

108TH CONGRESS
1ST SESSION

S. 1089

To encourage multilateral cooperation and authorize a program of assistance to facilitate a peaceful transition in Cuba, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2003

Mr. ENSIGN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To encourage multilateral cooperation and authorize a program of assistance to facilitate a peaceful transition in Cuba, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Cuba Transition Act
5 of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Cuban people are seeking change in
9 their country, including through the Varela Project,

1 Concilio Cubano, independent journalist activity, and
2 other civil society initiatives.

3 (2) Civil society groups and independent, self-
4 employed Cuban citizens will be essential to the con-
5 solidation of a genuine and effective transition to de-
6 mocracy from an authoritarian, communist govern-
7 ment in Cuba, and therefore merit increased inter-
8 national assistance.

9 (3) The people of the United States support a
10 policy of proactively helping the Cuban people to es-
11 tablish a democratic system of government, includ-
12 ing supporting Cuban citizen efforts to prepare for
13 transition to a better and more prosperous future.

14 (4) Without profound political and economic
15 changes, Cuba will not meet the criteria for partici-
16 pation in the Summit of the Americas process.

17 (5) The Inter-American Democratic Charter
18 adopted by the General Assembly of the Organiza-
19 tion of American States (OAS) provides both guid-
20 ance and mechanisms for response by OAS members
21 to the governmental transition in Cuba and that
22 country's eventual reintegration into the inter-Amer-
23 ican system.

24 (6) United States Government support of pro-
25 democracy elements in Cuba and planning for the

1 transition in Cuba is essential for the identification
2 of resources and mechanisms that can be made
3 available immediately in response to profound polit-
4 ical and economic changes on the island.

5 (7) Consultations with democratic development
6 institutions and international development agencies
7 regarding Cuba are a critical element in the prepa-
8 ration of an effective multilateral response to the
9 transition in Cuba.

10 **SEC. 3. PURPOSES.**

11 The purposes of this Act are as follows:

12 (1) To support multilateral efforts by the coun-
13 tries of the Western Hemisphere in planning for a
14 transition of the government in Cuba and the return
15 of that country to the Western Hemisphere commu-
16 nity of democracies.

17 (2) To encourage the development of an inter-
18 national group to coordinate multilateral planning to
19 a transition of the government in Cuba.

20 (3) To authorize funding for programs to assist
21 the Cuban people and independent nongovernmental
22 organizations in Cuba in preparing the groundwork
23 for a peaceful transition of government in Cuba.

1 (4) To provide the President with funding to
2 implement assistance programs essential to the de-
3 velopment of a democratic government in Cuba.

4 **SEC. 4. DEFINITIONS.**

5 In this Act:

6 (1) DEMOCRATICALLY ELECTED GOVERNMENT
7 IN CUBA.—The term “democratically elected govern-
8 ment in Cuba” has the meaning given the term in
9 section 4 of the Cuban Liberty and Democratic Soli-
10 darity (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

11 (2) TRANSITION GOVERNMENT IN CUBA.—The
12 term “transition government in Cuba” has the
13 meaning given the term in section 4 of the Cuban
14 Liberty and Democratic Solidarity (LIBERTAD)
15 Act of 1996 (22 U.S.C. 6023).

16 **SEC. 5. DESIGNATION OF COORDINATOR FOR CUBA TRAN-**
17 **SITION.**

18 (a) IN GENERAL.—The Secretary of State shall des-
19 ignate, within the Department of State, a coordinator who
20 shall be responsible for—

21 (1) designing an overall strategy to coordinate
22 preparations for, and a response to, a transition in
23 Cuba;

1 (2) coordinating assistance provided to the
2 Cuban people in preparation for a transition in
3 Cuba;

4 (3) coordinating strategic support for the con-
5 solidation of a political and economic transition in
6 Cuba;

7 (4) ensuring program and policy coordination
8 among agencies of the United States Government in
9 carrying out the policies set forth in this Act; and

10 (5) pursuing coordination with other countries
11 and international organizations, including inter-
12 national financial institutions, with respect to assist-
13 ing a transition in Cuba.

14 (b) RANK AND STATUS OF THE TRANSITION COORDI-
15 NATOR.—The coordinator designated in subsection (a)
16 shall have the rank and status of ambassador.

17 **SEC. 6. MULTILATERAL INITIATIVES RELATED TO CUBA.**

18 The Secretary of State is authorized to designate up
19 to \$5,000,000 of total amounts made available for con-
20 tributions to international organizations to be provided to
21 the Organization of American States for—

22 (1) Inter-American Commission on Human
23 Rights activities relating to the situation of human
24 rights in Cuba;

1 (2) the funding of an OAS emergency fund for
 2 the deployment of human rights observers, election
 3 support, and election observation in Cuba as de-
 4 scribed in section 109(b) of the Cuban Liberty and
 5 Democratic Solidarity (LIBERTAD) Act of 1996
 6 (22 U.S.C. 6039(b)(1)); and

7 (3) scholarships for Cuban students attending
 8 colleges, universities, or other educational programs
 9 in member states of the OAS.

10 **SEC. 7. SENSE OF CONGRESS.**

11 (a) SENSE OF CONGRESS REGARDING CONSULTA-
 12 TION WITH WESTERN HEMISPHERE.—It is the sense of
 13 Congress that the President should begin consultation, as
 14 appropriate, with governments of other Western Hemi-
 15 sphere countries regarding a transition in Cuba.

16 (b) SENSE OF CONGRESS REGARDING OTHER CON-
 17 SULTATIONS.—It is the sense of Congress that the Presi-
 18 dent should begin consultations with appropriate inter-
 19 national partners and governments regarding a multilat-
 20 eral diplomatic and financial support program for re-
 21 sponse to a transition in Cuba.

22 **SEC. 8. ASSISTANCE PROVIDED TO THE CUBAN PEOPLE IN**
 23 **PREPARATION FOR A TRANSITION IN CUBA.**

24 (a) AUTHORIZATION.—Notwithstanding any other
 25 provision of law other than section 634A of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2394–1) and com-
2 parable notification requirements contained in any Act
3 making appropriations for foreign operations, export fi-
4 nancing, and related programs, the President is author-
5 ized to furnish an amount not to exceed \$15,000,000 in
6 assistance and provide other support for individuals and
7 independent nongovernmental organizations to support de-
8 mocracy-building efforts for Cuba, including—

9 (1) political prisoners and members of their
10 families;

11 (2) persons persecuted or harassed for dissident
12 activities;

13 (3) independent libraries;

14 (4) independent workers’ rights activists;

15 (5) independent agricultural cooperatives;

16 (6) independent associations of self-employed
17 Cubans;

18 (7) independent journalists;

19 (8) independent youth organizations;

20 (9) independent environmental groups;

21 (10) independent economists, medical doctors,
22 and other professionals;

23 (11) in establishing and maintaining an infor-
24 mation and resources center to be in the United
25 States interests section in Havana, Cuba;

1 (12) prodemocracy programs of the National
2 Endowment for Democracy that are related to Cuba;

3 (13) nongovernmental programs to facilitate ac-
4 cess to the Internet, subject to section 102(g) of the
5 Cuban Liberty and Democratic Solidarity
6 (LIBERTAD) Act of 1996 (22 U.S.C. 6032(g));

7 (14) nongovernmental charitable programs that
8 provide nutrition and basic medical care to persons
9 most at risk, including children and elderly persons;
10 and

11 (15) nongovernmental charitable programs to
12 reintegrate into civilian life persons who have aban-
13 doned, resigned, or been expelled from the Cuban
14 armed forces for ideological reasons.

15 (b) DEFINITIONS.—In this section:

16 (1) INDEPENDENT NONGOVERNMENTAL ORGA-
17 NIZATION.—The term “independent nongovern-
18 mental organization” means an organization that
19 the Secretary of State determines, not less than 15
20 days before any obligation of funds to the organiza-
21 tion, is a charitable or nonprofit nongovernmental
22 organization that is not an agency or instrumentality
23 of the Cuban Government.

24 (2) ELIGIBLE CUBAN RECIPIENTS.—The term
25 “eligible Cuban recipients” is limited to any Cuban

1 national in Cuba, including political prisoners and
2 their families, who are not officials of the Cuban
3 Government or of the ruling political party in Cuba,
4 as defined in section 4(10) of the Cuban Liberty and
5 Democratic Solidarity (LIBERTAD) Act of 1996
6 (22 U.S.C. 6023(10)).

7 **SEC. 9. SUPPORT FOR A TRANSITION GOVERNMENT IN**
8 **CUBA.**

9 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
10 tion to funds otherwise available for such purposes, there
11 are authorized to be appropriated \$30,000,000 to the
12 President to establish a fund to provide assistance to a
13 transition government in Cuba as defined in section 205
14 of the Cuban Liberty and Democratic Solidarity
15 (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

16 (b) DESIGNATION OF FUND.—The fund authorized
17 in subsection (a) shall be known as the “Fund for a Free
18 Cuba”.

19 (c) AVAILABILITY OF FUNDS.—Amounts appro-
20 priated pursuant to subsection (a) are authorized to re-
21 main available until expended.

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