

115TH CONGRESS
1ST SESSION

S. 1287

To allow United States citizens and legal residents to travel between the United States and Cuba.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2017

Mr. FLAKE (for himself, Mr. LEAHY, Mr. MORAN, Mr. DURBIN, Mr. ENZI, Mr. UDALL, Mr. BOOZMAN, Mr. WHITEHOUSE, Ms. COLLINS, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. REED, Ms. STABENOW, Mr. MURPHY, Mr. COONS, Mr. CARDIN, Mrs. FEINSTEIN, Mrs. SHAHEEN, Ms. HEITKAMP, Mr. BROWN, Ms. BALDWIN, Ms. HIRONO, Mr. SCHATZ, Mr. MARKEY, Mrs. MCCASKILL, Mr. PAUL, Mr. WYDEN, Mr. KAINE, Mr. KING, Mr. FRANKEN, Ms. WARREN, Mr. BENNET, Mr. HEINRICH, Mr. SANDERS, Mr. TESTER, Mr. WARNER, Ms. CANTWELL, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. NELSON, Mr. DONNELLY, Mr. CASSIDY, Mr. PETERS, Mr. CARPER, Mr. MANCHIN, Mr. VAN HOLLEN, Ms. HARRIS, Mr. CASEY, Mr. CRAPO, Ms. DUCKWORTH, Mr. DAINES, Ms. HASSAN, and Mr. HELLER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To allow United States citizens and legal residents to travel 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. SHORT TITLE.**

4 This Act may be cited as the “Freedom for Ameri-
5 cans to Travel to Cuba Act of 2017”.

1 **SEC. 2. TRAVEL TO CUBA.**

2 Subject to section 3, on or after the date of the enact-
3 ment of this Act—

4 (1) the President may not prohibit or otherwise
5 restrict travel to or from Cuba by United States citi-
6 zens or legal residents, or any of the transactions in-
7 cident to such travel, including banking transactions;
8 and

9 (2) any law, regulation, or policy in effect on
10 such date of enactment that prohibits or otherwise
11 restricts travel to or from Cuba by United States
12 citizens or legal residents, or any of the transactions
13 incident to such travel, including banking trans-
14 actions, shall cease to have any force or effect.

15 **SEC. 3. EXCEPTIONS.**

16 (a) SAVINGS PROVISION.—Nothing in this Act may
17 be construed to limit the authority of the President to re-
18 strict travel described in section 2, or any transaction inci-
19 dent to such travel, on a case-by-case basis, if the Presi-
20 dent determines that such restriction—

21 (1) is necessary to protect the national security
22 of the United States; or

23 (2) is necessary to protect the health or safety
24 of United States citizens or legal residents resulting
25 from traveling to or from Cuba.

1 (b) WRITTEN JUSTIFICATION.—Not later than 7
2 days before restricting travel described in section 2 or a
3 transaction incident to such travel, pursuant to the au-
4 thority referred to in subsection (a), the President shall
5 submit a written justification for such restriction to—

6 (1) the Committee on Foreign Relations of the
7 Senate;

8 (2) the Committee on Appropriations of the
9 Senate;

10 (3) the Committee on Foreign Affairs of the
11 House of Representatives; and

12 (4) the Committee on Appropriations of the
13 House of Representatives.

14 **SEC. 4. INAPPLICABILITY.**

15 The provisions of this Act shall apply notwith-
16 standing section 102(h) of the Cuban Liberty and Demo-
17 cratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C.
18 6032(h)) and section 910(b) of the Trade Sanctions Re-
19 form and Export Enhancement Act of 2000 (22 U.S.C.
20 7209(b)).

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