104TH CONGRESS 2D SESSION

## H. R. 3974

To amend the Foreign Assistance Act of 1961 to prohibit the provision of assistance to foreign governments that provide assistance to Cuba.

## IN THE HOUSE OF REPRESENTATIVES

August 2, 1996

Mr. ZIMMER introduced the following bill; which was referred to the Committee on International Relations

## A BILL

To amend the Foreign Assistance Act of 1961 to prohibit the provision of assistance to foreign governments that provide assistance to 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. PROHIBITION ON ASSISTANCE TO FOREIGN
- 4 GOVERNMENTS PROVIDING ASSISTANCE TO
- 5 CUBA.
- 6 (a) In General.—Section 620 of the Foreign Assist-
- 7 ance Act of 1961 (22 U.S.C. 2370) is amended by adding
- 8 at the end the following new subsection:
- 9 "(y)(1) No assistance may be provided under this Act
- 10 (other than humanitarian assistance and assistance for

1	refugees), and no assistance or sales may be provided
2	under the Arms Export Control Act, for a fiscal year to
3	any foreign government that the President determines has
4	provided economic assistance to or engaged in nonmarket-
5	based trade with the Government of Cuba, or any entity
6	controlled by such Governments in the preceding fiscal
7	year.
8	"(2) For purposes of paragraph (1)—
9	"(A) the term 'humanitarian assistance' means
10	food (including the monetization of food), clothing
11	medicine, and medical supplies; and
12	"(B) the term 'nonmarket-based trade' includes
13	exports, imports, exchanges, or other trade arrange-
14	ments under which goods or services are provided or
15	terms more favorable than those generally available
16	in applicable markets or for comparable commod-
17	ities, including—
18	"(i) exports to the Government of Cuba or
19	terms that involve a grant, concessional price
20	guaranty, insurance, or subsidy;
21	"(ii) imports from the Government of Cuba
22	at preferential tariff rates;
23	"(iii) exchange arrangements that include
24	advance delivery of commodities, arrangements
25	in which the Government of Cuba is not held

accountable for unfulfilled exchange contracts, and arrangements under which such Government does not pay appropriate transportation, insurance, or finance costs; and

> "(iv) the exchange, reduction, or forgiveness of debt of the Cuban Government in return for a grant by the Cuban Government of an equity interest in a property, investment, or operation of the Cuban Government or of a Cuban national.".

## (b) Effective Date.—

- (1) In GENERAL.—Except as provided in paragraph (2), the prohibition on assistance to a foreign government contained in section 620(y) of the Foreign Assistance Act of 1961, as added by subsection (a), shall apply only with respect to assistance provided in fiscal years beginning on or after the date of the enactment of this Act.
- (2) EXCEPTION.—In the case of the fiscal year in which this Act is enacted, such prohibition shall apply with respect to the obligation or expenditure of assistance on or after the date of the enactment of this Act.