

107TH CONGRESS
2^D SESSION

H. R. 5022

To allow travel between the United States and Cuba.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2002

Mr. FLAKE (for himself, Mr. DELAHUNT, Mrs. EMERSON, Mr. MCGOVERN, Mr. SHAYS, Ms. BALDWIN, Mr. TOWNS, Mr. OTTER, Mr. PAUL, Mr. STENHOLM, Mr. BERMAN, Mr. LYNCH, Mr. ROEMER, Mr. LAMPSON, Mr. ABERCROMBIE, Mr. DOOLEY of California, Ms. SOLIS, Mr. MORAN of Kansas, Mr. TANNER, Mr. JOHNSON of Illinois, Mr. THOMPSON of California, Mr. FARR of California, Mr. KIND, Mr. BERRY, Mr. NETHERCUTT, Mr. ROSS, Mr. CLAY, Mr. SNYDER, Mr. RANGEL, Mr. KLECZKA, and Mr. BOOZMAN) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To allow 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 to Travel
5 to Cuba Act of 2002”.

6 **SEC. 2. TRAVEL TO CUBA.**

7 (a) FREEDOM OF TRAVEL FOR UNITED STATES CITI-
8 ZENS AND LEGAL RESIDENTS.—Subject to section 3, the

1 President shall not regulate or prohibit, directly or indi-
2 rectly, travel to or from Cuba by United States citizens
3 or legal residents, or any of the transactions incident to
4 such travel that are set forth in subsection (b).

5 (b) TRANSACTIONS INCIDENT TO TRAVEL.—The
6 transactions referred to in subsection (a) are—

7 (1) any transactions ordinarily incident to trav-
8 el to or from Cuba, including the importation into
9 Cuba or the United States of accompanied baggage
10 for personal use only;

11 (2) any transactions ordinarily incident to trav-
12 el or maintenance within Cuba, including the pay-
13 ment of living expenses and the acquisition of goods
14 or services for personal use;

15 (3) any transactions ordinarily incident to the
16 arrangement, promotion, or facilitation of travel to,
17 from, or within Cuba;

18 (4) any transactions incident to nonscheduled
19 air, sea, or land voyages, except that this paragraph
20 does not authorize the carriage of articles into Cuba
21 or the United States except accompanied baggage;
22 and

23 (5) normal banking transactions incident to the
24 activities described in the preceding provisions of
25 this subsection, including the issuance, clearing,

1 processing, or payment of checks, drafts, travelers
2 checks, credit or debit card instruments, or similar
3 instruments;

4 except that this section does not authorize the importation
5 into the United States of any goods for personal consump-
6 tion acquired in Cuba.

7 **SEC. 3. EXCEPTION.**

8 The restrictions on authority contained in section 2
9 do not apply in a case in which the United States is at
10 war with Cuba, armed hostilities between the two coun-
11 tries are in progress, or there is imminent danger to the
12 public health or the physical safety of United States trav-
13 elers.

14 **SEC. 4. APPLICABILITY.**

15 This Act applies to actions taken by the President
16 before the date of the enactment of this Act which are
17 in effect on such date of enactment, and to actions taken
18 on or after such date.

19 **SEC. 5. INAPPLICABILITY OF OTHER PROVISIONS.**

20 This Act applies notwithstanding section 102(h) of
21 the Cuban Liberty and Democratic Solidarity
22 (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and sec-
23 tion 910(b) of the Trade Sanctions Reform and Export
24 Enhancement Act of 2000.

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