOVERN, Mr. BERMAN, Mr. BERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CHILDERS, Mr. MINNICK, Mr. BOSWELL, Ms. HERSETH SANDLIN, Mr. SCOTT of Georgia, Mr. MASSA, Mr. BRIGHT, Mr. ELLSWORTH, Mr. HOLDEN, Mr. KAGEN, Mr. SNYDER, Mr. POMEROY, Mr. KIND, Mr. DAVIS of Tennessee, Mr. BOUSTANY, Mr. COSTA, Mr. BISHOP of Georgia, Mr. ROSS, Mr. TANNER, Mr. JOHNSON of Illinois, Mr. RYAN of Ohio, Mr. HINCHEY, Ms. LEE of California, and Mr. BOUCHER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Agriculture and Financial Services, 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

A BILL

To remove obstacles to legal sales of United States agricultural commodities to Cuba and to end travel restrictions on all Americans to Cuba.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘Travel Restriction Reform and Export Enhancement Act’.

SEC. 2. TRAVEL TO CUBA.

(a) In General- On and after the date of the enactment of this Act, and subject to subsection (b)--

(1) the President may not regulate or prohibit, directly or indirectly, travel to or from Cuba by United States citizens or lawful permanent residents, or any of the transactions incident to such travel; and

(2) any regulation in effect on such date of enactment that regulates or prohibits travel to or from Cuba by United States citizens or lawful permanent residents or transactions incident to such travel shall cease to have any force or effect.

(b) Exceptions- Subsection (a) shall not apply in a case in which the United States is at war with Cuba, armed hostilities between the two countries are in progress, or there is imminent danger to the public health or the physical safety of United States travelers.

(c) Applicability- This section applies to actions taken by the President before the date of the enactment of this Act that are in effect on such date of enactment, and to actions taken on or after such date.

(d) Inapplicability of Other Provisions- The provisions of this section 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)).

SEC. 3. CLARIFICATION OF PAYMENT TERMS UNDER THE TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000.

Section 908(b)(4) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(4)) is amended--

(1) in subparagraph (B), by striking ‘and’ at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ‘; and’; and

(3) by adding at the end the following:

‘(D) the term ‘payment of cash in advance’ means, notwithstanding any other provision of law, the payment by the purchaser of an agricultural commodity or product and the receipt of such payment by the seller prior to--

‘(i) the transfer of title of such commodity or product to the purchaser; and

‘(ii) the release of control of such commodity or product to the purchaser.’.

SEC. 4. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS UNDER THE TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000.

Notwithstanding any other provision of law, the President may not restrict direct transfers from a Cuban financial institution to a United States financial institution executed in payment for a product authorized for sale under the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.).