

Feb. 16, 1990, 104 Stat. 58, as amended, which is classified principally to subchapter V-B (§1465aa et seq.) of chapter 18 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1465aa of this title and Tables.

The Radio Broadcasting to Cuba Act, referred to in subsec. (c), is Pub. L. 98-111, Oct. 4, 1983, 97 Stat. 749, as amended, which is classified generally to subchapter V-A (§1465 et seq.) of chapter 18 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1465 of this title and Tables.

AMENDMENTS

1998—Subsecs. (a), (b). Pub. L. 105-277 substituted “Director of the International Broadcasting Bureau” for “Director of the United States Information Agency”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of this title.

§ 6038. Reports on commerce with, and assistance to, Cuba from other foreign countries

(a) Reports required

Not later than 90 days after March 12, 1996, and by January 1 of each year thereafter until the President submits a determination under section 6063(c)(1) of this title, the President shall submit a report to the appropriate congressional committees on commerce with, and assistance to, Cuba from other foreign countries during the preceding 12-month period.

(b) Contents of reports

Each report required by subsection (a) shall, for the period covered by the report, contain the following, to the extent such information is available:

(1) A description of all bilateral assistance provided to Cuba by other foreign countries, including humanitarian assistance.

(2) A description of Cuba’s commerce with foreign countries, including an identification of Cuba’s trading partners and the extent of such trade.

(3) A description of the joint ventures completed, or under consideration, by foreign nationals and business firms involving facilities in Cuba, including an identification of the location of the facilities involved and a description of the terms of agreement of the joint ventures and the names of the parties that are involved.

(4) A determination as to whether or not any of the facilities described in paragraph (3) is the subject of a claim against Cuba by a United States national.

(5) A determination of the amount of debt of the Cuban Government that is owed to each foreign country, including—

(A) the amount of debt exchanged, forgiven, or reduced under the terms of each investment or operation in Cuba involving foreign nationals; and

(B) the amount of debt owed the foreign country that has been exchanged, forgiven, or reduced in return for a grant by the Cuban Government of an equity interest in a property, investment, or operation of the Cuban Government or of a Cuban national.

(6) A description of the steps taken to assure that raw materials and semifinished or fin-

ished goods produced by facilities in Cuba involving foreign nationals do not enter the United States market, either directly or through third countries or parties.

(7) An identification of countries that purchase, or have purchased, arms or military supplies from Cuba or that otherwise have entered into agreements with Cuba that have a military application, including—

(A) a description of the military supplies, equipment, or other material sold, bartered, or exchanged between Cuba and such countries,

(B) a listing of the goods, services, credits, or other consideration received by Cuba in exchange for military supplies, equipment, or material, and

(C) the terms or conditions of any such agreement.

(Pub. L. 104-114, title I, §108, Mar. 12, 1996, 110 Stat. 798.)

DELEGATION OF FUNCTIONS

For delegation of congressional reporting functions of President under subsec. (a) of this section, see section 1 of Ex. Ord. No. 13313, July 31, 2003, 68 F.R. 46075, set out as a note under section 301 of Title 3, The President.

§ 6039. Authorization of support for democratic and human rights groups and international observers

(a) Authorization

Notwithstanding any other provision of law (including section 6032 of this title), except for section 2394-1 of this title and comparable notification requirements contained in any Act making appropriations for foreign operations, export financing, and related programs, the President is authorized to furnish assistance and provide other support for individuals and independent nongovernmental organizations to support democracy-building efforts for Cuba, including the following:

(1) Published and informational matter, such as books, videos, and cassettes, on transitions to democracy, human rights, and market economies, to be made available to independent democratic groups in Cuba.

(2) Humanitarian assistance to victims of political repression, and their families.

(3) Support for democratic and human rights groups in Cuba.

(4) Support for visits and permanent deployment of independent international human rights monitors in Cuba.

(b) OAS emergency fund

(1) For support of human rights and elections

The President shall take the necessary steps to encourage the Organization of American States to create a special emergency fund for the explicit purpose of deploying human rights observers, election support, and election observation in Cuba.

(2) Action of other member states

The President should instruct the United States Permanent Representative to the Organization of American States to encourage other member states of the Organization to