

105TH CONGRESS  
1ST SESSION

# H. R. 2289

To provide for the withholding of United States assistance to countries that aid or are engaged in nonmarket based trade with the Government of Cuba.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1997

Ms. ROS-LEHTINEN (for herself, Mr. GILMAN, Mr. DIAZ-BALART, Mr. MENENDEZ, Mr. BURTON of Indiana, Mr. SOLOMON, Mr. DEUTSCH, Mr. SMITH of New Jersey, and Mr. ROTHMAN) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To provide for the withholding of United States assistance to countries that aid or are engaged in nonmarket based trade with the Government of 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. WITHHOLDING UNITED STATES ASSISTANCE TO**  
4 **COUNTRIES THAT AID THE GOVERNMENT OF**  
5 **CUBA.**

6 (a) IN GENERAL.—Except as provided in subsection  
7 (b), not later than 180 days after the date of the enact-  
8 ment of this Act, the President shall withhold assistance  
9 under the Foreign Assistance Act of 1961 to any foreign

1 government providing economic, development, or security  
2 assistance for, or engaging in nonmarket based trade with  
3 the Government of Cuba.

4 (b) WAIVER.—The President may waive the provi-  
5 sions of subsection (a) if the President certifies to the ap-  
6 propriate congressional committees that the provision of  
7 United States assistance is vital to the national security  
8 of the United States.

9 (c) NONMARKET BASED TRADE DEFINED.—For the  
10 purpose of this section, the term “nonmarket based trade”  
11 means exports, imports, exchanges, or other arrangements  
12 that are provided for goods and services on terms more  
13 favorable than those generally available in applicable mar-  
14 kets or for comparable commodities, including—

15 (1) exports to the Cuban Government on terms  
16 that involve a grant, concessional price, guaranty,  
17 insurance, or subsidy;

18 (2) imports from the Cuban Government at  
19 preferential tariff rates;

20 (3) exchange arrangements that include ad-  
21 vance delivery of commodities, arrangements in  
22 which the Cuban Government is not held account-  
23 able for unfulfilled exchange contracts, and arrange-  
24 ments under which Cuba does not pay appropriate  
25 transportation, insurance, or finance costs; and

1           (4) the exchange, reduction, or forgiveness of  
2           debt of the Cuban Government in exchange for a  
3           grant by the Cuban Government of an equity inter-  
4           est in a property, investment, or operation of the  
5           Cuban Government or of a Cuban national.

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