

110TH CONGRESS
2D SESSION

H. R. 6962

To facilitate the provision of humanitarian relief to Cuba.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2008

Mr. DELAHUNT (for himself, Mr. FLAKE, Mr. BERMAN, Mrs. EMERSON, Mr. MCGOVERN, Mr. LAHOOD, Ms. DELAURO, Mr. MORAN of Kansas, Mr. PAYNE, Mr. PAUL, Mr. FARR, Ms. HARMAN, and Mr. MEEKS of New York) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To facilitate the provision of humanitarian relief 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. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Humanitarian Relief to Cuba Act”.

6 (b) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) Hurricane Gustav, which struck Cuba on
9 September 1, 2008, was the worst hurricane to hit
10 the island of Cuba in over 50 years. The Category

1 Four storm displaced over 400,000 Cubans and
2 damaged or destroyed 130,000 homes and caused
3 severe damage to infrastructure.

4 (2) Hurricane Ike, which made landfall on
5 Cuba on September 7, 2008, forced the evacuation
6 of over 2,500,000 Cubans, damaged an additional
7 100,000 structures, and damaged local infrastruc-
8 ture.

9 (3) The number of Cubans left homeless is ex-
10 pected to reach 100,000, and the total economic
11 losses of Hurricanes Gustav and Ike are expected to
12 reach upwards of \$10,000,000,000, with serious
13 damage done to the island's agricultural industry.

14 (4) In the wake of past natural disasters, the
15 United States eased restrictions to mobilize the gen-
16 erous spirit of many thousands of Americans by al-
17 lowing humanitarian aid originating from the United
18 States to be transported directly to Cuba to the ben-
19 efit of the Cuban people.

20 (5) Allowing the people of the United States to
21 assist the Cuban people in reclaiming their lives and
22 livelihoods following a major natural disaster just 90
23 miles from the United States is an important aspect
24 of United States national security and defense pol-
25 icy.

1 **SEC. 2. EASING OF RESTRICTIONS ON TRAVEL TO CUBA**
2 **FOR A PERIOD OF 180 DAYS.**

3 (a) IN GENERAL.—

4 (1) FREEDOM OF TRAVEL FOR UNITED STATES
5 CITIZENS AND CERTAIN OTHER PERSONS TO VISIT
6 FAMILY MEMBERS IN CUBA.—For the 180-day pe-
7 riod beginning on the date of the enactment of this
8 Act, the President may not prohibit or regulate, di-
9 rectly or indirectly—

10 (A) travel to or from Cuba by United
11 States citizens or any person subject to the ju-
12 risdiction of the United States with family cur-
13 rently residing in Cuba; or

14 (B) any of the transactions incident to
15 such travel that are described in paragraph (2).

16 (2) TRANSACTIONS INCIDENT TO TRAVEL.—
17 The transactions referred to in paragraph (1) are—

18 (A) any transaction ordinarily incidental to
19 travel to or from Cuba, including the importa-
20 tion into Cuba or the United States of accom-
21 panied baggage for personal or family use only;

22 (B) any transaction ordinarily incident to
23 travel to or maintenance within Cuba, including
24 the payment of living expenses and the acquisi-
25 tion of goods or services for personal and family
26 use only; and

1 (C) any transaction ordinarily incident to
2 the arrangement, promotion, or facilitation of
3 scheduled and nonscheduled travel to, from, or
4 within Cuba, including lodging and meals in an
5 amount not to exceed the per diem amount au-
6 thorized under chapter 57 of title 5, United
7 States Code.

8 (b) SUPERSEDES OTHER PROVISIONS.—This section
9 supersedes any other provision of law, including section
10 102(h) of the Cuban Liberty and Democratic Solidarity
11 (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)).

12 (c) EFFECTIVE DATE.—This section applies to ac-
13 tions taken by the President before the date of the enact-
14 ment of this Act that are in effect on such date and to
15 actions taken on or after such date during the 180-day
16 period beginning on such date of enactment.

17 **SEC. 3. EASING RESTRICTIONS ON REMITTANCES FOR A**
18 **PERIOD OF 180 DAYS.**

19 (a) IN GENERAL.—Except as provided in subsection
20 (b), for the 180-day period beginning on the date of the
21 enactment of this Act, the Secretary of the Treasury may
22 not limit the amount of remittances to Cuba that may be
23 made by any person who is subject to the jurisdiction of
24 the United States, and the Secretary shall rescind, for
25 such 180-day period, all regulations in effect on the date

1 of enactment of this Act that so limit the amount of those
2 remittances.

3 (b) **STATUTORY CONSTRUCTION.**—Nothing in sub-
4 section (a) may be construed to prohibit the prosecution
5 or conviction of any person committing an offense de-
6 scribed in section 1956 of title 18, United States Code
7 (relating to the laundering of monetary instruments), or
8 section 1957 of such title (relating to engaging in mone-
9 tary transactions in property derived from specific unlaw-
10 ful activity).

11 **SEC. 4. EASING RESTRICTIONS ON GIFT OR RELIEF PACK-**
12 **AGES FOR 180 DAYS.**

13 (a) **IN GENERAL.**—Except as provided in subsection
14 (d), for the 180-day period beginning on the date of the
15 enactment of this Act, the President may not limit the
16 size, quantity or frequency, or the carrying, transporting
17 or shipping of personal gift items and relief supplies (not
18 for sale or resale) that are eligible to be shipped through
19 existing or new mechanisms established expressly for the
20 delivery of such packages. Such items and supplies may
21 be sent to Cuba by any person who is subject to the juris-
22 diction of the United States and the President shall re-
23 scind, for such 180-day period, all regulations in effect
24 on the date of the enactment of this Act that so limit such
25 items.

1 (b) PERSONAL GIFT ITEMS.—For purposes of this
2 section, the term “personal gift items” includes goods in-
3 tended to improve the daily life of the Cuban people, in-
4 cluding clothing, medication, foodstuffs, personal hygiene
5 items, and other daily necessities.

6 (c) RELIEF SUPPLIES.—For the purposes of this sec-
7 tion, the term “relief supplies” means any item intended
8 to provide temporary or permanent comfort or shelter to
9 hurricane victims in Cuba, or intended to facilitate repairs
10 to personal dwellings in Cuba damaged during the 2008
11 hurricane season.

12 (d) STATUTORY CONSTRUCTION.—Nothing in sub-
13 section (a) may be construed to prohibit the prosecution
14 or conviction of any person committing an offense de-
15 scribed in section 1956 of title 18, United States Code
16 (relating to the laundering of monetary instruments), or
17 section 1957 of such title (relating to engaging in mone-
18 tary transactions in property derived from specific unlaw-
19 ful activity).

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