

111TH CONGRESS
2^D 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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Travel Restriction Re-
3 form and Export Enhancement Act”.

4 **SEC. 2. TRAVEL TO CUBA.**

5 (a) IN GENERAL.—On and after the date of the en-
6 actment of this Act, and subject to subsection (b)—

7 (1) the President may not regulate or prohibit,
8 directly or indirectly, travel to or from Cuba by
9 United States citizens or lawful permanent resi-
10 dents, or any of the transactions incident to such
11 travel; and

12 (2) any regulation in effect on such date of en-
13 actment that regulates or prohibits travel to or from
14 Cuba by United States citizens or lawful permanent
15 residents or transactions incident to such travel shall
16 cease to have any force or effect.

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

22 (c) APPLICABILITY.—This section applies to actions
23 taken by the President before the date of the enactment
24 of this Act that are in effect on such date of enactment,
25 and to actions taken on or after such date.

1 (d) INAPPLICABILITY OF OTHER PROVISIONS.—The
2 provisions of this section apply notwithstanding section
3 102(h) of the Cuban Liberty and Democratic Solidarity
4 (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and sec-
5 tion 910(b) of the Trade Sanctions Reform and Export
6 Enhancement Act of 2000 (22 U.S.C. 7210(b)).

7 **SEC. 3. CLARIFICATION OF PAYMENT TERMS UNDER THE**
8 **TRADE SANCTIONS REFORM AND EXPORT EN-**
9 **HANCEMENT ACT OF 2000.**

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

13 (1) in subparagraph (B), by striking “and” at
14 the end;

15 (2) in subparagraph (C), by striking the period
16 at the end and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(D) the term ‘payment of cash in ad-
19 vance’ means, notwithstanding any other provi-
20 sion of law, the payment by the purchaser of an
21 agricultural commodity or product and the re-
22 ceipt of such payment by the seller prior to—

23 “(i) the transfer of title of such com-
24 modity or product to the purchaser; and

1 “(ii) the release of control of such
2 commodity or product to the purchaser.”.

3 **SEC. 4. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN**
4 **CUBAN AND UNITED STATES FINANCIAL IN-**
5 **STITUTIONS UNDER THE TRADE SANCTIONS**
6 **REFORM AND EXPORT ENHANCEMENT ACT**
7 **OF 2000.**

8 Notwithstanding any other provision of law, the
9 President may not restrict direct transfers from a Cuban
10 financial institution to a United States financial institu-
11 tion executed in payment for a product authorized for sale
12 under the Trade Sanctions Reform and Export Enhance-
13 ment Act of 2000 (22 U.S.C. 7201 et seq.).

○