



# Committee On Finance

Max Baucus, Ranking Member

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## NEWS RELEASE

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For Immediate Release  
Thursday, May 6, 2004

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### **Senators Reject Administration's "Cuba Commission" Recommendations**

Baucus, Enzi, Craig, Dodd, and Dorgan Urge President to Reject Proposal,  
Provide Alternate Policy Prescriptions

(WASHINGTON, D.C.) In response to the release of a report by the Administration's "Commission for Assistance to a Free Cuba," Senators Max Baucus (D-Mont.), Mike Enzi (R-Wyo.), Larry Craig (R-Ind.), Christopher Dodd (D-Conn.), and Byron Dorgan (D-N.D.) today sent a letter to President Bush faulting the Commission's recommendations that would further crack down and harm the Cuban people.

The Senators provided the President with an alternate set of recommendations to help achieve the goal of a Democratic Cuba, including removing restrictions on Cuban American travel and remittances, ending all restrictions on travel and people-to-people contacts, and restoring full Presidential foreign policy authority with respect to Cuba.

"At a time when the United States faces very real terrorist threats in the Middle East and elsewhere, the Administration's absurd and increasingly bizarre obsession with Cuba is more than just a shame, it's a dangerous diversion from reality," Baucus said upon hearing the President's endorsement of the Commission proposal. "As we recently learned, a significant amount of Treasury Department funding that should be dedicated to shutting down terrorists' financial pipeline is instead being used to track people who take bike trips to Cuba or visit their families on the island. Of the 120 employees at the Office of Foreign Assets Control within the Treasury Department, 21 are dedicated to enforcing the Cuba embargo and travel ban, with only *four total* working on tracking down Osama Bin Laden and Saddam Hussein's finances. This is outrageous and dangerous.

"And now the Administration's Commission for Assistance to a Free Cuba has decided that even more of our precious resources should be dedicated to cracking down on the Cuban people and Cuban government -- despite the obvious failure of 40 years of embargo. From what I've seen, the Commission wants to restrict the small remittances that Cuban-Americans are allowed to send their families on the island and limit how often they may travel to visit. This is clearly an attack on the Cuban people and a further outrageous waste of OFAC's time and resources. I think this Commission is a sham, and I urge the President to rethink his support of the Commission's proposals.

"Senators Enzi, Craig, Dodd, Dorgan, and I have proposed an alternate set of policy prescriptions that will lead to opening of doors between the American and Cuban people. If we

want to help the island nation achieve democracy, we must end the economic and diplomatic isolation we've forced on the nation. Person-to-person contact is the best way to ensure the spread of ideas and would most effectively allow democracy to flourish on the island. I urge the President to take our proposal into serious consideration before any further decisions are made that will harm the Cuban people and unnecessarily drain even more resources from the war against real terrorist threats facing this nation."

Letter to President Bush follows:

President George W. Bush  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear Mr. President:

We write to respectfully offer ideas and recommendations with regard to your Administration's Commission for Assistance to a Free Cuba, which seeks to hasten a political transition in Cuba and to design a future aid plan.

Last year in the Senate and for the past four years in the House, we have voted as part of bipartisan majorities to end the Cuba travel ban. These votes focus on a single element of the sanctions that penalize both American and Cuban citizens, but they are illustrative of a desire for broader change in the policy our nation has long pursued to isolate Cuba economically and diplomatically.

To explain our recommendations, we begin with our view of the situation in Cuba.

We share your assessment of the lack of basic freedoms in Cuba and of the need for change. Cuba's economy fails to offer the growth, income, opportunity, and hope that Cubans desire. Cuban civil society grows larger and more active, and thanks to its efforts the seeds of political and economic reform are being sown. However, this movement is still relatively weak and not well known among Cubans. It continues to be stifled by the Cuban government's repressive actions. It is also hindered by the fact that so many Cubans wish to emigrate, having given up on prospects for change in their country, and so much of the Cuban government's opposition is consequently in the United States rather than in Cuba.

We respectfully differ from your Administration's assessment that Cuba's government is in its "final days." It faces serious challenges, but it is stable and its grip on power relatively strong by any objective measure. Nor do we share the belief that the Cuban government's fortunes depend predominantly on the way we regulate hard currency flows from the United States. It survived the horrendous economic crisis of the early 1990's, which leads us to conclude that economic hardship is not the key to political change today.

These two assertions – that Cuba's government will soon fall, and that U.S. economic sanctions are of pivotal political importance in Havana – are not only mistaken in our view, but they also

limit our policy vision. They lead to passivity, a posture of waiting for change, with few contacts between our governments and severe restrictions on the contacts between our peoples. The result is reduced American influence.

However, we do believe that Cuba is poised for change as its leadership passes from one generation to the next. Based on a realistic reading of the situation in Cuba, the opportunity before us is not to attempt from the outside to trigger a “transition” that Cubans alone will bring about, but rather to pursue an active policy designed to affect the change that will inevitably come to Cuba.

We offer not simply new measures, but a new and different course that maximizes the ways in which America, not merely the United States government, extends greater influence in Cuba.

**Recommendation 1:** Remove restrictions on Cuban American travel and remittances.

We believe that the United States government should not stand in the way of Cuban Americans who want to visit or assist their relatives in Cuba. We recognize that some voices in Florida are calling for an end to family visits and remittances, and we note that the Secretary of the Treasury has indicated possible new restrictions on remittances.

As a purely humanitarian matter, and out of respect for the right of Americans to extend charity within their families, we urge you to remove restrictions on visits and remittances. These family contacts are a lifeline for millions of Cubans, providing support, information, and funds that improve their standard of living.

New restrictions on visits or remittances would be contrary to American values, and in the context of the Commission’s mandate, would send a signal that the United States wants to promote political change in Cuba by increasing economic hardship for Cuban families. Many parts of our trade embargo already send this counterproductive signal, which contributes to the stability of Cuba’s socialist system. In this case, our signal should be one of support for Cuban families and the help they provide one another.

**Recommendation 2:** End all restrictions on travel and people-to-people contacts.

We believe it is time to end all restrictions on American citizens’ travel to Cuba. We see no reason to diverge, in the case of Cuba, from the approach that Administrations of both parties have pursued toward other communist countries, and that your Administration pursues toward China, Vietnam, and even North Korea.

Discussing exchanges with the Soviet Union, President Reagan asserted that “civilized people everywhere have a stake in keeping contacts, communication, and creativity as broad, deep, and free as possible.” He continued: “The way governments can best promote contacts among people is by not standing in the way.”

President Reagan in no way approved of the repressive Soviet regime. “We must be careful in reacting to actions by the Soviet Government,” he said, “not to take out our indignations on those

not responsible.” Acting in the spirit of the Helsinki accords, he sought to extend the influence of Western ideas by maximizing the flow of people and unregulated contact, regardless of restrictions on travel and contacts imposed by Soviet bloc governments on their own citizens.

In the case of Cuba, the benefits of an open travel policy would be many.

The visit of President Jimmy Carter to Cuba in 2002 is the clearest case in point. In an address at the University of Havana, President Carter called on the Cuban government to open its political and economic systems and to join the democratizing movement that has swept this hemisphere. He praised the Varela Project, a pro-reform petition drive organized by Cuban pro-democracy activists. His address was carried live on Cuban radio and television and printed in the next day’s Cuban official press. For the first time, the entire Cuban nation had an opportunity to learn of the Varela Project, and to hear a prominent American’s support for democracy and his praise for the Cubans who are working to achieve it.

Of course, not all American travelers have the impact of a former President. But Americans would unleash a flood of contact with Cubans, transmitting our nation’s ideas and values to Cubans across the island.

Freed of licensing requirements, many private American institutions – faith-based, political, educational, cultural – would have greater incentive to establish visits and exchanges. Considering that we do not know who Cuba’s future leaders will be – but we it would be logical to assume that they are in Cuba now, and they may include some individuals in government or other positions of responsibility – it is in our nation’s interest to foster the broadest possible contact with Cubans in all walks of life who will decide their country’s future. It bears noting that even cultural exchanges, beyond their intrinsic value to both peoples, can put Americans in contact with future leaders. The great statesman and anti-communist leader Vaclav Havel was a playwright; and Vytautas Landsbergis, the first post-communist prime minister of Lithuania, was a professor of musicology. Former communists of diverse backgrounds now serve in positions of responsibility throughout Eastern Europe’s democratic governments.

Increased travel will help Cuba’s small entrepreneurs – especially restaurateurs, taxi drivers, and families that rent rooms in their homes – whose revenues will increase as American visits increase. Their numbers will expand, they will gain independence, and their families will have better livelihoods. It is simply not true, as Administration officials assert, that revenues from travel benefit the Cuban government alone. These entrepreneurs are but one visible example.

Finally, an end to travel restrictions would free American citizens of federal enforcement actions aimed at the harmless offense of travel to Cuba. It would end an unjustifiable burden on the Treasury Department officers who should otherwise be dedicated to anti-terrorism. And it would end regulations that are enforced in a discriminatory manner – while people across America are being fined for travel to Cuba, we see no case in which Cuban Americans are subjected to these penalties.

**Recommendation 3:** Restore full Presidential foreign policy authority with respect to Cuba.

Regardless of when and how change comes to Cuba, it is necessary for the United States to be able to adapt its policies rapidly in response to new conditions and opportunities. The Helms-Burton law of 1996 severely restricts the executive's foreign policy authority, making it impossible for the executive to alter U.S. economic sanctions even if a new Cuban leadership embarks on a significant liberalization of political and economic life. This law's punitive measures against investors in Cuba – measures that your Administration has commendably decided not to use – also divide us from allies in Canada, Europe, and Latin America, with whom we should cooperate especially in a time of change or crisis. We are prepared to work with you to repeal this counterproductive law and thereby to restore the foreign policy tools that should be at your disposal.

**Recommendation 4:**    Use diplomacy to address security concerns.

Your Administration has not spoken with one voice regarding U.S. security interests in Cuba. Officials have accused Cuba of destabilizing Latin American governments, without offering evidence. Some officials have claimed Cuba is developing biological weapons, while others state that Cuba, as is well known given its vaccine research and development (including a meningitis vaccine not produced in the U.S.), has the capability to do so. Cuba is cited as a state sponsor of terrorism, leading to long delays in processing of visas for Cubans who seek to travel for family, official, or academic reasons. Yet the idea of Cuba as a terrorist threat is regularly dispelled by the Administration's practice of promptly admitting Cubans who arrive illegally on our shores, without the background checks imposed on visa applicants in Havana, as if a true terrorist state would not attempt to infiltrate operatives by all means, including by sea.

Drug trafficking, migration, alien smuggling, and terrorism are important security issues that deserve vigilance, especially regarding a country so close to our homeland. We urge you to deal with genuine security concerns by having your Administration speak with one voice, presenting clear information to Congress and the public. Considering that Cuba and the United States collaborate now in controlling migration and drug traffic, we also urge that the Administration address serious security concerns through serious bilateral or regional diplomacy, as is done in the cases of North Korea, Libya, China, Iran, and other countries with which we have profound political differences.

**Recommendation 5:**    Evaluate effectiveness of aid to dissidents.

We await with interest your Commission's recommendations regarding aid to those Cuban citizens who are attempting to form a democratic opposition.

In principle, we do not oppose aid to pro-democracy activists anywhere. In practice, we are not convinced that such aid has in fact helped the Cuban opposition. Given Cuba's history and the deep-seated Cuban rejection of interference from foreign powers, U.S. aid programs enable recipients of such aid to be painted as tools of a foreign power, regardless of the patriotism and nationalism that truly motivate them.

Moreover, Cuban state security is not heavily challenged to stay a few steps ahead of a public U.S. program that sends, as Administration officials assert, more resources than ever to activists

in Cuba. We note that Cuban agents posing as pro-democracy activists made use of the facilities of the U.S. Interests Section in Havana, their real work unknown to our diplomats, and that in conjunction with our diplomats they even organized seminars on our diplomatic premises.

We therefore hope this entire program will be evaluated rigorously as to its costs, benefits, and political risks.

**Recommendation 6:** Evaluate changes in Cuba migration and refugee policies.

Legal and illegal migration from Cuba has raised many concerns. The current refugee policy has come to depend on the “wet foot/dry foot” status of the refugee. Those who reached land are recognized, while those intercepted at sea are voluntarily returned to Cuba, or at least theoretically resettled in third countries. We do not feel this is an effective policy in deterring illegal migration nor in securing the safety of those seeking freedoms.

In the legal migration area, the United States claims that Cuba refuses to grant exit visas to hundreds of Cubans approved for emigration. Cuba complains that the United States policy of accepting all Cuban migrants who reach U.S. shores violates the 1994 Migration Accords, which committed the United States to safe, legal migration, and that it creates an incentive for Miami families to pay alien smugglers to transport their relatives from Cuba. This policy is carried out at your Administration’s discretion and is not required by the Cuban Adjustment Act of 1966.

We encourage your Administration to participate in the annual migration talks and examine all possible options for Cuban refugees. We specifically encourage you to examine the possibility of developing real third country options to serve as hosts for those who do not qualify for “dry foot” status and do not choose to voluntarily return to Cuba.

### Conclusion

Finally, we note that it is argued that Cuba, unlike China, has made no significant reforms that merit American engagement. However, American engagement with China began in 1972, before China’s initiation of market-based reforms in the late 1970’s.

Since 1993, Cuba has allowed foreign investment, small-scale entrepreneurship, incentive-based farm production, and free-market sale of farm produce. Cuba’s people have benefited from these very limited reforms. Clearly many more reforms are needed to repair the damage done by many years of ill conceived economic policies. Their leaders will one day have to decide whether to expand them, knowing that the Cuban people desire reforms that will make them more free and their nation more prosperous.

Cubans alone will make their decisions. But as Cubans mull these issues, American interests are ill served by a timid policy that keeps our people and ideas out of Cuba. Our strong belief in American ideas should lead us to strong efforts to spread those ideas in Cuba now, not at an undefined time in the future when one man leaves office. More fulsome contact with American society should be used to influence Cuba now.

“When the travel of Americans to Cuba and the free sending of remittances are approved, the struggle for democracy and freedom will by no means end,” wrote Cuban prisoner of conscience Oscar Espinosa Chepe in August 2002. “To the contrary, these measures create better conditions to achieve these objectives.” If the U.S. government were to end travel restrictions, he said, “Both peoples will appreciate it and remember it forever.”

We hope you take this brave man’s words to heart, Mr. President.

We also hope you will consider our view that the best way to prepare for change in Cuba is to undertake a transition in our own policy. Opening America’s doors to Cuba – and challenging Cuba to open its doors to the world – will be an act of strength and magnanimity, an expression of confidence in the power of the great ideas that animate our country and are reflected in our people wherever they go.

Sincerely,

Mike Enzi  
Max Baucus  
Larry Craig  
Christopher Dodd  
Byron Dorgan

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