

107TH CONGRESS  
2D SESSION

# H. R. 5616

To provide for the expiration of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, known as the Helms-Burton Act, on March 31, 2003.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Mr. DOOLEY of California (for himself, Mrs. EMERSON, Mr. TOWNS, Mr. PAUL, Mr. SNYDER, Mr. NETHERCUTT, Mr. MCGOVERN, Mr. FLAKE, Mr. DELAHUNT, Mr. SHAYS, Ms. HOOLEY of Oregon, Mr. FARR of California, Mr. BERMAN, Mr. LAMPSON, Mr. BLUMENAUER, Mr. THOMPSON of California, Mr. BERRY, Mr. DEFazio, Mr. RANGEL, Ms. SOLIS, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. STENHOLM, and Mr. JOHNSON of Illinois) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Ways and Means, Judiciary, 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

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## A BILL

To provide for the expiration of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, known as the Helms-Burton Act, on March 31, 2003.

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 “Sunset of Helms-Bur-  
3 ton Act of 2002”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) The purpose of the Cuban Liberty and  
7 Democratic Solidarity (LIBERTAD) Act of 1996,  
8 known as the Helms-Burton Act, was to seek inter-  
9 national sanctions against the Castro Government in  
10 Cuba and to plan for support of a transition govern-  
11 ment leading to a democratically elected government  
12 in Cuba.

13 (2) The LIBERTAD Act and other sanctions  
14 implemented by the United States against Cuba and  
15 its foreign investors have failed to promote democ-  
16 racy, denied Cubans access to food and medicine,  
17 and undermined trade relations between the United  
18 States and its strongest allies.

19 (3) The President of the United States, as au-  
20 thorized under title III of that Act, has suspended  
21 the right to bring any action under that title every  
22 6 months since the enactment of that Act, so that  
23 significant provisions of the legislation have never  
24 been in full force.

25 (4) The United States can best support demo-  
26 cratic change and human rights in Cuba by pro-

1 moting trade and commerce, travel, communications,  
2 and cultural, academic, and scientific exchanges.

3 **SEC. 3. EXPIRATION OF THE LIBERTAD ACT.**

4 The Cuban Liberty and Democratic Solidarity  
5 (LIBERTAD) Act of 1996 shall cease to be effective on  
6 March 31, 2003.

7 **SEC. 4. CONFORMING AMENDMENTS.**

8 (a) CUBAN DEMOCRACY ACT OF 1992.—

9 (1) Section 1704(b)(2) of the Cuban Democracy  
10 Act of 1992 (22 U.S.C. 6003(b)(2)) is amended—

11 (A) by inserting “and” at the end of sub-  
12 paragraph (A);

13 (B) by striking subparagraph (B);

14 (C) by redesignating subparagraph (C) as  
15 subparagraph (B); and

16 (D) by striking the flush sentence at the  
17 end.

18 (2) Section 1705(e) of the Cuban Democracy  
19 Act of 1992 (22 U.S.C. 6004(e)) is amended by  
20 striking paragraphs (5) and (6).

21 (b) FOREIGN ASSISTANCE ACT OF 1961.—

22 (1) Section 498A of the Foreign Assistance Act  
23 of 1961 (22 U.S.C. 2295a) is amended—

24 (A) in subsection (a)(11) by striking “and  
25 intelligence facilities, including the military and

1 intelligence facilities at Lourdes and Cien-  
2 fuegos”, and inserting “facilities,”;

3 (B) in subsection (b)—

4 (i) in paragraph (4) by adding “and”  
5 after the semicolon;

6 (ii) by striking paragraph (5); and

7 (iii) by redesignating paragraph (6) as  
8 paragraph (5); and

9 (C) by striking subsection (d).

10 (2) Section 498B(k) of the Foreign Assistance  
11 Act of 1961 (22 U.S.C. 2295b(k)) is amended by  
12 striking paragraphs (3) and (4).

13 (c) TITLE 28, UNITED STATES CODE.—Section 1611  
14 of title 28, United States Code, is amended by striking  
15 subsection (c).

16 (d) INTERNATIONAL CLAIMS SETTLEMENT ACT OF  
17 1949.—Sections 514 and 515 of the International Claims  
18 Settlement Act of 1949 (22 U.S.C. 16431 and 1643m)  
19 are repealed.

20 (e) EFFECTIVE DATE.—The amendments made by  
21 this section shall take effect on March 31, 2003.

22 **SEC. 5. NO RIGHT OF ACTION.**

23 No action under section 302 of the Cuban Liberty  
24 and Democratic Solidarity (LIBERTAD) Act of 1996  
25 may be brought on or after March 31, 2003, with respect

1 to trafficking (as defined under that Act) occurring before,  
2 on, or after that date.

3 **SEC. 6. TERMINATION OF ACTIONS UNDER TITLE IV.**

4 (a) TERMINATION OF ACTIONS UNDER TITLE IV.—  
5 As of March 1, 2003—

6 (1) all denials of visas and all exclusions pursu-  
7 ant to title IV of the Cuban Liberty and Democratic  
8 and Solidarity (LIBERTAD) Act of 1996 shall ex-  
9 pire; and

10 (2) the names of all persons subject to such de-  
11 nials or exclusions shall be removed from any lists  
12 or other records used by the Secretary of State or  
13 the Attorney General to enforce title IV of that Act.

14 (b) NOTIFICATION.—Not later than June 30, 2003,  
15 the Secretary of State shall notify in writing all persons  
16 subject to denials or exclusions to which subsection (a) ap-  
17 plies of the expiration and removal under subsection (a).

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