

111TH CONGRESS  
2D SESSION

# S. 3112

To remove obstacles to legal sales of United States agricultural commodities to Cuba and to end certain travel restrictions to Cuba.

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IN THE SENATE OF THE UNITED STATES

MARCH 15, 2010

Ms. KLOBUCHAR (for herself and Mr. ENZI) introduced the following bill;  
which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To remove obstacles to legal sales of United States agricultural commodities to Cuba and to end certain travel restrictions 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.**

4       This Act may be cited as the “Travel Restriction Re-  
5       form and Export Enhancement Act”.

6       **SEC. 2. TRAVEL TO CUBA.**

7       (a) IN GENERAL.—On and after the date of the en-  
8       actment of this Act, and subject to subsection (b)—

9               (1) the President may not regulate or prohibit,  
10       directly or indirectly, travel to or from Cuba by

1 United States citizens or lawful permanent resi-  
2 dents, or any of the transactions incident to such  
3 travel; and

4 (2) any regulation in effect on such date of en-  
5 actment that regulates or prohibits travel to or from  
6 Cuba by United States citizens or lawful permanent  
7 residents or transactions incident to such travel shall  
8 cease to have any force or effect.

9 (b) EXCEPTIONS.—Subsection (a) shall not apply in  
10 a case in which the United States is at war with Cuba,  
11 armed hostilities between the two countries are in  
12 progress, or there is imminent danger to the public health  
13 or the physical safety of United States travelers.

14 (c) APPLICABILITY.—This section applies to actions  
15 taken by the President before the date of the enactment  
16 of this Act that are in effect on such date of enactment,  
17 and to actions taken on or after such date.

18 (d) INAPPLICABILITY OF OTHER PROVISIONS.—The  
19 provisions of this section apply notwithstanding section  
20 102(h) of the Cuban Liberty and Democratic Solidarity  
21 (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and sec-  
22 tion 910(b) of the Trade Sanctions Reform and Export  
23 Enhancement Act of 2000 (22 U.S.C. 7210(b)).

1 **SEC. 3. CLARIFICATION OF PAYMENT TERMS UNDER THE**  
2 **TRADE SANCTIONS REFORM AND EXPORT EN-**  
3 **HANCEMENT ACT OF 2000.**

4 Section 908(b)(4) of the Trade Sanctions Reform and  
5 Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(4))  
6 is amended—

7 (1) in subparagraph (B), by striking “and” at  
8 the end;

9 (2) in subparagraph (C), by striking the period  
10 at the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(D) the term ‘payment of cash in ad-  
13 vance’ means, notwithstanding any other provi-  
14 sion of law, the payment by the purchaser of an  
15 agricultural commodity or product and the re-  
16 ceipt of such payment by the seller prior to—

17 “(i) the transfer of title of such com-  
18 modity or product to the purchaser; and

19 “(ii) the release of control of such  
20 commodity or product to the purchaser.”.

1 **SEC. 4. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN**  
2 **CUBAN AND UNITED STATES FINANCIAL IN-**  
3 **STITUTIONS UNDER THE TRADE SANCTIONS**  
4 **REFORM AND EXPORT ENHANCEMENT ACT**  
5 **OF 2000.**

6 Notwithstanding any other provision of law, the  
7 President may not restrict direct transfers from a Cuban  
8 financial institution to a United States financial institu-  
9 tion executed in payment for a product authorized for sale  
10 under the Trade Sanctions Reform and Export Enhance-  
11 ment Act of 2000 (22 U.S.C. 7201 et seq.).

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