

106TH CONGRESS
1ST SESSION

H. R. 259

To allow travel and cultural exchanges between the United States and Cuba.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

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

A BILL

To allow travel and cultural exchanges 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. TRAVEL TO CUBA.**

4 (a) **FREEDOM OF TRAVEL FOR UNITED STATES CITI-**
5 **ZENS AND LEGAL RESIDENTS.**—Subject to section 3, the
6 President shall not regulate or prohibit, directly or indi-
7 rectly, travel to or from Cuba by United States citizens
8 or legal residents, or any of the transactions incident to
9 such travel that are set forth in subsection (b).

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

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

5 (2) any transactions ordinarily incident to trav-
6 el or maintenance within Cuba, including the pay-
7 ment of living expenses and the acquisition of goods
8 or services for personal use;

9 (3) any transactions ordinarily incident to the
10 arrangement, promotion, or facilitation of travel to,
11 from, or within Cuba;

12 (4) any transactions incident to nonscheduled
13 air, sea, or land voyages, except that this paragraph
14 does not authorize the carriage of articles into Cuba
15 or the United States except accompanied baggage;
16 and

17 (5) normal banking transactions incident to the
18 activities described in the preceding provisions of
19 this subsection, including the issuance, clearing,
20 processing, or payment of checks, drafts, travelers
21 checks, credit or debit card instruments, or similar
22 instruments;

23 except that this section does not authorize the importation
24 into the United States of any goods for personal consump-
25 tion acquired in Cuba.

1 **SEC. 2. EDUCATIONAL, CULTURAL, AND SCIENTIFIC ACTIVI-**
2 **TIES AND EXCHANGES.**

3 (a) **RESTRICTION ON AUTHORITY.**—Subject to sec-
4 tion 3, the President shall not regulate or prohibit, directly
5 or indirectly, financial or other transactions, or travel, in-
6 cident to those activities described in paragraphs (1)
7 through (5) of subsection (b), to the extent that any such
8 activities—

9 (1) involve United States citizens or legal resi-
10 dents and nationals of Cuba;

11 (2) are not otherwise controlled for export
12 under section 5 of the Export Administration Act of
13 1979; and

14 (3) with respect to such activities, no acts are
15 prohibited by chapter 37 of title 18, United States
16 Code.

17 (b) **ACTIVITIES.**—The activities referred to in sub-
18 section (a) are—

19 (1) activities of scholars;

20 (2) other educational, scientific, or academic ac-
21 tivities;

22 (3) exchanges in furtherance of any such activi-
23 ties;

24 (4) cultural activities and exchanges; or

25 (5) public exhibitions or performances by the
26 nationals of one country in another country.

1 **SEC. 3. EXCEPTION.**

2 The restrictions on authority contained in sections 1
3 and 2 do not apply in a case in which the United States
4 is at war with Cuba, armed hostilities between the two
5 countries are in progress, or there is imminent danger to
6 the public health or the physical safety of United States
7 travelers.

8 **SEC. 4. APPLICABILITY.**

9 This Act applies to actions taken by the President
10 before the date of the enactment of this Act which are
11 in effect on such date of enactment, and to actions taken
12 on or after such date.

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

14 This Act applies notwithstanding section 102(h) of
15 the Cuban Liberty and Democratic Solidarity
16 (LIBERTAD) Act of 1996.

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