

IS IT TIME TO LIFT THE BAN ON TRAVEL TO CUBA?

HEARING BEFORE THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED ELEVENTH CONGRESS FIRST SESSION

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THURSDAY, NOVEMBER 19, 2009

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:04 a.m. in room 2172, Rayburn House Office Building, Hon. Howard L. Berman (chairman of the committee) presiding.

Chairman BERMAN. The committee will come to order. In a moment, I will recognize myself and the ranking member for a somewhat loose 7 minutes each, the chair and ranking member of the Subcommittee on Western Hemisphere for 3 minutes each, and all other members of the committee, should they seek time, for a tight 1 minute, for the purpose of making opening statements. Without objection, all members may have 5 legislative days to submit opening statements or additional materials for the record. Also without objection, the chair may recess the committee at any time. And now, I will begin my opening statement.

Americans have the right to travel to Iran, the world's leading state sponsor of terrorism, which seeks a nuclear weapons capability in violation of its obligations under the Nuclear Nonproliferation Treaty. We can go to North Korea, which threatens to destabilize East Asia with its nuclear weapons program. And even during the darkest days of the Cold War, our citizens could visit the Soviet Union. Yet, the vast majority of Americans are still prohibited by law from traveling to Cuba. It is the only country in the world where our people are not allowed to go.

I am no fan of the Castro brothers. In my book, they are dictators and despots. The Cuban people are still denied the right to choose their own form of government. They are jailed arbitrarily. They are denied a free press, freedom of assembly, and freedom of expression. The recent beating of renowned Cuban blogger Yoani Sanchez as she walked to a peace march says it all.

But let's face it. By any objective measure, the nearly 50-year-old travel ban simply hasn't worked. This fact is clearly understood by the American people. Recent polls indicate that 64 percent of Americans, and a full 67 percent of Cuban-Americans, support allowing all American citizens to travel to Cuba. It is clearly time for a change.

This hearing is not about ending the entire Cuban embargo. When President Obama abolished travel restrictions on Cuban-Americans earlier this year, he made it clear that the larger issue of the embargo was a debate for another day. Unlike the travel

ban, the economic embargo does not implicate the fundamental human rights of U.S. citizens. Today, we will focus on whether we should scrap the restrictions on Americans traveling to Cuba.

The travel ban has prevented contact between Cubans and ordinary Americans who serve as ambassadors for the democratic values we hold dear. Such contact would help break Havana's chokehold on information about the outside world. And it would contribute to improving the image of the United States, particularly in Latin America where the United States embargo on Cuba remains a centerpiece of anti-Washington grievances.

Proponents of the travel ban argue that we should not make any change in the law without a reciprocal gesture from the Cuban regime. I believe it is a huge mistake to treat the travel issue in this manner. Letting U.S. citizens travel to Cuba is not a gift to the Castros—it is in our national interest. Waiting for a concession from Havana before we do something on behalf of our own citizens perversely puts the Cuban Government in charge of that decision.

I understand the concern that allowing Americans to travel to Cuba would put money in the hands of the Castros. But the reality is that a significant portion of these funds would also aid the underground economy and the small self-employed sector, strengthening an important foundation of independence from Cuba's authoritarian regime. At the end of the day, the importance of depriving the Castro regime of some additional financial resources is far outweighed by our interest in accelerating the spread of democratic ideas and supporting the development of a healthy civil society in Cuba.

For too long, our policy decisions about Cuba, including the travel ban, have centered on hurting the Castro regime rather than helping the Cuban people. But this has led to the worst possible outcome: In an effort to make the Castros feel the sting, we have made the Cuban people cry. It is time to make the well-being of the Cuban people the driving force behind our policy toward the island. Lifting the travel ban will benefit both U.S. and Cuban citizens. We need to let Americans be beacons of hope; they will bring freedom with them.

Let thousands of U.S. visitors chip away at the Castro information monopoly with thousands of small cuts. Let the residents of 19 U.S. cities actually travel to their sister cities in Cuba. Let Americans and Cubans openly discuss human rights and market-based economics and Hollywood movies on streets, beaches and in cafes throughout Cuba—and take the U.S. Government out of the business of deciding what should be discussed and which Americans should do the talking.

The freedom to travel is an important thread running throughout American history—from the settlement of the West, to the road trips inspired by author Jack Kerouac, to the exploration of outer space. The Cuba travel ban is squarely at odds with this uniquely American value, and constitutes a disturbing infringement on the right of our citizens to freedom of speech, association, and to travel.

Except under the most extreme circumstances, the government has no business telling us where we should go or with whom we should talk. It is beyond absurd that the Treasury Department—through a humiliating and Kafkaesque licensing process—is in the

position of deciding which American church groups can and cannot visit religious leaders on the island, and which of our artists and musicians are allowed to collaborate freely with their Cuban counterparts. This is Big Brother government at its worst.

Last week we celebrated the 20th anniversary of the fall of the Berlin Wall. We relived the moments when East Germans and West Germans, after years of separation, came together as one. There is also a wall in the Cuban context—invisible yet very real—and to the extent that our policy has erected this barrier, we must begin to tear it down. I want to experience, as we all do, the joyful day when Cubans on the island and Cuban-Americans are also reunited.

It is time to trust our own people. It is time to restore the right of Americans to travel to Cuba.

And with us today to discuss this issue is a distinguished panel of witnesses, whom I will introduce shortly, but before I do, let me turn to the ranking member, the gentlelady from Florida, Ms. Ros-Lehtinen, who may have a different perspective on this issue than the one you have just heard, for any opening comments that she might want to make.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman, as always, for your bipartisan spirit, and thank you to all the audience members for being here today. On January 21 of this year, I heard a statement that appeared to telegraph to the world that the U.S. would hold brutal regimes accountable for their actions, that our foreign policy toward tyrants would be based on an overarching moral, political, and strategic U.S. objective of promoting freedom and democracy.

On that historic day, President Obama said, and I quote, “To those who cling to power through corruption and deceit and the silencing of dissent, know that you are on the wrong side of history.” He added that the U.S. would extent a hand if, he emphasized, you are willing to unclench your fist, and I commend President Obama for restating his position earlier this year and restating his support for the United States embargo on the Cuban dictatorship, calling on the regime to free all political prisoners.

The President said, and I quote, “The Cuban people are not free, and that is our loadstar when it comes to our policy in Cuba.” Proponents of unfettered travel to Cuba seek to reward the Cuban regime with tourism cash flows as the dictatorship tightens its stranglehold on the Cuban people. Let us have an honest debate on the issue of travel to Cuba, one based on facts. There is no ban on travel to Cuba. Do not mislead the American people. A ban denotes a prohibition on any travel to the island, but there are 18 different ways in which Americans can legally travel to Cuba, and they do; eight categories under general licenses and ten categories under specific licenses.

In addition to family, journalists and official U.S. Government travel, one can travel for other reasons, ranging from verifiable educational, religious and humanitarian activities to professional research and meetings, athletic competitions, artistic performances, activities related to authorized U.S. exports to Cuba, of which there are many. Many Members of Congress travel to Cuba every year, some at taxpayers’ expense, stay at the best hotels, some of which

have been built on confiscated U.S. property, and return with nothing but glowing reviews about Fidel Castro and his new faceman and current dictator, his brother Raul.

In April, for example, one of our House colleagues traveled to Cuba and said this of Fidel Castro, and I quote—I want to sound breathless as I say this: “It was almost like listening to an old friend.” Even more regrettable, many of our colleagues have sought to present the apartheid system of health care in Cuba as a model for the United States to emulate. A member of this committee during an August 28 town meeting praised the Cuban regime’s healthcare system and said of Fidel Castro, breathless again, “one of the brightest leaders I have ever met.”

This is the same Cuban healthcare system which provides all the best treatment to foreigners and to the regime elite while denying it to dissidents and subjecting political prisoners to electroshock treatment as punishment for their political beliefs. Some of the categories of U.S. travel to Cuba have been in place for decades. In fact, during the Carter administration, there were no restrictions on travel to Cuba.

Did that make the Cuban people any closer to freedom and democracy? I must have missed that. I believe the response was the Mariel boatlift. Despite this licensed targeted American travel; despite the onslaught of European visitors; visitors from Mexico; especially, when it come to Europe, from Spain; Canada, Canada sent so many visitors to Cuba; what has the Cuban regime done? Has it unclenched its fists? Did I miss that?

In fact, just 2 weeks ago, as the chairman pointed out, independent blogger Yoani Sanchez and fellow blogger Orlando Luis Pardo were detained and beaten by Cuban agents to prevent them from participating in the march against violence. It is so ironic and so indicative of the Castro regime, beating them up as they go to a march against violence. A week ago, Jose Antonio Vasquez was fired as a chef at a restaurant because of his opposition to the Cuban dictatorship and for wearing a cambio bracelet, “change,” a bracelet like the one I am holding up. That is a crime in Cuba.

What opponents of the current travel regulations want is unrestricted tourist travel to Cuba. One of our colleagues in this committee has even joked, and I quote, “Oh, let the Castro brothers deal with spring break once or twice and we will see how much control they still have.” Ha, ha, ha. We have seen the images in the news about spring break. How could anyone credibly argue that lounging on the beaches of Varadero or partying in the nightclubs until the wee hours of the night will bring freedom and democracy to the Cuban people? It is not funny.

The majority of Europeans and tourists from around the world have been going to Cuba for rum, for music, for sex, for cigars, for sun, for years. Have they brought about democratic reform and change? By contrast, Ambassador Cason, one of our witnesses today, highlighted in an editorial earlier this year the tourism restriction or travel ban against South Africa’s apartheid’s government did play a key role in forcing a change by convincing the government that its practices were unacceptable and would not be condoned.

Cuban travel regulations and U.S. sanctions on the Castro regime were developed to address U.S. security interests and foreign policy priorities and are based on solid legal ground. First, the tourism sector in Cuba is built on confiscated U.S. property. Many of the hotels and restaurants, which are closed to the average Cuban, are part of the uncompensated property stolen from Americans. Why would we seek to propagate such violations of U.S. property rights by promoting tourism to the island?

Second, the Cuban dictatorship's economic vulnerability lies in the tourism sector, as it constitutes the single biggest source of income for the regime. In the same manner that the Iran-Libya Sanctions Act was enacted in 1996 to target Iran's economic vulnerability, its energy sector, and in the same manner that this committee just 3 weeks ago adopted the Iran Refined Petroleum Sanctions Act to impose sanctions targeted at Iran's newest economic Achilles' heel, so it is that U.S. travel regulations are targeted at the tourism sector. Tourism is to Cuba what energy investment and refined petroleum products are to Iran.

Third, it is in this Nation, our Nation's security interest to curtail travel to the island. As former Defense Intelligence Agency counterspies have emphasized during congressional briefings and as analysts report, "The Cuban military is well-integrated throughout the tourism industry. This presents an excellent platform from which to conduct a wide variety of illicit activities due to the large volume of foreign visitors who pass in and out of these resorts, providing Cuba with hard currency."

Among other regime entities involved in the tourism sector, Grupo de Administracion Empresarial S.A., Enterprise Management Group, or GAESA, which is a holding company for the Cuban Defense Ministry, this group holds a wide array of companies, including Sasa, which controls the island's gas station network, and Gaviota, which controls and operates more than 30 hotels and resorts. Tourism profits have enabled GAESA to control the military counterintelligence department and its support companies, such as Antex, which has served as a channel for introducing Cuban intelligence operatives into foreign countries.

It has also been reported that Cuban intelligence sees tourist travel to the island as an important source of potential assets, that is as a means of recruiting foreigners to spy for the regime. So, given the success of the Cuban intelligence in recruiting U.S. academics, a senior INS official, a senior Department of Defense official, State Department intelligence and research official Walter Kendall Meyers, and the most senior Cuba analyst at the Defense Intelligence Agency, Ana Belen Montes, to betray the United States and spy for the regime, why would we want to facilitate such potential espionage activities by allowing unfettered travel to the island?

And just a few more points, Mr. Chairman. Thank you for the time. Fourth, the Supreme Court has said that travel to Cuba can be restricted in support of U.S. foreign policy. The court held, and I quote, "There is an adequate basis under the Due Process Clause of the 5th Amendment to sustain the President's decision to curtail the flow of hard currency to Cuba by restricting travel." Fifth, the

travel regulations also help contribute to the safety of Americans and enable us to minimize the risk to U.S. travelers to Cuba.

Some have sought to justify the removal of all travel restrictions by comparing Cuba to Iran. The chairman started with that very comparison. I welcome such a parallel. The case of Iran illustrates the need for travel regulations by shining a light on the safety and security issues associated with unregulated travel to countries under the control of rogue regimes. Three American backpackers who got lost while hiking in a mountainous region along the unmarked Iraqi-Iran border were detained by Iranian border security agents in July. They are now being charged with espionage.

The case of the Iranian-American journalist who, in April of this year, was sentenced to 8 years in prison after Iran accused her of spying for the United States. She spent 4 months in prison. She was released in May. And the Director of the Middle East Program of the Woodrow Wilson International Center for Scholars was detained in Iran in 2007, placed in solitary confinement for more than 110 days. Iran and Cuba are not trustworthy regimes.

Already, the Department of State warns, and I quote, "In several instances, the Cuban regime has seized the U.S. passports of dual nationals, has denied these individuals permission to return to the United States, Cuban authorities consistently fail to notify the U.S. Interests Section of the arrests of Cuban-American dual nationals, and deny U.S. consular officers access to them. They also withhold information concerning their welfare and treatment." Why promote tourism travel to Cuba?

Why not choose to go to the Bahamas, Jamaica, or the Dominican Republic, given the implementation of our U.S.-CAFTA-DR trade agreement? Haiti needs our help. Why not flock to Haiti and help rebuild this island nation? Why choose to vacation off the backs of the forced slave labor of the oppressed Cuban people who are denied access to the very tourist hotels you want to flock to? Promoting tourist travel to Cuba does not advance the interests of the United States or our constituents.

If you desire to come to a warm tropical climate, come to my district. Come to Miami. Come to Key West. Come to any part of Florida's Gulf or Atlantic Coast. Go to the Jersey Shore. Visit California, visit Arizona. Let us boost our own U.S. economy. Let us boost our state's economy. Don't fill the coffers of the Castro regime. Muchas gracias Senor Chairman. Thank you.

[Applause.]

Chairman BERMAN. The time of the gentlelady has expired, and the chairman of the Western Hemisphere Subcommittee, Mr. Engel, is recognized for 3 minutes.

Mr. ENGEL. Well, thank you, Mr. Chairman. As the chairman of the Western Hemisphere Subcommittee, I very much appreciate your calling today's hearing to discuss the issue of Cuba and the travel ban. It is also important that we take a broad look at our entire Cuba policy as well, as well as the internal dynamics in Cuba, as we review the travel ban.

I support President Obama's steps to move the ball forward on U.S. policy toward Cuba, but I also believe that it takes two to tango. The President removed restrictions on family travel and remittances to Cuba and extended communication links to the island.

These steps sent important signals of the willingness of the United States to improve ties with Cuba, but in response, unfortunately, I have seen few if any reciprocal steps from the Castro regime.

Unfortunately, Cuba remains one of the most repressive countries in the Western Hemisphere. Like many of my colleagues, I would like to see us turn the page on our approach to Cuba, but that time has not yet come. I therefore also stand with President Obama in continuing to support the embargo on Cuba.

I was at the Summit of the Americas with President Obama and led the congressional delegation to the Organization of American States General Assembly meeting in Honduras. I am pleased to report that the administration's moves toward Cuba have received a positive reception throughout the hemisphere.

At the General Assembly, the OAS lifted Cuba's suspension from the organization. This was a delicate move, carefully and ably negotiated by Secretary of State Hillary Clinton. It sent a message that the United States was willing to see Cuba rejoin the OAS if it embraces the Inter-American Democratic Charter. Of course, Cuba has not adopted the Charter's principles. And let me be clear, the resolution did not readmit Cuba into the OAS; in fact, the Cubans themselves say they do not want to rejoin the OAS.

Thus, the ball is now in Cuba's court to abide by the principles of human rights and democracy embodied in the Inter-American Democratic Charter. As we move forward, we should not forget that the United States is already a major source of humanitarian assistance to the Cuban people and the largest provider of food to Cuba. In agricultural products alone, the United States sold over \$700 million of goods to Cuba, making the United States Cuba's fifth largest trading partner in 2008.

I support President Obama's changes on Cuba policy, since it recognizes that further liberalization also requires positive steps by the Cuban Government, especially in the areas of democracy and human rights. Cuba must take steps to free hundreds of political prisoners and demonstrate respect for freedom of speech and the press. We need to see change in Cuba to turn the page on history and move forward in our bilateral relationship.

Perhaps at that time we could change our policy on the travel ban. In other words, using the reset button applies to both sides of the United States-Cuba relationship. We have already moved forward. More steps by the Castro regime to make tangible progress on democracy and human rights would provide even greater opportunities to move beyond the mutual recriminations found between our two countries. Mr. Chairman, thank you again for calling today's hearing, and I look forward to hearing from our distinguished witnesses.

Chairman BERMAN. Thank you very much. The time of the gentleman has expired.

The ranking member of the Western Hemisphere Subcommittee, the gentleman from Florida, Mr. Mack.

Mr. MACK. Thank you, Mr. Chairman, and I also want to thank the ranking member and associate myself with all of her comments. Mr. Chairman, Cuba is a totalitarian regime that has oppressed and punished the Cuban people for more than 50 years. We all support the right, at least I hope we all support the right,

of the Cuban people to live in a free and democratic society, but we differ strongly and passionately on how to help the Cuban people achieve freedom.

At today's hearing, we explore how to give a bailout to the Castros. Instead of holding a hearing on human rights conditions in Cuba, we have decided to hold a hearing on how fast Americans can make a reservation on Orbitz so they can spend the night at a Cuban hotel where Cubans aren't even allowed in, or whether Americans can drink mojitos a few feet away from political prisoners. Mr. Chairman, we must remain steadfast in our opposition to the brutal Castro regime that murders, tortures, rapes and systematically eliminates any opposition to its iron-fisted rule.

Canadians and Europeans have been traveling to Cuba and supporting the Castro regime for many years. Some have said that by opening Cuba to travel, it would promote political and economic change from the Castros' oppression. Nothing could be further from the truth. Let us look at some numbers: 2.1 million, that is how many tourists visited Cuba in 2007. Over 2 billion, that is the number of dollars generated by tourism in Cuba on a yearly basis.

One hundred and two; that is how many attacks against Cuban journalists have happened in the past year. Three; that is the number of Cuban agents who threw a blogger headfirst into an unmarked black car and beat her, beat her, for speaking about freedom. This isn't a few years ago. This is a few weeks ago. Over 300, that is the number of political prisoners in Cuba. Zero. Zero; that is the amount of change we have seen from the Castros, Mr. Chairman.

Some of my colleagues and some of our witnesses will say that 2 million tourists and \$2 billion a year in tourism is not enough to bring change to Cuba, and that instead we must support and fund the inhumane activities of the Castro brothers. Let us call it what it is. This is a Castro bailout, Mr. Chairman. A bailout for beating, a bailout for oppression, a bailout for rape, a bailout for torture, a bailout for corruption, a bailout for tyranny.

Mr. Chairman, going sightseeing to view political prisoners will not bring democracy to Cuba. America has always stood for freedom, and in a bipartisan manner, we have to endeavor to spread the light of liberty on the repressive Castro regime. Now is not the time to change policy and start appeasing and funding the Castro plan. The flame of liberty is a powerful one, Mr. Chairman. Let us work together to support the right of the Cuban people to live in a free and democratic society, and Mr. Chairman—

Chairman BERMAN. The time of the gentleman has—

Mr. MACK. Mr. Chairman, you were right. The Cuban people are crying, Mr. Chairman. They are crying because—

Chairman BERMAN. The time of the gentleman is expired—

Mr. MACK. This hearing sends a message that we do not support the fight for freedom, and that is wrong.

[Applause.]

Chairman BERMAN. Mr. Mack, the time is expired, and we can get into cheering all the different views on the different sides. I think the hearing will be much better if we can feel the sympathy with a particular position but not express it in a voluble way. Who next in seniority on the majority's side wishes to take 1 minute?

The gentleman from Massachusetts, Mr. Delahunt. You are recognized for 1 minute.

Mr. DELAHUNT. Well, thank you, Mr. Chairman, and of course at some level, this hearing is about the United States and Cuba and the bilateral relationship, but let me suggest at its very core, it is really about American democracy, because the travel ban is not a sanction on Cuba. It has accomplished nothing in 50 years. It is a sanction on American citizens by our own Government, a sanction on our freedoms, a sanction on our liberties, and to suggest that ending the travel ban should be conditioned on the actions of the Cuban Government would mean that the Communist Cuban regime would decide when Americans can exercise their liberties, their freedoms, their right to travel.

How absurd. How outrageous. It is time to trust the American people.

Chairman BERMAN. The time of the gentleman has expired. Next on the—the gentleman from New Jersey, Mr. Smith, is recognized for 1 minute.

Mr. SMITH. Thank you very much, Mr. Chairman. Mr. Chairman, in 2001, I offered an amendment to the Treasury-Postal Appropriations Bill to facilitate lifting the travel ban, but if and only if certain fundamental human rights conditions were met: First, release all political prisoners; and second, return to the United States those murderers and felons who had escaped to Cuba, including and especially Joanne Chesimard, a woman who was convicted and sentenced for the brutal execution-style murder of a New Jersey State Trooper named Werner Forester.

Chesimard today has a life of luxury and privilege, an affront to every law-abiding citizen, not just in the United States, but also in Cuba, and the Forester family continues to live with a great tragedy. Today, hundreds of men and women languish in Castro's gulags. Dr. Oscar Biscet and others are systematically abused, tortured. The House got it right in 2001, sadly the amendment was dropped by the Senate. Lift the travel ban if and only if these conditions are met.

Chairman BERMAN. The time of the gentleman has expired. The gentlelady from California, Ms. Watson, is recognized for 1 minute.

Ms. WATSON. Thank you, Mr. Chairman, for holding this timely hearing on the travel ban to Cuba. For many developing nations, tourism has mutual benefits, providing a means of attracting interest in their culture and in American dollars. I do not believe that tourism is the silver bullet that will reduce poverty, encourage democracy and restore social equality. However, there is value to opening the doors of tourism to Cuba.

Tourism is a dialogue, even if only indirectly, with the Cuban people. It signals our openness to discourse, and I believe this will give hope to Cubans wishing to return to their homeland, so I look forward to hearing the testimonies of our panelists. I want to thank you for the hearing, Mr. Chairman.

Chairman BERMAN. The time of the gentlelady has expired. The gentleman from Indiana, Mr. Burton, is recognized for 1 minute.

Mr. BURTON. Well, I appreciate you having this hearing, Mr. Chairman. I wish everybody that is concerned about this would talk to Armando Valladas, who spent years and years in a Com-

munist gulag down there in Cuba, and listen to what he has to say. Every dollar, every single dollar that goes to Cuba, helps Castro. They exchange that money and they pay those people down there in the local currency, and they get a pittance for the work that they do.

There are 10 million people in Communist gulags in Communist China. We do business with them, but they haven't changed. They haven't changed in Vietnam either. This is 90 miles from our coast, 90 miles from our coast and they are working with Chavez and South America. They are working with the Communist movement every place they can, and they are still a threat to the United States. We shouldn't send any money down there, not a dime, except maybe for humanitarian purposes, until this regime is removed.

They need democracy in Cuba. Viva Cuba—

[Applause.]

Chairman BERMAN. The time of the gentleman has expired. Please, please, let us—we will hear your applause, just don't make them. The gentleman from New Jersey, Mr. Sires, is recognized for 1 minute.

Mr. SIRES. Thank you, Mr. Chairman. Lifting travel restrictions could send countless of American tourists to Cuba, and when the tourists visit the island, that money does not help the Cuban people. It does not trickle down to the Cuban people. It goes into the pockets of an oppressive government. By lifting travel restrictions, we are unequivocally funding an oppressive regime. This oppression of the Cuban regime is systemized and constant.

A couple of weeks ago, agents rounded up and beat blogger Yoani Sanchez and others who were on their way to a peaceful demonstration to promote human rights and denounce violence. For this, they were beaten. Just yesterday, Human Rights Watch released a 123-page report detailing atrocities conducted by the Cuban regime. The report documents unwarranted threats, violent attacks, arrests and imprisonment.

This is the reality in Cuba, and it is this oppressive activity that increased travel would help fund. Is that it?

Chairman BERMAN. That is it, for now. The gentleman from California, Mr. Royce, do you seek recognition?

Mr. ROYCE. I do, thank you, Mr. Chairman.

Chairman BERMAN. The gentleman is recognized for 1 minute.

Mr. ROYCE. Well, Mr. Chairman, promoting this type of travel to Cuba might be a good strategy if it would promote democracy or human rights or our security. It won't. Or if tourist dollars spent there empowered the average Cuban, or helped build civil society, or escaped the regime's grasp. They don't. Or if American tourists would be free to interact with all Cubans, holding open conversations. They won't. I do wonder who frolics on the beach knowing that freedom-seeking Cubans are brutalized nearby, or as one witness testifies, watches macabre, real-life puppet shows of repressed Cubans hailing the dictator.

That is the tourist industry. Some don't recognize that we have determined, dangerous enemies. I do. Empowering the security apparatus of Cuba, a terrorist state, is a very wrong way to go. Thank you, Mr. Chairman.

Chairman BERMAN. The time of the gentleman has expired. Does the gentleman from Virginia seek recognition? The gentleman is recognized for 1 minute, Mr. Connolly.

Mr. CONNOLLY. Thank you, Mr. Chairman. It is not like we haven't done anything. Earlier this year in the Omnibus Appropriations Act, we actually did relax certain restrictions on Cuban travel, but now, I believe, having extended that olive branch, it is up to the Castro regime to respond. Further relaxing the current travel and trade restrictions without reciprocal actions in Cuba only undermines our efforts to improve human rights and might embolden a Castro regime in its twilight.

While I sympathize with the plight of those with family in Cuba, I believe we cannot afford simply to give away what leverage we still have over the Castro regime if we are seriously intending to realize improvements for the Cuban people and their families here in America, and I yield back.

Chairman BERMAN. The time of the gentleman has expired. The gentleman from Arizona, Mr. Flake, is recognized for 1 minute.

Mr. FLAKE. I thank the chairman for holding this hearing. You know, when I was elected to this office, I thought I was being elected to be a Member of Congress, not a travel agent, but from some of the discussion already today, we are being told that you ought to travel to Bermuda or to Haiti, but don't travel to Cuba. I would suggest that is not our role here. I mean, if we want to be a travel agent, let us go be a travel agent, but otherwise, some people think, myself included, that we will actually promote democracy by allowing Americans to travel to Cuba.

Some people are on the other side and don't believe that. Fine. After 50 years, I think the arguments are probably on my side, but let us call it a draw. If it is a draw, shouldn't the default be freedom? This is not a sanction on Cuba. This is a sanction on Americans. We can leave the discussion, and we will, about the embargo for another day. This is a discussion about, will we allow our constituents the freedom to make their own choice on where to travel, and not tell them, we want you to travel here and not there? I yield back.

Chairman BERMAN. The time of the gentleman is expired. The gentleman from American Samoa, Mr. Faleomavaega, is recognized for 1 minute.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman, for calling this hearing. I just want to say for the record, my utmost respect for those of my colleagues whose lives and families were directly affected by the policies of the Castro regime. I have heard the stories of how they left their homes and their belongings for fear of their lives, and how they have had to escape Cuba, and come to America. Mr. Chairman, this is a very emotional issue, one that I can say is not a Democratic or a Republican issue.

It is an issue about America. And whether or not the restrictions on us, the American people, the right to travel as we please, I think, is really the question. Whether it will bring greater democracy to Cuba, I think I share the gentleman from Arizona's sentiments. The idea here is, are we restricting the right of all Americans, wherever they may want to go as fellow Americans, whether it be in Cuba or any other country of the world?

We go to China. Certainly not all the freedoms are given in China. I have a lot more to say, but I thank you. I yield back.

Chairman BERMAN. The time of the gentleman has expired, and the gentleman from South Carolina, Mr. Wilson, is recognized for 1 minute.

Mr. WILSON. Thank you, Mr. Chairman. I agree with Ranking Member Ileana Ros-Lehtinen. I grew up in Charleston, South Carolina, during the heights of the Cold War. I remember well the threat posed by a Communist regime 90 miles from Florida. I firmly believe that lifting the travel ban only serves to enrich the corrupt Communist elite. I am hopeful that Castro's rule over Cuba will be coming to an end soon.

When this happens, this will allow the people of Cuba and the United States to finally engage in a full, free, democratic process. Why reward someone who for decades has threatened the American people with harm? Some may say that opening up Cuba will allow the people there to achieve better lives. For decades, European countries have permitted millions of tourists to travel to Cuba, but the current oppressive regime continues to govern by force, instilling fear in its people.

It should be noted that the private humanitarian missions are important and acceptable, are already permitted and legal under U.S. law. Change in U.S. policy should be based on change in Cuba.

Chairman BERMAN. The time of the gentleman has expired. Does the gentleman from New York seek recognition? Mr. McMahon? The gentleman is recognized for 1 minute.

Mr. MCMAHON. Thank you, Mr. Chairman. I just want to quote from the State Department's 2009 country description by the Bureau of Consular Affairs of Cuba:

"Cuba is a totalitarian police state which relies on repressive methods to maintain control. These methods include intense physical and electronic surveillance of both Cuban citizens and foreign visitors. Americans visiting Cuba should be aware that any encounter with a Cuban citizen should be subject to surreptitious scrutiny by the General Directorate for State Security of Cuba.

"Also, any interactions with average Cubans, regardless of how well-intentioned, can subject that Cuban to harassment and/or detention and other forms of repressive actions by state security elements. The Government of Cuba bases much of its legitimacy on being strongly opposed to the U.S. Government. Nevertheless, its need to earn hard currency through the tourist industry prompts it to encourage tourism from any source."

Again, Mr. Chairman, I didn't make that up. That is from the State Department's 2009 country description, and I submit that for the record for thought of those who would lift the travel ban.

Chairman BERMAN. It will be included. The time of the gentleman has expired. The gentleman from Florida—has already had his time. The gentleman from Texas, Mr. Poe, is recognized for 1 minute.

Mr. POE. Mr. Chairman, instead of Russian missiles, Cuba harbors convicted terrorists, spies, and imprisons its own people and

calls them political prisoners, and the profits from this so-called tourism that we are talking about, which included \$2.7 billion last year, go not to the people but directly to the Cuban intelligence and its military. Now, why would we in our right mind ever want to help subsidize the enemies of the United States?

And this is, we are talking about sending Americans to hotels that, just like in the old Soviet Union days when I was in Moscow in the 1980s, the Russian citizens couldn't go in those hotels. They are all for tourists, and the same is true in Cuba, but it seems unconscionable to me that we would encourage our citizens to vacation while Cubans are persecuted by their own government by the Castro brothers, and I think the travel ban should remain in effect. Thank you, Mr. Chairman.

Chairman BERMAN. The time of the gentleman has expired. The gentlelady from California, Ms. Woolsey, is recognized for 1 minute.

Mr. WOOLSEY. Thank you, Mr. Chairman. I just briefly want to say that as we are listening to our witnesses and to each other, we have to know how many other countries that we, as Americans, travel to that aren't democracies, that don't have human and religious rights that we would agree with, and ask our question, why should we treat Cuba any differently? I yield back.

Chairman BERMAN. The time of the gentlelady has expired. The gentleman from Florida, do you seek recognition?

Mr. BILIRAKIS. Yes, thank you.

Chairman BERMAN. The gentleman, Mr. Bilirakis, is recognized for 1 minute.

Mr. BILIRAKIS. Thank you, sir. The idea that increased travel would have a real impact on openness in Cuba is misguided. Castro is the problem, not American policies. We should not be in the business of perpetuating the Castro regime's propaganda apparatus that blames the U.S. for the island's suffering. Lifting travel restrictions would directly provide tourist dollars to the Marxist regime in order to fund its tools of oppression.

There is no free market in Cuba, just a giant money laundering machine for a tyrant bent on maintaining Soviet era policies that otherwise met their demise with the fall of the Berlin Wall 20 years ago. We must maintain travel restrictions to prevent the regime from using tourist dollars to further oppress the Cuban people. Thank you, Mr. Chairman. I yield back the balance of my time.

Chairman BERMAN. The time of the gentleman has expired. The gentlelady from California, Ms. Lee, is recognized for 1 minute.

Ms. LEE. Thank you, Mr. Chairman. Cuba is the only nation in the world where Americans are forbidden to travel by their own government, the only one. Our Government will not stop Americans from traveling to Afghanistan, North Korea, Sudan or Burma. Americans are free to travel to every nation except for a small island 90 miles off the coast of Florida, and our President just completed a very successful visit to a Communist country, China.

By any objective standard, our current policy toward Cuba just hasn't worked. It was clear to me when I first traveled to Cuba in the mid-70s as a congressional staffer, and it is even clearer to me now, over three decades later. Earlier this year, I led a congressional delegation to Cuba. We believe there are new opportunities

to rethink U.S. policy with our nearest Caribbean neighbor. Americans should not be denied the right to travel to Cuba.

Americans, mind you, have become isolated. We should be free to be part of the global community. It is our democratic right to travel to Cuba. We don't want to deny our citizens their free democratic rights based on what regime or what government is in place, because we don't deny Americans the right to travel anywhere else in the world. Thank you, Mr. Chairman.

Chairman BERMAN. The time of the gentlelady has expired. The gentlelady from Nevada, Ms. Berkley, is recognized for 1 minute.

Ms. BERKLEY. Thank you, Mr. Chairman. I would like to thank, and applaud, and incorporate by reference the eloquent statements of the ranking member, Ileana Ros-Lehtinen. I believe her comments were spot on. I am opposed to lifting the travel restrictions to Cuba unless and until Castro's Cuba either, at the very least, reforms its behavior, at the very most, changes its regime, and I am a little baffled by Mr. Flake's comment.

I don't think anybody here was acting like a travel agent, but if I could capitalize on what Ileana said, if you have a burning desire to go somewhere, let me suggest if you don't go to Florida, you come to Las Vegas instead of Cuba. [Laughter.]

Chairman BERMAN. The time of the gentlelady, the leader of the tourism caucus, has expired. [Laughter.]

The gentleman from Indiana, Mr. Pence, is recognized for 1 minute.

Mr. PENCE. Thank you, Mr. Chairman. I find myself in one of the rare moments where I disagree with my colleague from Arizona. We are usually pressed hard against the railing on the right together, but on this one, we will agree to disagree, but I do so respectfully, and not as a travel agent. As we all know, travel to Cuba is not banned. There are actually 18 categories for which travel to Cuba is permitted. What is restricted, and what this hearing primarily boils down to, is tourist travel to Cuba.

We are not talking about opening Cuba's free and open tourist industry. There is no such thing. What we are talking about are hotels and services which pay directly into the pockets of Cuba's Government and military. The average Cuban citizen can't even approach these exclusive hotels. Those who are permitted to be there for work are not paid adequately and are required to toe a strict party line. Those who argue for lifting this travel restriction say that Cuba will open up democratically.

Chairman BERMAN. The time of the gentleman has expired.

Mr. PENCE. Well, I ask unanimous consent to submit my entire statement for the record.

Chairman BERMAN. Oh, absolutely, and we will be coming back, of course, for a 5-minute questioning period.

Mr. PENCE. Thank you, Mr. Chairman.

Chairman BERMAN. The gentleman from New York, Mr. Meeks, is recognized for 1 minute.

Mr. MEEKS. Thank you, Mr. Chairman. You know, it just seems to me, we fight for freedom in this country, and therefore, it seems that what this hearing is simply about is the freedom of the American people being able to choose where they want to go. This is the only country where the Americans have placed upon ourselves a

ban of travel. I hear a number of members talk about some of these other countries that are so bad, yet we don't have such bans in these other countries as we have on Cuba.

So, it seems to me that the only place where there is even a tourist travel ban in the world that we place on ourselves is in Cuba, but yet we have some of these other governments that are Communist, etc., and I here members talking how bad the place is, but yet they have visited these places. Leave it up to the American people. Those who don't want to go won't. Those who do will, but leave it up to the American people to make the choice, because that is what freedom really is about.

Chairman BERMAN. The time of the gentleman has expired. The gentleman from Georgia, Mr. Scott, is recognized for 1 minute.

Mr. SCOTT. Thank you very much, Mr. Chairman. I think that I have listened to both sides of the argument here, and I think that we have an excellent opportunity. Where we have been is we are at a stalemate. No question about the violation of human rights, and no question about where we have gone in terms of our need for economic exchange with Cuba, but doing nothing keeps us where we are. Why not use this opportunity to get something out of this?

I say yes, let us open up and let us travel. Now, we have got to understand, the ban doesn't stop the travel. What the ban does is stops the money, the finances from going there. This is a multibillion-dollar deal, and we need to go to the Castro brothers and say, let us make a deal. We will open up this ban, we will stop this, we will bring the tourists in, we will bring the billions of dollars in, but you have got to do this.

You have got to release the prisoners, you have got to do something about the human rights, and let us remember, I believe that having more Americans on the streets in Cuba will help us to move quicker to a democracy in Cuba.

Chairman BERMAN. The time of the gentleman has expired, and the gentleman from Florida, Mr. Klein, is recognized for 1 minute.

Mr. KLEIN. Thank you, Mr. Chairman and Ranking Member Ros-Lehtinen. I thank you for allowing me to speak to an important issue to our South Florida community. Let me start by saying I have always supported a common sense Cuba travel policy, and I believe that family members should not be separated, so I did support President Obama's series of changes to U.S. policy which allow for lifting of restrictions on travel and remittances for Americans with family members in Cuba.

The goal is to ensure that Cuban-Americans are able to move freely to visit their families. This is a large step, and the Cuban Government should not squander this new willingness and this opportunity that has been presented. Now that the United States has made changes to some of its longstanding policies toward Cuba, I believe it is time for the Cuban Government to respond in kind. Before permitting free travel between our two countries, the Cuban Government must respond to legitimate claims that have been asserted by the United States and its citizens for many years, and it is imperative that these be dealt with promptly.

I thank the chairman and look forward to—

Chairman BERMAN. The time of the gentleman has expired, and now our final recognition before we get to the witnesses, the gentlelady from Texas, Ms. Sheila Jackson-Lee, is recognized for 1 minute.

Ms. JACKSON LEE. Mr. Chairman, thank you very much, and thank the ranking member for the cooperation of this hearing. Some years ago, I was involved in the tragedy of Elian Gonzalez, the loss of his mother and family members that wanted to raise him. I indicated in my preference, after meeting the grandmothers, who lived in Cuba, that he should be returned to family. As I did that, I did not ignore the family members who are here in the United States, and I frankly believe he should have the benefit of all family members.

So I think it is important that we open the doors of opportunity and that we recognize that, as we have opened the doors to China, that is not perfect, we open the doors to Cuba, and our intervention and involvement is critical. At the same time, we ask for concessions, interaction with the Cuban Government, and if we do that, we make America the greater country and we work together with the Cuban people. Let us lift the embargo.

Chairman BERMAN. The time of the gentlelady has expired. All time for 1-minute statements has expired. We are now going to turn to our excellent panel of witnesses, one of whom will be with us by videoconference.

First, I will introduce all the witnesses. General Barry McCaffrey is president of his own consulting firm based in Arlington, Virginia. He is also an adjunct professor of international affairs at the United States Military Academy at West Point, and serves as a national security and terrorism analyst for NBC News. From 1996 to 2001, General McCaffrey served as the director of the White House Office of National Drug Control Policy. Prior to that, General McCaffrey served as the commander in chief of the U.S. Armed Forces' Southern Command, coordinating national security operations in Latin America.

Ambassador James Cason is currently president of the Center for a Free Cuba. He is a retired career Foreign Service officer, with 30 years of experience in Latin America. He was nominated by President Bush to be U.S. Ambassador to Paraguay and confirmed by the Senate. Prior to his posting in Paraguay, Ambassador Cason was chief of mission at the United States Interests Section, Havana, Cuba, from September 10, 2002 until September 10, 2005. Ambassador Cason retired from the Foreign Service in 2008.

By videoconference, Miriam Leiva has been a human rights activist and independent journalist since 1995. In 2003, she was one of the founders of the Ladies in White, a women's organization that advocates for Cuban prisoners of conscience. In September 2008, she left the movement to focus on journalism and direct aid to Cuban prisoners of conscience and their families. A former Cuban diplomat, Leiva was expelled from the Foreign Ministry in September 1992 "for lack of political confidence," and when she refused to divorce her husband, independent journalist and economist Oscar Espinosa Chepe, after he was accused of being a counterrevolutionary. Ms. Leiva will testify by videoconference

from the United States Interests Section in Havana, Cuba. Please note that there is a 4-second delay in the transmission.

Ignacio Sosa is an executive board member of Friends of Caritas Cubana, a non-profit organization that raises aid for Caritas Cubana, the only non-governmental humanitarian organization with national reach in Cuba. He is a former executive board member of the Cuba Study Group. Mr. Sosa has been active in seeking an end to the isolation of Cuba, and he testified previously before the International Operations and Human Rights Subcommittee on lifting travel and remittance restrictions for Cuban-Americans.

Berta Antunez is a Cuban citizen who has been active in the human rights movement in Cuba. Ever since she became aware of abuses committed against her unjustly imprisoned brother, Jorge Luis Garcia Perez, she came together with a group of other Cuban mothers in defense of prisoners' rights. In the early 1990s, she helped create the National Movement for Civic Resistance, Pedro Luis Boitel, to fight harassment against their relatives in prison. Her movement has been active in ensuring prisoners' rights and publicizing human rights abuses against political prisoners.

Our last witness is Philip Peters, vice president of the Lexington Institute. He served in the State Department's Latin American Bureau during the Reagan and George H.W. Bush administrations. He has reported on Cuban economic topics and analyzed U.S. policy toward Cuba for more than a decade and writes the blog, The Cuban Triangle. He holds degrees from Georgetown University School of Foreign Service and graduate school.

Thank you all very much for being with us. General McCaffrey, why don't you start?

**STATEMENT OF GENERAL BARRY R. MCCAFFREY, USA,
RETIRED, PRESIDENT, BR MCCAFFREY ASSOCIATES, LLC**

General MCCAFFREY. Well, Mr. Chairman, thank you and Congressman Ros-Lehtinen for the opportunity to be here to join this very distinguished panel. I think it is an appropriate time to address this issue. Let me, if I may, add, I provided most of you with a copy of some other work I have done, particularly an op-ed I submitted at the Miami Herald a few months back dealing with this issue. A couple of thoughts.

In January I will be back in Cuba again as an Adjunct Professor of International Affairs to listen to the situation on the ground and try and learn how we can move forward in the coming years to bring back into the community of nations the Cuban people, from which they have been isolated while under the control of a totalitarian regime for the better part of 50 years. I take great sympathy with every remark made dealing with the suffering of the Cuban people, both economic and political.

In January, I will also be the head of a delegation from the Vietnam Veterans Memorial Fund where we will again visit Vietnam, a place I fought on three combat tours, where we suffered 58,000 killed in action, over 300,000 wounded, where the Vietnam veteran, 3.5 million of us, have reached out to the Vietnamese people. We have de-mining projects, I will be opening a school in Quang Tri Province, etc., and I mention that just to put in parallel a viewpoint that I find our current policy toward Cuba, both in terms of

the tourism ban as well as the economic embargo, to not make sense.

It doesn't work, and more importantly, we have got Mr. Castro with one foot in the grave and the transition to power looming in front of us in the coming few years, and I would argue we want to engage with these people and try and bring them back into the rule of law and the coalition of democratic states. Again, I would underscore I understand the repressive nature of the regime. I don't think tourism in and of itself is going to blow away this mantle of oppression, but I do think it will allow the freedom of the American people to directly engage with the Cubans.

I think our interests are served by lifting this tourism ban. I might add, and I say this as sort of a hard-nosed national security professional, I do not believe that the Cubans in any way are a significant threat to our national security interests. I think their very high-energy intelligence service is primarily a defensive measure in which they see us as their principal and overwhelming threat. I also think they are paranoid about it, which I tell them frequently.

I think it is silly to think we are going to take military action against Cuba, but I think that is a lot of what is guiding them, but right now, you have got an island down there of 11 million people, desperately impoverished, except for the Communist elite, who are wearing good clothing, driving cars, have an opportunity to travel, but the actual military capability of the Cubans are almost non-existent and I don't see them as a national security threat.

So again, I very much identify with the many comments in the room, but I think Congresswoman Lee and Congressman Flake captured my view that this is also a freedom of choice issue for the American people. Thanks for allowing me to make these comments, and I look forward to responding to your own interests.

[The prepared statement of General McCaffrey follows:]



November 19, 2009

**STATEMENT FOR THE RECORD
SUBMITTED BY GENERAL BARRY R. McCAFFREY (USA, Ret.)**

**SUBMITTED TO: U.S. HOUSE OF REPRESENTATIVES
FOREIGN AFFAIRS COMMITTEE**

SUBJECT: *Restrictions on travel by American Citizens to Cuba: Time to Lift the Ban*

Chairman Berman, Ranking Member Ros-Lehtinen, it is an honor to submit this statement for the consideration of the Foreign Affairs Committee for the hearing on the U.S. Government's restrictions on travel to Cuba by American citizens.

Restrictions by the U.S. Government on travel by American citizens to Cuba have been part of the long-term U.S. policy to force political change in Cuba via restrictions on commerce, communications, travel, and other forms of transactions that are routine between nation states. The bottom line is that this embargo policy has failed to precipitate regime change in Cuba, will not do so in the future, and harms long-term U.S. interests by limiting the ability to develop mutually beneficial relationships that will transcend the inevitable political transition that will occur in Cuba.

The U.S. commercial, economic, and financial embargo has waxed and waned over the almost fifty years it has been in existence, reflecting periods of heightened tensions between our two nations, ideological tendencies of different U.S. administrations, and changing perceptions of the U.S. self interest. Legislation passed by Congress in 2000 to allow the export to Cuba of U.S. agricultural products, for example, was principally championed by agricultural concerns, which were interested in capitalizing on a nearby market. Over the past decade, the United States has become Cuba's most important food and agricultural product supplier, accounting for more than one-fourth of the country's total food and agricultural imports.¹

Restrictions by the U.S. Government on travel to Cuba by its citizens have also been modified over the years. Between 1977 and 1982, there were no restrictions on travel. The Administration of President George W.

¹ Cuba's Food & Agriculture Situation Report, Office of Global Analysis, FAS, USDA, March 2008, <http://www.fas.usda.gov/ftp/cuba/CubaSituation0308.pdf>

Bush placed additional restrictions on travel to Cuba by Americans to visit family members or participate in educational exchanges or religious activities. The Obama Administration recently loosened restrictions on family travel.

These restrictions on travel to Cuba by U.S. citizens have nothing to do with the totalitarian nature of the Cuban regime or its reprehensive repression of political freedom. There are no corresponding restrictions by the U.S. Government on travel by Americans to the few remaining communist countries in the world (e.g. People's Republic of China, North Korea, Vietnam), countries with dictatorial regimes (e.g. Burma), or countries with which we have problematic bilateral relations (e.g. Iran). The restrictions on travel to Cuba and the enduring embargo are the legacy of the antagonism that has characterized the U.S. – Cuban relationship for the past half century.

CONCLUSION

It does the United States no good to unilaterally maintain these counter-productive policies. The Castro regime has lost legitimacy domestically and internationally. The U.S. embargo is used by the Castro regime to foment Anti-American sentiment. Lifting the embargo will be a catalyst for inevitable political change. The greater people-to-people contacts that will be the result of eliminating restrictions on travel will reduce the political isolation of the Cuban people and increase domestic pressure on the Cuban regime.

Restrictions on travel and the embargo are anachronistic policies that do not serve the U.S. national interest and unnecessarily limit the freedom of Americans to travel where they choose. There is no justifiable reason for the United States Government to decide that Cuba is the only country in the world where it will restrict travel by U.S. citizens. Congress should not wait for the Administration to change this absurd policy. It should enact legislation that eliminates all restrictions on travel to Cuba by U.S. citizens.

General McCaffrey currently serves as an adjunct professor of international affairs at West Point. He previously served as U.S. drug czar from 1996 to 2001 and prior to that as Commander, United States Southern Command from 1994 to 1996. He served four combat tours and was wounded in action three times.

Chairman BERMAN. Thank you, General.
Ambassador Cason?

**STATEMENT OF AMBASSADOR JAMES CASON, FORMER CHIEF
OF MISSION, U.S. INTERESTS SECTION, HAVANA, CUBA**

Ambassador CASON. Chairman, thank you for the opportunity to address you today. I recently spent 3 years of my life as head of the U.S. Interests Section in Havana. Not many Americans have lived in a totalitarian country, so I speak to you from first-hand knowledge, not only of Latin America where I lived for 32 years, but also about the sad Cuban reality. I wish I could point to a policy, anybody's policy, that will induce the Castro brothers to embrace democracy and individual freedom.

Unfortunately, no one in the world has been able to find a way to get Fidel and Raul to change their totalitarian stripes. I believe that no significant change is possible in Cuba while those two live. If I thought trade, tourist travel and investment were the miracle cure for ending dictatorship, I would be the first to advocate a change in policy, but there is simply no historical precedent or rationale for the argument.

We typically hear four arguments for liberalizing travel. The first is that flooding Cuba with American tourists will instill greater yearning or understanding of democracy in Cuba; secondly, that tourist spending will help average Cubans; third, that our policy of isolating the regime has failed, so we should try something different; and finally, the libertarian argument that Americans have a constitutional right to go wherever they choose.

Starting with the let us flood them with tourists proposal, why won't this help bring democracy to Cuba? It is because the Cuban authorities strictly limit and harshly penalize the interaction of ordinary Cubans with foreigners, and about the only Cubans tourists are going to meet are hotel workers. There are 103 hotels catering to foreign tourists in Cuba. Sixty-seven percent of these are located in the remote keys and in Varadero.

There are only 5,632 rooms for about 10,000 tourists in Havana, a city of 2.1 million. That works out to one tourist for 210 Cubans. Tourists are simply diluted in this sea of Cubans. The regime charges average Cubans the highest rack rate possible to stay in tourist hotels. That means that a night's stay would require an average Cuban's salary for a year. Again, that is why you are not going to find a regular Cuban in your hotel.

The Cubans the tourists are permitted to see and question are trained to say the right thing. There is another problem with this flood argument. Few Americans speak Spanish well enough to hold a conversation on democracy or anything else with the average Cuban, who also rarely speaks English. Tourists go to Cuba for rum, sun, cigars, song and sex. They don't go to Cuba to spread democracy. At any rate, most Cubans know very well what democracy and freedom are.

They have relatives, millions of them abroad. They don't need to be convinced to love or understand democracy. What they lack is a way to influence regime behavior. Tourism and trade have not brought down a totalitarian regime anywhere in history. That is because dictators refuse to let tourism do its alleged subversive

work. If Castro thought that he could not control tourism, he simply wouldn't allow them in, but they can control it well.

In the last decade alone, 15 million tourists from democracies have visited the island, including several hundred thousand Americans. Despite this, Cuba has not democratized or even liberalized. In fact, it has gone backwards. If tourism had any value as a catalyst for democracy, it would be the polyglot Europeans who would have a better chance at engaging Cubans, yet there is absolutely no evidence of any liberalizing impact of their stays or imprint of their footprints on the regime's behavior.

It would be more accurate to attribute a strengthening of the state security apparatus to their expenditures, since the Cuban military owns the hotels they stay in and gets first crack at the cash flow. What about Cuban-American travel? Well, they spend a lot of money there, and I support it on humanitarian grounds, but nothing politically has come or can result from the visits of these Cuban-Americans because they have to get Cuban passports, they are screened, they are monitored they are videoed.

If they misbehave, they are expelled or never allowed back in, and they don't want to jeopardize their chance of returning. Therefore, they don't get into trouble. And Cuba treats Cuban-Americans as Cuban citizens. It does not recognize dual citizenship. So a Cuban-American who gets into trouble will be denied access to USINT, and so they stay out of trouble.

A final thought, when American tourists want to go to Cuba, usually in our winter and during vacations, the island's 30,338 four- and five-star hotel rooms are booked solid with Canadians and Europeans. Would Fidel oust them to make room for Americans? Would he want to be dependent again on fickle Americans in this critical industry, American policy? I doubt it.

Now to the argument that tourist expenditure will trickle down to the average Cuban Jose. Well, again, 15 million Europeans have spent tens of billions of dollars there. The benefits go exclusively to the state. Poor Jose has seen none of it. The regime knows how to and has prevented seepage or trickle-down from tourist expenditures. The tourists stay at all-inclusive hotels. The state owns the hotels, the bars, the restaurants, the clubs, the cigar and rum shops and the souvenir stands.

The tourists can buy very little from average Cubans, and the hotel worker gets to keep very little of what a tourist spends. They only get 5 percent of the salary that goes to the joint venture partners. They can't unionize, they can't complain, they can't fight back. Again, the Cuban military controls the tourist industry. The third argument for a change in travel policy reflects the exasperation at the failure of anybody's policies in the world, anybody's in the world, to induce Castro, the world's most successful enduring tyrant, to morph into a democrat.

So the cry comes out, let us just try something different, but what would be a new policy for us has already been tried and is policy in just about every country in the world, and there has been no positive impact on human or other fundamental rights in Cuba as a result. Everyone in the world but us talks, engages, invests, travels and trades freely with the regime, giving it the wherewithal to survive. We allow hundreds of thousands of Cuban-Americans to

take goods and cash into Cuba and we sell Cuba a good percentage of its food.

Again, what impact has this had on the regime? Have they released political prisoners, allowed free elections, opened up the internet, given labor rights, allowed families to start businesses, or given Cubans the right to travel freely and live where they want? No. Lifting the travel ban now will amount to giving away future leverage for nothing in return. We should hold this in reserve until the demise of the Castro brothers. An end to the travel ban should be used as leverage, as a carrot in support of those in a future transitional regime who will have a voice in whether Cuba goes toward more or less freedom.

And regarding the so-called rights of travel of Americans to go anywhere they want, the Supreme Court ruled in 1984 in *Regan v. Wald* that Americans do not have a constitutional right to go where they want if the government has a policy reason not to allow that travel. So before we normalize relations with Cuba, the regime must show it is normal. It must engage in dialogue with its own citizens. Normalization is not an end in itself.

We can't normalize with a totalitarian regime or cast aside our longstanding focus on human rights in Cuba in a quest to do something different, or in our haste to end the Cuban problem as a foreign policy issue. Normalization will result from Cuban actions to respect internationally recognized obligations and principles, and as we debate the future of our Cuba policy, let us not cease our support for dissidents and civil society, people on the island who want to have a say in what is best for their future. Thank you.

[The prepared statement of Ambassador Cason follows:]

TESTIMONY

by

Ambassador James C. Cason (Retired)
President
Center for a Free Cuba

Thursday, November 17, 2009,
House Committee on Foreign Affairs

Submitted for the Record

The debate on what, if anything, the United States can do to induce the Cuban authorities to liberalize has commenced again in earnest. The US Chamber of Commerce, the Farm Bureau, and mid-West Senators and agriculture interests are arguing that more trade and travel with Cuba will bring greater freedom to Cubans and that the more we engage with the Cuban regime, the greater the likelihood democracy will flourish there. Some urge outright abandonment of what remains of the embargo, but most opponents are focusing on ending travel restrictions as the first step.

We typically hear four arguments for liberalizing travel and trade with Cuba. The first assertion is that flooding Cuba with American tourists will instill among Cubans a yearning for democracy. Secondly, tourist spending, it is argued, will help average Cubans by improving their living standards or wages. Third, some argue that our policy of isolating the regime has failed, so we should try something different and they hold the belief that engagement will promote positive change. Finally, libertarians will assert Americans have a Constitutional right to go wherever they choose, including Cuba.

These arguments are dead wrong and fundamentally reflect our inability to understand what it's like to live in a totalitarian society where all aspects of peoples' lives are controlled and where fear of state security is pervasive. As most Americans have never experienced totalitarianism, they make assumptions about what can be achieved in such a state that are not grounded in reality.

Let's examine the four arguments one by one, starting with the "Let's flood them with tourists" proposal. Why won't this help bring democracy to Cuba? Fundamentally because the Cuban authorities strictly limit and harshly penalize the interaction of ordinary Cubans with foreigners. The Law 80 of 1999 makes it a crime to take publications from foreigners and a 2004 Ministry of Tourism internal memo to hotel workers prohibits them from interacting with foreigners outside the workplace or from accepting gifts. And about the only Cubans tourists will meet are hotel workers.

Almost all tourists to Cuba stay in four or five star hotels. These 103 hotels, catering to foreign tourists, are located predominantly in isolated areas where ordinary Cubans are denied access. About 67% of the tourist hotels are located in the remote Cays like Cayo Coco or in Varadero. Castro has allocated only 18.6% of his tourist hotel rooms to Havana and vicinity. There are only 5,632 rooms for some 10,000 tourists in Havana, a city of 2.1 million plus. That works out to one tourist per 210 Cubans. Tourists are diluted in this sea of ordinary Cubans, and can make no meaningful impact on society even if they wanted to or were permitted access to Cubans.

Even though Raul Castro recently "allowed" Cubans in March 2008, to at last frequent previously off-limit tourist hotels, this is a cosmetic measure designed to convince foreigners that Cuba is liberalizing. In fact, it is not. The regime charges average Cubans the highest rack rate to stay in tourist hotels which are expensive to begin with, and a night's stay would require an average Cuban's salary for a year. So a foreigner will rarely encounter a regular Cuban in his or her hotel.

The vast majority of foreign tourists spend most of their time in all-inclusive hotels where regime-sponsored entertainment is brought in to amuse them. If they leave their isolated enclaves, they will be taken on well-guided tours to Potemkin villages where the guides control your experience. The guides retain their jobs by hoeing the regime line if asked inconvenient questions by curious tourists. The Cubans the tourists are permitted to see and question are trained to say the right thing and "spontaneously" hail Fidel and his regime and joyously sing Guantanamera to show the foreigner how much they enjoy life without freedom. Castro has put in place a tourist apartheid system that monopolizes tourism's benefits for the state while minimizing the potentially deleterious impact of rich, free tourists mingling among poor, oppressed Cubans.

There's another problem with the Flood argument. Few Americans speak Spanish well enough to hold a conversation on democracy or anything else with the average Cuban, who also rarely speaks English. The fact is that tourists go to Cuba for rum, sun, cigars, song and sex. That is what Cuban government recruiting ads subliminally promise. Tourists don't go to Cuba to spread democracy. The rare, inquisitive foreign tourist who speaks Spanish sufficiently and who encounters somehow a Cuban to proselytize will notice the attention the conversation attracts from nearby police. The unlucky Cuban will quickly get a visit from the cop and be asked to show ID and explain what the conversation entailed. He will be warned from talking with

foreigners in the future. Most likely the Cuban will not be interested in the foreigner's views of politics but will solicit money, toiletries or sex or be asked if he can help get a person or a relative out of the island, perhaps through marriage.

At any rate, most Cubans know well what democracy and freedom are from their relatives abroad, from phone calls with them, smuggled-in literature and surreptitious listening to foreign radio broadcasts and from contact with on-island diplomatic missions like USINT. They don't need to be convinced to love or understand democracy. What they lack is a way to influence regime behavior. The system does not solicit their views or tolerate dissent and harshly punishes the few that stand up for democracy. Their dreams for a better life can only be realized by emigrating or becoming part of the elite, by conforming. Some two million have chosen to flee rather than conform, and have chosen to live under democracy. The vast majority, especially the youth, no longer trust the so-called revolution to improve their lives. In the late 1990s, even before the regime opened up to controlled tourism, some 500,000 families in one month signed up for the "Bombo" lottery at USINT for a chance to leave Cuba.

Tourism and trade have not brought down a totalitarian regime anywhere in history. In Eastern Europe communism collapsed a decade after tourism peaked. No study of Eastern Europe or the USSR alleges that tourism, investment or trade had anything to do with the end of communism. Lech Walesa and Vaclav Havel both have said that tourism and trade played a negligible part in the downfall of communism - Radio Free Europe, Radio Liberty and the steadfast commitment of the Reagan Administration played the essential role. The United States and Europe provided an international voice for the victims of communism and supplied dissidents with short-wave radios, supplies, books, printers and funds that they needed in their fight for freedom. Tourism did not bring freedom to Pinochet's Chile, Batista's Cuba, or to Duvalier's Haiti. In South Africa, the tourist ban did play a key role in convincing the apartheid government that its practices were held in world contempt. Today, Burma's imprisoned leader of the opposition asks the world not to travel as tourists to her country.

Dictators refuse to let tourism do its alleged subversive work. They are not stupid. If dictators like Castro thought they could not control tourism, they simply wouldn't allow tourists in. And, by the way, the tourists who are allowed in generally need visas, are screened against a huge state security data base and are monitored and often videoed while on the island. If they misbehave they are expelled or never allowed in again.

In the last decade alone, over 15 million tourists from democracies have visited the island, including several hundred thousand Americans who snuck in or were given an OFAC license. So, where's the beef, so to speak? Cuba has not democratized or even liberalized, in fact, it's gone backwards. The wily Fidel captured the economic benefits of tourism during the Special Period when he was floundering, controlled it. Now that those billions of tourist dollars have helped him recover, he and Raul have cracked down and rescinded the liberalizing steps as the regime always does when things get better. Now that he has Sugar Daddy Chavez supporting him, he need not risk the regime's stability by allowing economic or political half-step freedoms. The case can be made then that travel has hardened the regime, increased its staying power rather than opened up the island in any way.

Well, critics will argue, Americans are different from other tourists. We are special. This implies that Americans have some magic democratic pixie dust that rubs off on uninformed foreigners and that our bathing-suited guests have some unusual burning desire to teach democracy while on vacation. Not true, of course. If tourism had any value as a catalyst for democracy it would be the polyglot Europeans tourist who'd have a better chance at engaging Cubans. Yet there is absolutely no evidence of any liberalizing impact of their stays or imprint of their footprints on the regime's behavior. It would be more accurate to attribute a strengthening of the state security apparatus to their expenditures, since the Cuban military owns the hotels they stay in and gets first crack at the cash flow.

What about Cuban American travel? Wouldn't more of that make an impact? They speak Spanish, have the trust of their relatives, and when they go back as hundreds of thousands have in recent years, they show their relatives what freedom and democracy allow. They may well have been a key factor in spreading a quiet desire for freedom and democracy on the island, but the fact is that nothing has come of it. My experience in Cuba is that returning Cuban Americans are very cautious in what they bring with them and what they do and say while on the island. They do not want to jeopardize their chances of returning by carrying anything to dissidents or by engaging in prohibited behavior. Cuba treats Cuban Americans as Cuban citizens. It does not recognize dual citizenship. So a Cuban American who gets into trouble will be denied access to USINT and is on his/her own. So they stay out of trouble.

I support the humanitarian argument for more émigré travel. But I challenge anyone to show how émigré travel has led to anything positive on the freedom front. The simple fact is that the regime is

determined to and capable of preventing any tourist flood from undercutting its control. If suddenly ordinary bikini wearing Americans were allowed to flood Cuba, Fidel or Raul would put an end to Cuban American travel, which is potentially more subversive. Those who advocate travel as a liberalizing influence would be better off urging Fidel to allow ordinary Cubans to have the visas he denies them to travel to the US when USINT approves their travel. In the United States, ordinary Cubans could mingle with Americans and would have none of the restrictions such interaction faces in Cuba.

A final thought on the let's flood them proposal---even if we wanted to flood Cuba, there would be no room at the inns. When tourists want to go to Cuba, in our winter and during vacations, the island's 30,338 4-5 star hotel rooms are booked solid with docile Canadians and Europeans. And would Fidel oust them to make room for Americans? Would he want again to be dependent on fickle Americans in this critical industry? I doubt it. Castro will never allow development of an unhealthy dependence on US tourism and will limit the numbers allowed in. Even if we liberalize, he won't. It stands to logic that if he thought he couldn't control tourism's effects on society, he wouldn't allow them in. And if any past US President really thought US tourism was the magic key to promoting democracy in Cuba, he would have been all for it. He would have used that tool to trick the naïve Castro into undermining his regime.

Ok, now to the argument that tourist expenditures will trickle down to the average Cuban Jose, promoting capitalism, free enterprise and better standards of living for Cubans? Well again, 15 million Europeans have spent tens of billions of dollars there, but the benefits go almost exclusively to the state. Poor Jose has seen none of it. That's because all Cuban economic life is controlled by the state for the state, not its citizens. Castro is not interested in seeing Cubans live better. The poorer they all are, and the more equally they live in poverty, scrambling to make end meet daily, the less likely they will engage in subversive activities. So on purpose, by design, the regime prevents seepage or trickle down from tourist expenditures to enrich some Cubans and the expense of others.

Tourists stay at all-inclusive hotels by and large. No tips are encouraged or permitted. Tips do wind up in the pockets of tourism workers in urban settings, but that does not amount to much. In Cuba, the state owns the hotels, bars, restaurants, clubs, cigar and rum shops and souvenir stands. Artists can sell their art but must pay the state exorbitant fees approaching \$200 a month for permits. They make little money. Tourists can buy very little from average Cubans except sex, which is a main draw in some countries. A recent Johns Hopkins

report on child prostitution directly tied its increase in Cuba to increased tourism, and there are no NGOs in Cuba to monitor and express outrage at the practice and the blind eye of the authorities.

Hotel workers get to keep very little of what a tourist spends on his/her stay. Joint venture partners with Cuba must pay the state a fixed amount per hotel worker. The worker gets something like 5% (about \$16 a month) of what the company pays for his/her labor to the state. The hotel workers cannot unionize, complain or fight back at this any more than the average Cuban. Hundreds relish the chance at their jobs given the high unemployment in Cuba.

As mentioned earlier, the Cuban military controls the tourism industry and most productive enterprises in Cuba through firms like Gaviota and Cubanacan. The hard currency runs through their hands for purposes they alone choose. Back in February 2003 Castro closed or severely restricted micro businesses when he learned Chavez would bankroll the regime. The few paladars or semi-private restaurants catering to foreigners that remain open must buy everything from the state and must pay under-the-table bribes to all sorts of inspectors to remain open, unless they are secretly owned by elites. They are limited to seating for 12 people or so. No great trickle down here. The regime will never allow private room and board operators to siphon off their revenues. These few bed and breakfast operators are strictly controlled and many are fronts for sex workers to bring their clients.

The third argument for a change in travel policy reflects exasperation at the failure of any of our policies to induce Castro, the world's most successful and enduring tyrant, to morph into a democrat. So the cry rings out - let's just try something different!" This is indicative as a people and culture for fast results and reflects our belief that we are a special people. We get frustrated easily. We figure there must be something we can do to fix a problem. We won't admit that some things, at some times and in some places can't be influenced the way we want from outside. But Americans believe that if we try it, it will work because somehow we are different from all those other democrats around the world. We know better.

The fact is that it takes two to tango, and Fidel and Raul have made it crystal clear that they want and need us as an enemy. They have all the friends they need. Their profound enmity towards the US is genuine, calculated and will never end regardless of what we do or say. As he told companion Celia Sanchez before taking power, "When this war is over, I'll start a longer and bigger war of my own, the

war I'm going to fight against them. I realize that will be my true destiny." It's clear he always intended to have an adversarial relationship with the US. He said "a revolution that does not have an enemy in front of it runs the risk of falling asleep."

Fidel and Raul have had many chances to engage with us. USINT is there and available if they want to talk. But they refuse to engage with us or let us dialogue on any topic with anyone in the regime. They hinder contacts with ordinary Cubans and send them to jail for long sentences on trumped-up charges. So it's not a lack of channels of communication that's a problem. They simply will not talk about what we consider important, period.

What would be "new" policy for us has already been tried and is policy in just about every country in the world. And there has been no positive impact on human or other fundamental rights in Cuba as a result. Everyone but us talks, engages, invests, travels and trades freely with the regime, giving it the wherewithal to survive with nothing in return except profits for their companies and pleasure for their tourists. The United States has allowed hundreds of thousands of Cuban Americans to take goods and cash into Cuba. We sell Cuba a good percentage of its food and allow Havana to buy medicines if it so chooses. Havana has yet to purchase any substantial amount of American medicine, despite its insistence for many years that Cuban children were suffering due to a lack of American medicines. Once Washington repeatedly explained that Havana could purchase medicines and antibiotics in the States, Havana and its apologists stopped using that canard. All along Havana purchased American medicines in other countries at a lower price than they would pay in the United States. Again, what impact has this had on the regime? Have they released political prisoners, allowed free elections, opened up the internet, given labor rights, allowed families to start businesses, or given Cubans the right to travel freely and live where they want? No! Yet we focus on our right to travel to Cuba. How many of those who advocate for Americans' rights to travel to Cuba speak as well about Cubans rights to travel, trade, invest, prosper? Few, if any.

Lifting the travel ban now will amount to giving away future leverage for nothing in return. We should hold this in reserve until the demise of the brothers, or until the totally unexpected happens and they are forced by circumstances or forces in Cuba without their control to put ahead of their personal interests the interests of the Cuban people. An end to the travel ban should be used as leverage, as a carrot, in support of those in a future transitional regime who will have a voice in whether Cuba goes towards more or less freedoms. The military owners of hotels will eventually want to privatize those hotels in their own name. They will recognize that a violent outcome of a post-Castro government will end tourism. A Tiananmen Square scenario would be disastrous for their interests. They may end up on

the side of transition rather than succession someday and the reward of a stream of US tourists at that point in the internal Cuban political debate could well prove decisive.

So, sorry to say, nobody's policies have been able to bring democracy, prosperity or hope to the oppressed Cuban people. Short of accepting Havana's demands, and, even then, a foreign government wanting to help the Cuban people encounters little flexibility by the regime. A case in point is the Spanish government of Mr. Zapatero who, due to Havana's imposition, does not invite Cubans found objectionable by the regime to their national holiday reception with the diplomatic corps. Despite Madrid's efforts to help the regime at the European union and its acceptance of Havana's guidelines in Cuba, the Spanish cultural center, inaugurated by king Juan carlos when he visited the island, remains closed by then president Fidel castro. And changing ours now to allow unlimited tourism won't have any positive impact except to discourage the opposition on the island and undermine the small Caribbean democracies whose economies depend almost entirely on US tourism and would be priced out of business by operators in Cuba with big labor and wage advantages.

I think we need to focus more of our policy think on how to support the Cuban people and its peaceful, democratic and courageous opposition. What more can we do to help them given the obstacles? How can we prepare them and civil society to play a role once a transition is underway? We should discuss how to help USINT support dissidents. We should insist on reciprocity between USINT and CUBINT. The playing field is not level, and the Cubans can mingle with Americans and operate largely unfettered while our folks are harassed and hindered in Cuba. Our people cannot participate in the battle of ideas, yet Cuban's can in the US.

Let's think less of how our corporations can make money off of sales to Cuba (most of which are resold in dollar stores to support the regime or go to the tourism sector) and less about our alleged rights as Americans to go there no matter what to pursue pleasure and adventure. Regarding those so-called rights of travel, the Supreme Court ruled in 1984 in Regan versus Wald that Americans do not have a Constitutional right to go where they want if the government has a policy reason not to allow that travel.

Before we normalize relations with Cuba, the regime must show it's normal. It must engage in dialogue with its own citizens. Normalization is not an end in itself. We can't normalize with a totalitarian regime or cast aside our longstanding focus on human rights in Cuba in a quest to "do something different" or in our haste

to end the Cuban problem as a foreign policy issue. Normalization will result from Cuban actions to respect internationally recognized obligations and principles. As we debate what our future Cuba policy should be, let's not cease our support for dissidents and civil society who want to have a say in what's best for the Cuban people.

Chairman BERMAN. Thank you, Ambassador, and now from Havana, Ms. Leiva. It is your turn.

**STATEMENT OF MS. MIRIAM LEIVA, INDEPENDENT
JOURNALIST AND FOUNDER, LADIES IN WHITE**

Ms. LEIVA. Please allow me a few words first in Spanish. [Spanish testimony.] Ladies and gentleman, my husband, Oscar Espinosa Chepe, and I deeply appreciate this occasion to express our views concerning the very important issue to Americans and Cubans within our island nation and in exile that you are considering today. We fully support lifting the travel ban to Americans to visit Cuba. I assume you know that we have been dedicating our lives for the past 17 years to promote the well-being of our people through human rights activism.

Oscar is an independent economist and journalist and was sentenced to 20 years in prison during the 2003 crackdown on 75 peaceful individuals. Fifty-three of them are still in terrible prison conditions, and in Cuba there are over 2,000 political prisoners altogether, yet they do not feel hate, nor want revenge. Oscar was granted conditional release due to his very poor health but can be returned to jail at any moment, since under the terms of his parole he cannot write or talk openly, yet continues to do so.

I am also an independent journalist and when he was in prison I was one of the founders of Ladies in White, for the release of the 75, until last year when I decided to focus on writing and directly assisting the prisoners and their families. To know the developments in a country and its people, to exchange ideas and experiences, to disseminate democratic traditions, it is essential to be there. Citizens of almost all countries find traveling commonplace, except for Americans and Cubans, although we are only separated by the short distance of the Florida Straits.

The comprehensive links forced by generations, which intertwined our history through commerce, science, culture, music, sports, dreams and families, have suffered a great deal during the last five decades of estrangement. It is very difficult to understand that in the last 8 years, the United States has become Cuba's principal food supplier and fifth largest trading partner, but Americans cannot walk our streets or chat with our people.

Only recently we celebrated the 20th anniversary of the fall of the Berlin Wall. It should be recalled that the Iron Curtain started to fall, to open up, by millions of Westerners visiting the countries beyond it. We are grateful to the visionary politicians who carried out the "Policy toward the East" that helped create the conditions for the swift and peaceful outcome. Americans played a significant role there. Today, you have a similar opportunity regarding Cuba.

We are aware of the concern of many distinguished congresswomen and men over the financial impact of American tourism on the Cuban economy. Fearing the possibility of giving breath to the totalitarian regime. We believe that many thousands of Americans visiting Cuba would benefit our society and enhance our people. Firstly, through the free flow of ideas and further by pressing the government to open up self-employment to provide goods and services such as renting rooms because the capacities in the hotels would be surpassed.

It would improve the impoverished living standards, far more critical today than in the 1990s when some were allowed. Everyone will know that the Cuban state could not claim credit over this improvement, but that this comes from Americans. Cuban authorities have closed all private initiative to tie up the people economically, as a means to have them politically dependent. Of course, American visitors would spend money, collected by the Cuban Government, but it is so inefficient that it would only be able to keep small amounts; very little to cover its great needs.

It is incapable of producing the scarce and low-quality food sold to our nationals and has to buy more than 80 percent of it abroad. Where? Mostly in the United States. Right now, it is impressive to find so many American products in our very limited supplied stores. No other country can compete in terms of quality and proximity, both of which stimulate trade in many ways. Imagine then the return of the money Americans spend, through purchases from American farmers and other businessmen, in order to supply hotels, restaurants and stores. In the short-run, many other possibilities would flourish.

Cuban authorities have blamed the American embargo for great economic problems existing in our country, and deceived national and international public opinion by expressing desire of its lifting. In fact, they have used the embargo to justify all their wrongdoings, economic inefficiency, mismanagement and repression. They fear losing that alibi, just as they panic at the idea of having no excuse to prevent Americans from coming in.

In spite of the propaganda and manipulation about what goes on beyond our tight sea boundaries, most Cubans find ways to know, are eager to listen, have lost faith in the unfulfilled promises, are exhausted by daily shortages and do not foresee a decent future. After 50 years of being locked away from the world, Cuban society is on the cusp of changes. It is not a matter of natural generational decay, but the exhaustion of a system that has fallen into a deep economic, political and social crisis with no solution other than deep changes.

They might come from the power structure, aware of their inevitability, or from the people out of desperation and their civil commitment. They could be in a velvet fashion or in turmoil with great repression. We strive for understanding among all Cubans, for advancing democracy in a civilized and peaceful manner. The future of Cuba depends on what we Cubans do today, yet we are positive that less tension in the relations between Cuba and the United States will favor our goals.

In a country where it is impossible for most citizens to have internet at home, we cannot dream of communicating with Americans in a way that is so common nowadays in most parts of the world, nor could anyone be able to experience reality here if he does not set foot on our land. This year we enjoyed an art exhibition from New York, but we could not have the pleasure of the New York Philharmonic Orchestra performing. Many scholars, scientists, businessmen, entrepreneurs, farmers, sportsmen, politicians and common people were not able to interact.

Americans and Cubans have to stand up to the 21st century and restart our walks together, respecting the rights of our peoples, fa-

ilitating the path toward democracy, not waiting for Cuban authorities' gestures, but being proactive. We hope to greet you soon in Havana when all Americans could visit Cuba. Thank you.

[Applause.]

[The prepared statement of Ms. Leiva follows:]

Statement of Miriam Leiva

Independent Journalist and founding member of the Ladies in White

House Committee on Foreign Affairs

November 18, 2009

Ladies and gentlemen:

Oscar Espinosa Chepe and I appreciate this occasion to express our views concerning the very important issue to Americans and Cubans within our island nation and in exile that you are considering today. We fully support lifting travel ban to Americans to visit Cuba.

I assume you know we have been dedicating our lives in the past 17 years to promoting the wellbeing of our people through human rights activism. Oscar is an independent economist and journalist, and was sentenced to 20 years in prison during the 2003 crackdown on 75 peaceful individuals who intended to express their opinions and were unjustly charged of jeopardizing state security as mercenaries of the United States. He was granted conditional release due to his very poor health, but can be returned to jail at any moment, since he cannot write or talk openly, yet continues to do so. I am also an independent journalist and when he was imprisoned I was one of the founders of the Ladies in White movement for the release of the 75, until last year when I decided to focus on writing and directly assisting the prisoners and their families. I have been advised that I could be taken to prison too, so I try to do my best to using the time I have out here just in case.

To know the developments in a country and its people, to exchange ideas and experiences, to disseminate democratic traditions it is essential to be there. Citizens of almost all countries find traveling commonplace, except for Americans and Cubans, although we are only separated by the short distance of the Florida Straits. The comprehensive links forged by generations, which intertwined our history through commerce, science, culture, music, sports, dreams and families, have suffered a great deal during the last five decades of estrangement.

It is very difficult to understand that in the last eight years the United States has become Cuba's principal food supplier and fifth largest trading partner, but Americans cannot walk our streets and chat with our people. Only recently we celebrated the twentieth anniversary of the fall of the Berlin Wall. It should be recalled that the Iron Curtain started to be opened by millions of Westerners visiting the countries beyond it. East Germans, for instance, were shocked by the economic benefits of their peers; free trade and technology provided by the German Federal Republic astonished the country with the best living standard in the Soviet bloc, discrediting the propaganda of the "real socialism". We are grateful to the visionary politicians who carried out the "Policy towards the East", that helped create the conditions for the swift and peaceful outcome. Americans played a significant role. Today you have a similar opportunity regarding Cuba.

We are aware of the concern of many distinguished Congresswomen and men over the financial impact of American tourism on Cuban economy, fearing the possibility of giving breath to the totalitarian regime. We have been thinking about the odds for many years, and the developments have led us without any doubt to believe that many thousands of Americans visiting Cuba would

benefit our society, and hence our people. Firstly through the free flows of ideas, and further by pressing the government to open up self-employment to provide goods and services, such as renting rooms because the capacities in the hotels would be surpassed. It would improve the impoverished living standards, far more critical today than in the 1990's when some were allowed. Everyone will know that amelioration did not come from the State, but from Americans. Cuban authorities have closed all private initiative to tie the people economically, as a means to have them politically dependent.

Of course American visitors would spend money, collected by the Cuban government, but it is so inefficient that would only be able to keep small amounts; very little to cover its great needs. It is incapable of producing the scarce and low quality food sold to our nationals, and has to buy more than 80% abroad. Where? Mostly in the United States. Right now it is impressive to find so many American products in our very limited supplied stores. No competition from any other country is possible in face of quality, and the proximity that stimulates trade in many ways. Imagine then the return of the money Americans spend, through purchases from American farmers and other businessmen in order to supply hotels, restaurants, and stores. In the short run many other possibilities would flourish.

Cuban authorities have blamed the American embargo for the great economic problems existing in our country, and deceived national and international public opinion by expressing desire of its lifting. In fact, they have used the embargo to justify all their wrongdoings, economic inefficiency, mismanagement, and repression. They fear losing that alibi, just as they panic at the idea of having no excuse to prevent Americans from coming in. In spite of the propaganda and manipulation about what goes on beyond our tight sea boundaries, most Cubans find ways to know, are eager to listen, have lost faith in the unfulfilled promises, are exhausted by daily shortages, and do not foresee a decent future.

After 50 years of being locked away from the world, Cuban society is on the cusp of changes. It is not a matter of natural generational decay, but the exhaustion of a system that has fallen into a deep economic, political and social crisis, with no solution other than deep changes. They might come from the power structure, aware of their inevitability, or from the people out of desperation, as well as civil commitment. They could be in a velvet fashion or in turmoil with great repression. We strive for understanding among all Cubans, for advancing democracy in a civilized and peaceful manner. We are positive that less tension in the relations between Cuba and the United States will favor our goals.

In a country where it is impossible for most citizens to have Internet at home, we cannot dream of communicating with Americans in that common instant way nowadays in most parts of the world, nor could anyone be able to experience developments if he does not set foot on our land. This year we enjoyed an art exhibition from New York, but we could not have the pleasure of New York Philharmonic Orchestra's performance. Many scholars, scientists, businessmen, entrepreneurs, farmers, sportsmen, politicians, and common people were not able interact. Americans and Cubans have to stand up to the twenty first century and restart our walks together, respecting the rights of our peoples, facilitating the path towards democracy, being proactive.

We hope to greet you soon in Havana, when all Americans could visit Cuba.

Thank you.

Chairman BERMAN. Thank you very much for your testimony and for your courage. And now, Mr. Sosa.

**STATEMENT OF MR. IGNACIO SOSA, EXECUTIVE BOARD
MEMBER, FRIENDS OF CARITAS CUBANA**

Mr. SOSA. Thank you very much, Mr. Chairman and Ranking Member Ros-Lehtinen, for the opportunity to speak here today. I am a Cuban-American son, brother, nephew and cousin of Cuban heroes who fought in the Bay of Pigs and served time in Castro's jails. As a Hispanic and a Republican, I am a member of two minorities in my home state of Massachusetts and one of the 13 percent who voted for George W. Bush in 2004. However, I am part of a new and growing Cuban majority, the 67 percent that seek to end the isolation of Cubans and Americans from each other, and that is why I am here today.

The ban on American travel to Cuba is an affront to those who believe that the right to travel is a fundamental right of all American citizens. We who believe in limited government object to the Orwellian notion of requiring a government license to travel to Cuba, the only country for which such a license is needed. The travel ban is a violation of our inherent right to privacy, of our right to free speech, of our right to freely associate with whom we wish, and of our right to pursue happiness.

In a globalized world, travel acts as a powerful transmitter of new ideas that enriches both the traveler and the country visited. Cuba today is an island isolated not only from its largest neighbor but also from the free flow of ideas and people. Yet, the rise of independent bloggers on the island reminds us that even the most repressive of governments cannot stop new technologies from spreading timeless ideas of freedom and democracy.

It is time for Americans to start developing relationships with Cubans from all walks of life. This is especially true as Cuba nears its rendezvous with leadership change. Sharing our hopes and dreams with those who live in the quiet despair of Communist Cuba can only help reawaken the thirst for freedom that resides in every repressed Cuban heart. To those who point to the large number of Canadian tourists who travel to Cuba and say, how come Canadian tourism has failed to produce material change for Cuba, I say this is a completely false analogy.

The population of Canada is almost one-tenth the size of the United States. Moreover, Canadian Hispanics and African-Canadians account for a combined 4 percent of that country's population, versus a combined 28 percent for those same ethnic groups in the United States, and I would add that the percentage of Hispanics and people of African descent from European countries is even smaller. So not only are the numbers of American tourists traveling to Cuba going to be much greater than anything we have seen from Canada, but those American tourists are much more likely to share demographic and cultural ties with the Cuban people, and by the way, according to the U.S. Census Bureau, 34.5 million Americans speak Spanish as their first language. That is more than the entire population of Canada.

The recent incident involving Cuban security forces beating and detaining three well-known dissident bloggers is a useful reminder

of the totalitarian nature of the Cuban Government. The assault and arrest of the bloggers occurred just when the United States asked Cuba for progress on human rights as part of a potential roadmap to normalizing relationships. This is no coincidence. History is littered with instances of Cuba taking deliberate steps to sabotage American efforts toward rapprochement.

It is clear that Cuba, like Iran, uses hostility from the United States as a way to legitimize its totalitarian government and explain away decades of failed economic policy. President Obama, Secretary Clinton and the U.S. Congress should not take the bait being offered by the Cuban Government when it attacks the Cuban bloggers. It is important that the United States pursue policies that increase people-to-people contact between the two countries, regardless of whatever steps the Cuban Government might take in response.

Conditioning improvements in the effectiveness of U.S. policy to whatever actions Cuba pursues effectively puts control of our foreign policy in the hands of the Cuban regime. Lifting the ban on American travel to Cuba and allowing more Cubans to enter the United States on travel visas will do more to further the cause of freedom than the tit for tat of diplomatic gamesmanship. The real losers in that game are always the same, the long-suffering people of Cuba.

As we celebrate the 20th anniversary of the fall of the Berlin Wall, it is important to remember that none of the Eastern European countries that threw off the yoke of Communism were isolated from their Western neighbors, not one. Moreover, it was exposure to Western travelers, media, and a general familiarity with the how the West works that inspired millions in Eastern Europe to seek a future free from Communism.

Cuba is no different. It is time to put the Cuban Government on the defensive by removing all United States Government obstacles to the isolation of Cubans from Americans. If Cuba's Government fails to respond with greater openness, the blame will fall squarely where it belongs, on the shoulders of the Cuban Government. America should never again allow the Cuban Government to use American policy as a scapegoat for that regime's many failures.

So, I finish my pleading with the members of this distinguished committee in the House of Representatives to pass the Freedom to Travel to Cuba Act. I also ask Senator Kerry, as chairman of the Senate Committee on Foreign Relations, to cosponsor and mark up the Senate version of the Freedom to Travel to Cuba Act. Thank you and may God bless America.

[The prepared statement of Mr. Sosa follows:]

Testimony of Ignacio Sosa to the US House on Foreign Affairs**November 19, 2009**

Thank you, Mr. Chairman for the opportunity to speak here today. My name is Ignacio Sosa and I reside in Boston, Ma. I am a Cuban-American son, brother, nephew and cousin of Cuban heroes who have fought in the Bay of Pigs invasion and served time in Castro's jails.

As a Hispanic and a Republican, I am a member of two minorities in my home state of Massachusetts. However, I am part of a new and growing Cuban-American majority that seeks to end the isolation of Cubans and Americans from each other. This is why I am here today.

The ban on American travel to Cuba is an affront to those who believe that the right to travel is a fundamental right of all American citizens. We who believe in limited government object to the Orwellian notion of requiring a government license to travel to Cuba, the only country for which such a license is needed. The travel ban is also a violation of our inherent right to privacy.

In a globalized world, travel acts as a powerful transmitter of new ideas that enriches both the traveler and those in the country visited. Cuba today is an island isolated not only from its largest neighbor but also from the free flow of ideas and people. Yet the rise of independent bloggers on the island reminds us that even the most repressive of governments cannot stop new technologies from spreading timeless ideas of freedom and democracy. It's time for Americans to start developing relationships with Cubans from all walks of life. This is especially true as Cuba nears its rendezvous with leadership change. Sharing our hopes and dreams with those who live in the quiet despair of communist Cuba can only help reawaken the thirst for freedom that resides in every repressed Cuban heart.

To those who point toward the large numbers of Canadian tourists who travel to Cuba and say "how come Canadian tourism has failed to produce material change in Cuba?", I say this is a false analogy. The population of Canada is almost 1/10 the size of the US. Moreover, Canadian Hispanics and African-Canadians account for a combined 4% of that country's population vs. a combined 28% for those same ethnic groups in the US. So not only are the numbers of American tourists traveling to Cuba going to be much greater than those from Canada, but also the American tourists are much more likely to share demographic and cultural ties with the people of Cuba. Let's also not forget that 14% of Cuba's population lives in the US vs. a statically meaningless number for Canada.

The recent incident involving Cuban security forces beating and detaining three well-known dissident bloggers is a useful reminder of the totalitarian nature of the Cuban government. The assault and arrest of the bloggers occurred just when the US asked Cuba for progress on human rights as part of a potential roadmap to normalizing

relations. This is no coincidence. History is littered with instances of Cuba taking deliberate steps to sabotage American efforts toward rapprochement. It is clear that Cuba, like Iran, uses hostility from the United States as a way to legitimize its totalitarian government and explain away decades of failed economic policies.

President Obama and Secretary Clinton should not take the bait being offered by the Cuban government when it attacked the Cuban bloggers. It is important that the United States pursue policies that increase people-to-people contact between the two countries, regardless of whatever steps the Cuban government might take in response. Conditioning improvements in the effectiveness of U.S. policy to whatever actions Cuba pursues, effectively puts control of our foreign policy in the hands of the Cuban regime. Lifting the ban on American travel to Cuba and allowing more Cubans to enter the US on travel visas will do more to further the cause of freedom than the tit-for-tat of diplomatic gamesmanship. The real losers in that game are always the same; the long-suffering people of Cuba.

As we celebrate the twentieth anniversary of the fall of the Berlin Wall, it's important to remember that none of the Eastern European countries that threw off the yoke of communism were isolated from their western neighbors. Moreover, it was exposure to western travelers, media and a general familiarity with how the West works that inspired millions in Eastern Europe to seek a future free from communism.

Cuba is no different. It's time to put the Cuban government on the defensive by removing all United States government obstacles to the isolation of Cubans from Americans. If Cuba's government fails to respond with greater openness, the blame will fall squarely where it belongs, on the shoulders of the Cuban government. America should never again allow the Cuban government to use American policy as a scapegoat for that regime's many failures.

I finish by pleading with the members of this distinguished committee and house to pass The Freedom to Travel to Cuba Act. I also ask Senator Kerry, as chairman of the Senate Committee on Foreign Affairs, to co-sponsor and mark-up the senate version of The Freedom to Travel to Cuba Act. Thank you and may God bless America.

Chairman BERMAN. Ms. Antunez is next. She will speak in Spanish, and then her comments will be translated, and so this will take a little longer than the normal presentation. Ms. Antunez.

STATEMENT OF MS. BERTA ANTUNEZ, SISTER OF FORMER POLITICAL PRISONER JORGE LUIS GARCIA PEREZ ("ANTUNEZ"), PRO-DEMOCRACY ACTIVIST

[The following statement was delivered through an interpreter.]

Ms. ANTUNEZ. Good morning. My name is Bertha Antunez Pernet. I come here today as the sister and niece of political prisoners. I left Cuba a short time ago. As an activist in my country, I worked as best I could to organize the family members of political prisoners to advocate for their release.

My uncle, Omar Pernet, who has serious health problems after spending several years in prison, was removed from prison to Spain last year. My brother, Jorge Luis Garcia Perez, usually known as Antunez, who served 17 years as a political prisoner, remains in Cuba, struggling for freedom as part of the resistance for the rights of the Cuba people, and for the democratic change that the majority of the people want.

The Castro Government's war against those Cubans who peacefully advocate for change in Cuba seeks to maintain and increase repression, while avoiding criticism on the global stage, and international condemnation of its repressive conduct.

The Castro regime feels emboldened by the half-dozen Latin American heads-of-state who travel to Havana to embrace the region's longest reigning and bloodiest dictator; by Spain's policy toward the island, the objection of which is to bolster and uphold the dictatorship, and by the increasing influence of Hugo Chavez in the region.

On the other hand the regime fears the ever more manifest defiance and non-cooperation of the Cuban people. Therefore, perceiving the weakness in the world democratic community, it has made its dirty war ever more public in an effort to still the unrest in the hearts of the Cuban people. The physical attack on blogger Yoani Sanchez and her companions just a few days ago is an example of this.

My own brother, Jorge Luis', release from prison in April 2007 has decided to remain in our country in order to continue the civic struggle for democratic change. He has been the target of constant arrests, beatings, and harassment by Castro's repressive apparatus.

Jorge Luis has seen how the Castro regime becomes bolder and bolder in its repression as it receives unilateral concessions from the world's democracies.

In April of this year, in a letter to the Cuban-American Members of Congress, he wrote that it is extraordinarily remarkably that while the Castro regime increases repression, that the mistreatment of our compatriots inside and outside of the prisons increases, certain particular sectors of the United States seek engagement with the oldest and most repressive dictatorship of the continent.

Therefore, I believe that this is not the time for the United States Government to transform its policy regarding travel to Cuba. Indeed, those who in good faith believe that by doing this that they will help the Cuban people are mistaken.

I say this as someone who was born and lived all her life in Cuba until a short time ago, and I am speaking to you about the reality I know well. Throughout all my life, I have faced and confronted the prison wardens, the state security agents, the military personnel, and agents of repression, who are the true face of the regime.

I know the regime's contempt for the Cuban people, and how they show no mercy to those of us who are Black. The experiences that I have lived through do not allow me to fall under the spell of the regime's sophisticated diplomats, agents of influence in key positions, or of its professional propagandists.

The real people of Cuba, the Cuban people that suffer and deeply desire to live in freedom, will not benefit from any tourist travel. Rather, those resources will serve the totalitarian regime to increase its repressive capabilities.

Some people ingenuously think that tourists will have direct contact with the Cuban people, and that this will help Cubans to have a clear vision of freedom. In the first place, Cubans are rep-

rimanded, fined, and even imprisoned for maintaining contact with tourists.

There are places in Cuba where Cubans are subject to restricted entry or time schedules so that they will not be present at the same time as tourists.

It must be understood that for years European, Canadian, and Latin American tourists have traveled to Cuba without having any impact on the Cuban reality, but rather on the government's coffers.

It is an error to think that American tourism will mean something positive to the Cuban people. What the Cuban people need once again is the support of the American people in their struggle for freedom.

The Cuban people and the internal resistance, more so than they need tourists, need people who will stand in solidarity in the United States Congress, and advocate for their liberation.

We ask recognition for the men and women who run grave risks for the sake of the rights of an entire people. We ask for a voice to be raised against the repression, the prisons, and the censorship imposed against our people for 50 years.

There are those that hold that the Castro regime repress us in order to avoid a rapersmong with the United States. This is to mistake the real nature of that regime. The Castro regime represses because its priority is to stay in power.

The reason that it has spent 50 years killing, imprisoning, prosecuting, and forcibly exiling Cubans is because it knows very well that the immense majority of the Cuban people desire freedom. If the Cuban people were not repressed, we would already be free.

The regime wants the discussion on Cuba in a place as important as this to evolve around the questions of tourists or no tourists, commercial relations or no commercial relations, because the regime fears this Congress making the debate on how the United States can directly support those who struggle for Cuba's freedom its priority.

And I ask you to echo the opinion of my brother, Antunez, and of many thousands of Cubans on the island, on which side does the United States Congress wish to be; on the side of those who engage in repression and attempt to silence the free thought and voice of the Cuban people; on the side of those who today engage in torture in Cuban prisons; or on the side of those who engage in civic non-violent struggle for Cuba's freedom?

On the side of the unarmed and repressed, or on the side of those who flaunt their powers self-servingly, and unscrupulously for over 50 years? On the side of a totalitarian regime nearing its end, or on the side of a young and vigorous resistance that sooner, rather than later, shall take the reins of its country? Thank you.

[Applause.]

[The prepared statement of Ms. Antunez follows:]

**Testimony prepared by Bertha Antúnez Pernet for the United States
House of Representatives Foreign Relations Committee
11/19/09**

Good morning. My name is Bertha Antúnez Pernet. I come here today as the sister and niece of political prisoners. I left Cuba a short time ago. As an activist in my country, I worked as best I could to organize the family members of political prisoners to advocate for their release. My uncle, Omar Pernet, who has serious health problems after spending several years in prison, was removed from prison to Spain last year. My brother, Jorge Luis García Pérez, usually known as "Antúnez," who served 17 years as a political prisoner, remains in Cuba, struggling for freedom as part of the resistance for the rights of the Cuban people, for the democratic change that the majority of the people want.

The Castro government's war against those Cubans who peacefully advocate for change in Cuba seeks to maintain and increase repression while avoiding criticism on the global stage and international condemnation of its repressive conduct.

The Castro regime feels emboldened by the half dozen Latin American heads of state who have traveled to Havana to embrace the region's longest reigning and bloodiest dictator; by Spain's policy toward the Island, the objective of which is to bolster and uphold the dictatorship, and by the increasing influence of Hugo Chávez in the region.

On the other hand, the regime fears the ever more manifest defiance and non cooperation of the Cuban people. Therefore, perceiving the weakness in the world democratic community, it has made its dirty war ever more public in an effort to still the unrest in the hearts of the Cuban people. The physical attack on blogger Yoani Sánchez and her companions just a few days ago is an example of this.

My own brother Jorge Luis, released from prison in April, 2007, has decided to remain in our country in order to continue the civic struggle for democratic change. He has been the target of constant arrests, beatings, and harassment by Castro's repressive apparatus. Jorge Luis has seen how the Castro regime becomes bolder and bolder in its repression as it receives unilateral concessions from the world's democracies.

In April of this year, in a letter to the Cuban American members of Congress, he wrote: "It is extraordinarily remarkable that while the Castro Regime increases repression, while the mistreatment of our compatriots inside and outside of the prisons increases, certain, particular sectors [of the United States] seek engagement with the oldest and most repressive dictatorship of the continent."

Therefore, I believe this is not the time for the United States government to transform its policy regarding travel to Cuba. Indeed, those who, in good faith, believe that by doing this they will help the Cuban people, are mistaken. I say this as someone who was born and lived all her life in Cuba until a short time ago, and I am speaking to you about the reality I know well. Throughout all my life, I have faced and confronted the prison wardens, the State Security agents, the military personnel and agents of repression who are the true face of the regime. I know the regime's contempt for the Cuban people, and how they show no mercy to those of us who are black. The experiences I have lived through do not allow me to fall under the spell of the regime's sophisticated diplomats, agents of influence in key positions, or of its professional propagandists.

The real people of Cuba, the Cuban people that suffer and deeply desire to live in freedom, will not benefit from any tourist travel. Rather, those resources will serve the totalitarian regime to increase its repressive capabilities. Some people ingenuously think that tourists will have direct contact with the Cuban people, and that this will help Cubans to have a clear vision of freedom. In the first place, Cubans are reprimanded, fined, and even imprisoned for maintaining contact with tourists. There are places in Cuba where Cubans are subject to restricted entry or time schedules so that they will not be present at the same time as tourists.

It must be understood that for years, European, Canadian, and Latin American tourists have traveled to Cuba, without having any impact on the Cuban reality, but rather on the government's coffers.

It is an error to think that American tourism will mean something positive to the Cuban people. What the Cuban people need once again is the support of the American people in their struggle for freedom. The Cuban people and the internal resistance, more so than they need tourists, need people who will stand in solidarity in the US Congress and advocate for their

liberation. We ask recognition for the men and women who run grave risks for the sake of the rights of an entire people. We ask for a voice to be raised against the repression, the prisons, and the censorship imposed against our people for 50 years.

There are those who hold that the Castro regime represses in order to avoid a rapprochement with the United States. This is to mistake the real nature of that regime. The Castro regime represses because its priority is to stay in power. The reason why it has spent 50 years killing, imprisoning, persecuting and forcibly exiling Cubans is because it knows very well that the immense majority of the Cuban people desire freedom. If the Cuban people were not repressed, we would already be free.

The regime wants the discussion on Cuba in a place as important as this to revolve around the questions of "Tourists or no tourists? Commercial relations or no commercial relations?" because the regime fears this Congress making the debate on how the United States can directly support those who struggle for Cuba's freedom its priority.

And I ask you, to echo the opinion of my brother Antúnez and of many thousands of Cubans pro-democracy activists on the Island: On which side does the US Congress wish to be? On the side of those who engage in repression, and attempt to silence the free thought and voice of the Cuban people? On the side of those who today engage in torture in Cuban prisons? Or on the side of those who engage in civic, non violent struggle for Cuba's freedom? On the side of the unarmed and repressed, or on the side of those who flaunt their power, self servingly, and unscrupulously for over 50 years? On the side of a totalitarian regime nearing its end, or of a young and vigorous resistance that sooner, rather than later, shall take the reins of its country?

Thank you.

Chairman BERMAN. Thank you. Let me explain our situation. There is a vote on and we are going to have to recess for about 20–25 minutes. We will come back to hear Mr. Peters, and then we will have questions.

Ms. Leiva, if you can stay to be available for questions, we would be very grateful. If that is not possible, we will—

Ms. ROS-LEHTINEN. Mr. Chairman, if I could just ask a question about the seating. We had a little incident and everything got worked out, but now folks are seated, and they probably like where they are seated.

How can we make sure that they can come back to those seats, or will it be new seating. I am trying to avoid an incident. We have got lots of other people who would like to sit, but some folks are happy with the way it is. So let us have a policy that will apply fairly to everyone. I am fine with whatever you choose to do.

Chairman BERMAN. Everyone who is seated probably should hold on to their seat. That is the safest way, and we will bring the caterers in while we are away. No. Look, it will be a little bit of a late lunch, but no one is—we do not want to get into a thing where people are coming and somebody is standing up for a second, and taking someone's seat. That would not be fair.

So the folks who are here, we will give you short-term property right to your chair. Thank you.

[Recess.]

Chairman BERMAN. The hearing will resume. I believe that everybody has the seat that they want. We left off with Mr. Peters about to begin his testimony, and so we look forward to hearing from you.

**STATEMENT OF MR. PHILIP PETERS, VICE PRESIDENT,
LEXINGTON INSTITUTE**

Mr. PETERS. Thank you, Mr. Chairman, and thank you, Congresswoman Ros-Lehtinen, for having us here today. I am very pleased to be with you and to be with this distinguished group of witnesses on this panel.

I want to begin by saying that I particularly appreciated your opening statement, Mr. Chairman, and the article that you had in *The Miami Herald* the other day. I think that it has been quite well demonstrated over 50 years the point that you made, that conditionality, which is a perfectly good concept to use in foreign affairs, in this case has yielded no leverage for us.

And that the idea of conditionality in this case as we have used it for so many years has resulted in a policy where the levers of our policy are in Havana and not in our own hands, and that is wrong, and it prevents us from doing a lot of good things.

You have been debating this issue for a long time, the issue of travel restrictions to Cuba, but now you are debating in a different context, and that is as a result of the measures that President Obama took in September of this year.

He changed our regulations, and I think it was a very good thing to do, so that Cuban-Americans can now travel freely to Cuba without restriction. They can go for as long as they want. They can go as often as they want, and on top of that, he said they can send as much money as they want to their relatives. No restriction whatsoever.

So this changes the issue before you. The issue before you now is whether to maintain this policy, where you have one ethnic—a division of Americans along ethnic lines, and one group has no restriction. Fifty flights a week. They are filling the airport in Miami. Some of them are going from New Jersey and elsewhere.

So you can maintain this policy where one group can go without restriction, and the rest of us are under the sanctions and penalties under the Trading with the Enemy Act, or the other option is to treat all Americans alike, and give us all the same freedom. I obviously opt for the second one.

It is argued that Cuba is a special case somehow, and that if we have contacts in Cuba that we won't get any influence in Cuba, or that there is no interaction in Cuba between foreigners and Cuban citizens, and that other country's travelers have had no impact in Cuba.

That when travelers go there, no funds get to the Cuban people, or as one of the gentlemen on the Republican side said, no foreign travelers ever do anything to help Cuban civil society. Every part of that argument is a complete myth, and if you go to Cuba, you will see that is the case.

And we have added to it today a statement by Ambassador Cason in his written testimony, that quote, most likely the Cuban that an American would encounter and converse with, the Cuban

will not be interested in the foreigner's view of politics, but will solicit money, toiletries, or sex, or be asked if he can help get a person out of the island.

I think that is a myth and a pretty remarkable statement, not to say contemptuous. Let me be clear. I don't believe that a policy of unrestricted travel by Americans is going to transform Cuba. We have miscalculated a lot.

You go to the Kennedy administration, and you go to the Bush administration that just ended, lots of miscalculations in our policy, and I am not going to represent to you that American travelers are going to magically change the political order in Cuba. That is not the case, anymore than anybody can promise to you that sanctions will do it.

But what we can realistically expect that if we allow Americans to travel without restriction that we will increase our influence in that country, where influence is quite low now, at a pivotal time in Cuba's history.

Unrestricted travel will create an explosion of communication between our country and theirs. You know, Congresswoman Ros-Lehtinen rightly pointed out all the licensing categories, but a lot of Americans, and most importantly, a lot of institutions in our civil society are deterred by those categories.

I mean, if you are a college administrator or if you work at a church, or if you lead a congregation at a synagogue, or you are a university president, you can go to any country. If you want to go to Cuba, you need a license from the Federal Government.

If you want to bring a donation to Cuba, well, that is a restricted export. You need a license from a second agency of the Federal Government. That holds a lot of people back. The explosion of contacts, if we got rid of those disincentives, would be huge.

Another point that I want to make is that there is a particular thing about Americans in Cuba in that historical context. The Cuban Government does not call Canada the empire. They don't claim that Luxembourg has a policy of a genocidal blockage against them.

The Cuban Government has used this idea that the United States is against them. That our Government is trying to bring them down. For years, they have used it to justify their internal policies, including their repression.

If we eliminate our travel restrictions, and Americans are circulating freely there, it makes it a lot harder for the Cuban Government—and Yoani Sanchez, who has been mentioned a lot of times today, she has pointed this out.

That it makes it a lot harder for the Cuban Government to make us this external enemy, this external threat, and a scapegoat for their own policies.

Finally, about the issue of money. Obviously. Cuba is not a free market economy. Obviously, it is an economy dominated by the State, but there are entrepreneurs there, some operating legally and some operating not so legally.

There are about 5,000 homes in Cuba where people have licenses to rent rooms in their homes. There are more of those—there are more beds in those homes in the City of Baracoa than there are in the State hotels in that city.

There are hundreds and hundreds of them in Havana. These people make a livelihood when foreigners. They employ people. Sometimes legally, and sometimes not quite so legally. But they employ people, and they feed their families well.

Yes, they pay taxes. We pay taxes, too, unfortunately. But they make a good living, and if more Americans could go, then those people who rent rooms in their homes, artists that make money by selling their work to foreigners, and other entrepreneurs—taxi drivers, restaurateurs—they will have a better living, and that incipient private sector in Cuba will expand. That is very much in our interests to see.

I think that these are reasons why so many people in Cuba, who in my experience, uniformly welcome Americans, and why so many people in Cuba think we should change the policy as you suggested by allowing unrestricted travel.

The Catholic Church has called for it for many, many years. Dissidents, such as Oscar Espinosa Chepe, Elizardo Sanchez, the leading human rights monitor in that country, Osvaldo Sia, a lay Catholic activist, Valdimir Roca, they have all called for an end to travel restrictions.

And every time that I have seen—and again everybody is mentioning Yoani Sanchez, the blogger who was detailed recently and beaten. Every time that she has addressed the issue, she said that we should allow unrestricted travel, and she is against the whole embargo itself.

So really what it boils down to, Mr. Chairman, I believe is a question of confidence, a question of whether we are confident that somehow the regime sanctions that we have maintained for all these years is going to have an impact, or whether something else might work, and whether we might have greater confidence in the ability of Americans to carry the American idea to Cuba, and to represent our system of government, exchange information, bring resources to Cubans, help Cuban civil society.

Secretary Schultz wrote to you. Secretary George Schultz wrote to you and he pointed out that he thinks that our sanctions in general are ridiculous. He thinks that there is some kind of transitioning of some kind going on, and it is much more likely that we would get a constructive outcome if there is a lot of interaction between Cubans and Americans.

I agree with him, and I wish I had much more confidence in unrestricted travel, and interaction between our society and Cuban society, and that will serve our national interests. Thank you, Mr. Chairman.

[The prepared statement of Mr. Peters follows:]

Time to Lift the Ban on Travel to Cuba

Statement of Philip Peters
Vice President, Lexington Institute

before the Committee on Foreign Affairs
United States House of Representatives

November 19, 2009

Mr. Chairman, Congresswoman Ros-Lehtinen:

I applaud you for convening this hearing and I'm pleased to state my strong belief that an end to Cuba travel restrictions is squarely in the United States national interest.

Our Cuba travel restrictions have been debated for years, but today you face the issue in a new context.

Last August, President Obama took the very constructive step of allowing Cuban Americans to visit family in Cuba as often as they please, for as long as they please, and to send their relatives as much money as they please.

As a result, this is your choice: to change policy so all Americans are treated equally, or to maintain a policy that absurdly divides Americans along ethnic lines, allowing one group to travel to Cuba without restriction while subjecting all others to sanctions under the Trading with the Enemy Act for precisely the same activity.

This unprecedented and unfair treatment of American citizens is but the newest reason for ending all travel restrictions.

The oldest reason remains the strongest: that by blocking citizen contacts and their concomitant flow of information, ideas, and resources, we have erected an embargo on American influence in Cuba.

And we have done so at a time when we should be maximizing our influence, not restricting it.

The embargo on American influence

After fifty years of socialism and two decades after Soviet subsidies ended, Cubans and their government now confront two questions that will shape the next chapter of their nation's history.

In the political sphere, Fidel Castro has been out of office since 2006, his brother Raul replaced him, and their generation is taking its final laps. Cubans ask when the generation of leaders that fought in the 1959 revolution will bring someone from the younger generations – the vast majority of Cubans who grew up since 1959 – into the ranks of top leadership.

In the economic sphere, Raul Castro has started modest economic reforms, especially in the agricultural sector. But he has done far more to define economic problems – often with brutal honesty – than to implement solutions. Cubans continue to live with salary structures and a dual-currency system that generate severe, unfair income inequality, and they ask when their government will adopt policies that generate jobs, growth, and rational incentives to work.

Cubans alone will decide these and other questions, but there is every reason for Americans to do all we can to increase our influence in Cuba now. With great confidence in our values, Administrations of both parties consistently criticize Cuba's poor human rights record. With equal confidence in our values and our people, we should allow our citizens to travel without restriction to represent our country and the American idea in Cuba.

That may be what former Secretary of State George Shultz had in mind when he said last year, "I think our policy of sanctions against Cuba is ridiculous...particularly now that there's some transitioning of some kind probably coming about, we're much more likely to get a constructive outcome if there's a lot of interaction. And to try to prevent interaction under these circumstances, I don't think is sensible."

Our current policy toward Cuba has no parallel in the approaches we pursue toward communist countries such as China and Vietnam today. It is squarely opposed to the approach America adopted toward the Soviet bloc, where we championed the Helsinki accords precisely to promote the kinds of travel, exchanges, and unregulated people-to-people contact that we prohibit with Cuba today.

Engagement has impact

It is argued that Cuba is a special case where contacts will not result in influence; that foreign travelers cannot interact with Cuban citizens; that American travelers will have no impact in Cuba because travelers from other countries go to Cuba freely and have no impact themselves.

Every part of this argument is a myth.

Engagement from abroad does have a positive impact in Cuba. Foreign travelers' spending sustains private artists, restaurateurs, taxi drivers, and their families. Some private restaurateurs will tell you of European friends who provide equipment or other business assistance. Hundreds of Cubans rent rooms in their homes in Havana – often

supported by websites that friends set up abroad – and they sustain their families and pay employees because of a steady clientele of European lodgers. These bed and breakfast operations, estimated to number 5,000, exist everywhere in Cuba; in the small city of Baracoa on the island’s eastern tip, a state hotel employee told me that private room rentals outnumber the beds in that city’s state hotels. Employees of foreign companies in Cuba engage in unpublicized charity, donating medical aid, sports and dance equipment, and everything in between. Travelers from Europe, Canada, and Latin America, together with their churches and charities back home, support Cuba’s Catholic Church – its charities, its youth programs and workshops for laity, its rehabilitation of churches and acquisition of properties for its pastoral and social programs. Through the United Nations Development Program, municipalities in Europe adopt and fund projects in Cuba, such as a private cooperative in Old Havana where women of all ages hone their skills in sewing and embroidery and pocket profits from their sales. Travelers from all countries pay taxes that fund the extensive renovation Havana’s colonial core – its buildings, museums, plazas, housing, schools, and clinics – that is a signal success of historic preservation and a generator of thousands of jobs.

Americans would have similar positive impacts in Cuba, and some already do. My favorite example is a Havana synagogue that American donations helped to restore. Upstairs, there’s a storeroom converted into a pharmacy that contains donated medicines, including many prescription drugs, carried by scores of American travelers. The congregation opens the pharmacy twice a week and gives medicines to Cubans who need them, and to Cuban doctors and nurses who need them for their patients.

But Americans are different in two particular ways.

With the exception of Spain, there is no country that has the deep historical and cultural ties that America has with Cuba. Baseball, jazz, Hollywood movies, Singer sewing machines, and scores of other memories are the touchstones of Cubans’ thoughts about America and Americans, and they are part of the reason they welcome us when we go there.

Another important difference is ideological. Cuba’s government doesn’t call Canada “the empire,” and it doesn’t argue that Luxembourg maintains a “genocidal blockade” against Cuba. The Cuban government has used these images for years to justify its domestic policies, including its repression.

If Americans are allowed to travel freely to Cuba, it will be hard for the Castro government to maintain that the United States is Cuba’s prime external enemy.

As Cuban blogger Yoani Sanchez wrote this year, “I have difficulty calling to mind a single day in these last fifty years without the warning that the powerful neighbor was thinking of invading us. What will happen with the slogan, ‘Cuba Si! Yanqui No!’...when we are all greeting them here cordially? Most of the political speeches of the last fifty years would become anachronistic...What will the party militants think if they’re ordered to accept those whom, until recently, they hated?”

Benefits of American travel

There are other benefits to ending travel restrictions.

Communication. For many American civil society institutions, current travel restrictions pose a prohibitive barrier to programs in Cuba. Most universities, high schools, religious congregations, professional associations, sports leagues, are not accustomed to seeking licenses from the federal government to conduct a beneficial program in a foreign country, even less so when they need to seek a second license (first from the Treasury Department, second from the Commerce Department) if they want to leave behind a donation that constitutes a restricted “export.” Removal of these regulatory disincentives will vastly expand contacts between American citizens and civil society institutions and their counterparts in Cuba.

Freedom. Our belief in personal freedom and limited government should lead us to deny freedom of travel only where a direct national security rationale exists. No such rationale exists in Cuba’s case. Sadly, our travel restrictions and the fines imposed on American citizens for “unlicensed travel,” are more appropriate to a country like Cuba than to our own.

Small enterprise. Cuba’s small entrepreneurs – especially private restaurateurs, artists, taxi drivers, families that rent rooms in their homes – will benefit from American travelers using their services. There are about 150,000 licensed entrepreneurs in Cuba – 5,000 rent rooms in their homes. Their numbers will expand, they will gain independence, and their families will have better livelihoods.

Agricultural sales. Cuba bought \$708 million in American farm products last year. Regular earnings from American travelers – combined with the price, transportation, and quality advantages of American foodstuffs – will in time turn Cuba into a stronger customer, with potential annual purchases of \$1 billion.

Terrorism. The Treasury Department office that governs Cuba travel, the Office of Foreign Assets Control, is also the key Treasury element in the effort to break al Qaeda’s global money network. Its resources should be dedicated fully to anti-terrorism, not to duties such as licensing, investigating, and fining travelers to Cuba.

Lifeline to the Cuban government?

Some argue that if we allow Americans to travel freely to Cuba, the new revenues will “cast a lifeline” to the Cuban government.

Revenues from American travelers would certainly benefit the Cuban government, Cubans who work in the state tourism sector and earn higher-than-average incomes there, and Cuban private entrepreneurs.

But there is no basis for arguing that the revenues that reach the Cuban government would make a decisive difference in that government's political fortunes. The socialist government has been in power 50 years, and it is not on the brink of collapse.

The CIA says Cuba's economy grew 4.3 percent last year, in spite of three hurricanes and a global economic crisis. Investors from all over the world operate joint ventures in Cuba. A Spanish company is leading an effort to drill for oil in Cuba's territorial waters. Venezuela pays Cuba more than \$1 billion per year for the services of Cuban doctors and other workers. Iran extended Cuba \$445 million in credits on November 7, 2009. Brazil extended a \$1 billion line of credit in 2008; the funds are being used for port and road development and other projects. China extended a new \$600 million line of credit to Cuba in September 2009, including \$260 million for grain purchases.

Even in the depth of Cuba's economic crisis in 1992 and 1993, there was no political unrest – not even when food supplies were reduced, oil supplies almost ran out, and power blackouts were constant across the island.

The track record is clear, whether we like it or not: Cuba's economic troubles have never led to political instability. If we base our policy on that expectation, we will be waiting a long, long time.

Our travel restrictions do not spell the difference between the Castro government's survival and its demise. They do spell the difference between a place that has the influence that open contact with American citizens and American civil society can bring, and a place where American influence is low, as it has been for the past 50 years.

Strategy

The assumption that the Cuban government's survival is immediately at stake has been repeated in many forms for the past five decades.

Sadly, many Cubans left their homeland in the early 1960's with the idea that a change of government would soon take place, and they would return. Those dreams were broken.

Erroneously, American Administrations such as those of Presidents Kennedy and George W. Bush have made similar assumptions the basis of policies that were intended to bring down the Cuban government. Those policies failed.

The beginning of any strategy in foreign policy is to understand the country toward which our policy is directed, and to put our ends and means in alignment. The regime change policies of Presidents Kennedy and Bush failed on both scores, in President Kennedy's case at the needless cost of many lives.

Today there are several stark realities that govern our approach to Cuba. Neither sanctions nor engagement can promise a change in Cuba's form of government. Indeed, there is no non-military strategy that the United States can devise to achieve that end.

What we can realistically do is to change our policy to increase American influence over the long term.

It is not necessary to invent new theories and paradigms; rather, we should look to the mainstream of American foreign policy.

As President Reagan said with regard to exchanges with the Soviet Union, "Civilized people everywhere have a stake in keeping contacts, communication, and creativity as broad, deep, and free as possible... The way governments can best promote contacts among people is by not standing in the way."

We should continue our principled defense of human rights in Cuba. We should continue to set the embargo debate aside for another day. And rather than hold our eleven million Cuban neighbors at arm's length, we should respectfully and confidently open every avenue of contact with them at a time when history is leading them toward a new world, and they are looking for answers.

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Philip Peters is Vice President of the Lexington Institute and served in the State Department's Latin America bureau during the Reagan and George H.W. Bush Administrations. He has reported on Cuban economic topics and analyzed U.S. policy toward Cuba for more than a decade, and writes the blog The Cuban Triangle.

Chairman BERMAN. Well, thank you very much, Mr. Peters, and all of you, and now we will start the questioning. I will yield myself 5 minutes. This morning a number of people have mentioned Yoani Sanchez, the Cuban blogger, and Mr. Peters just referred to her. She was beaten up a few weeks ago by State security agents in Havana, while on her way—ironically enough—to an anti-violence demonstration.

For those of you who do not know her, Yoani has a track record of telling the unvarnished truth. As a university student, she titled her dissertation, "Dictatorships in Latin American Literature."

Since it was taken as a veiled criticism of the Castro regime, she was denied an academic career. Now she earns a living in Havana's tourist industry and blogs for free. Time Magazine named her one of the most influential people in the world.

The Spaniards have awarded her their equivalent of the Pulitzer Prize, and last month, she was awarded the Maria Moors Cabot Prize, the oldest award in international journalism from Columbia University's Journalism School.

She has never been allowed to leave Cuba to collect her awards. She wrote an essay for this hearing, and it is part of the record; I would like to read just a few excerpts.

"Over the course of several decades, Cuban exiles and tourists have brought part of the information that has served to undermine the myth of the supposed 'paradise' in which we live. . . . There is nothing more corrosive for a state that holds itself up as the father and savior of a nation, than the testimony of those who, in other latitudes, have greater space

to realize their dreams and greater tolerance for their opinions. . . .

“Faced with no evolution of our current political and social situation, an opening of travel for Americans could bring more results in the democratization of Cuba than the indecisive performance of Raul Castro.”

And finally she says—and I am excerpting from an entire statement:

“Eliminating these long obsolete travel restrictions would mean the end of the main elements with which official propaganda has repeatedly satanized American Administrations, and the achronistic travel permit that we Cubans need to enter and leave our country would be even more ridiculous. Of the phrase spoken by Pope John Paul II that January 1998 in the Plaza of the Revolution—‘Let Cuba open itself to the world, and let the world open itself to Cuba’—only the first part would remain to be accomplished.”

[The information referred to follows:]

In the suitcases: A reflection on the necessary liberalization of Americans' travel to Cuba

A statement by Cuban blogger Yoani Sanchez directed to Representative Howard Berman, chairman of the House Committee on Foreign Affairs, November 16, 2009

As on any island, what comes to us from the outside has always been something that catalyzes changes and longings for renewal. I recall that at the end of the 1970's when Cuban exiles were permitted to come back to visit their families in Cuba, some of my neighbors experienced big changes in their lives, ideologically and economically. Along with the suitcases stuffed with clothing and other accessories never seen around here, arrived experiences, opinions, and questioning by our emigrants. They came back changed. What was most striking was not their jeans, their shoes that weren't patched up, or the green bills they pulled from their wallets, but rather what they told about their problems and their achievements in Miami, New York, or Atlanta.

Over the course of several decades, Cuban exiles and tourists have brought part of the information that has served to undermine the myth of the supposed "paradise" in which we live. The interchange among family and friends on both sides of the Florida Straits became a source of news of what happens outside and inside our borders. There is nothing more corrosive for a state that holds itself up as the father and savior of a nation, than the testimony of those who, in other latitudes, have greater space to realize their dreams and greater tolerance for their opinions. In the midst of a state information monopoly, the arrival of newspapers, magazines, anecdotes, and information carried in luggage by these welcome visitors comes as a balm.

Faced with no evolution of our current political and social situation, an opening of travel for Americans could bring more results in the democratization of Cuba than the indecisive performance of Raul Castro. The possible measures that the current Cuban president can implement in our reality are geared toward keeping power in his hands. A gesture that would bring about popular diplomacy – that which isn't done in protocol lounges or foreign ministries, but person to person, face to face, from the intense interaction between people – would awaken citizen consciousness, and would accelerate the sense of belonging to a world community that Cubans lack so much.

If restrictions on coming to Cuba are lifted, Americans would again enjoy a right that has been infringed in recent years – that of traveling freely to any latitude without penalty. Cuban citizens, for our part, would benefit from the injection of material resources and money that these tourists from the north would spend in alternative services networks. Without a doubt, economic autonomy would then result in ideological and political autonomy, in real empowerment. The natural cultural, historical, and family ties between both peoples could take shape without the shadow of the current regulations and prohibitions.

Eliminating these long obsolete travel restrictions would mean the end of the main elements with which official propaganda has repeatedly satanized American Administrations, and the anachronistic travel permit that we Cubans need to enter and leave our country would be even more ridiculous. Of the phrase spoken by Pope John Paul II that January 1998 in the Plaza of the Revolution – “Let Cuba open itself to the world, and let the world open itself to Cuba” – only the first part would remain to be accomplished.

I am confident that publicity campaigns can be developed to encourage American tourists to support and help Cuban citizens, to give priority to the social sector above the state sector, and to offer its hand in solidarity to people, over and above official institutions. Along with suitcases, Bermuda shorts, and sunblock, support, solidarity, and freedom could come too. Both peoples would come out winners.

En los maletines:

Una reflexión sobre la necesaria liberalización de los viajes de los norteamericanos a Cuba

Reflexiones de Yoani Sanchez para el Congresista Howard Berman, Presidente de la Comisión de Relaciones Exteriores, Noviembre 16, 2009

por Yoani Sánchez

Como en toda Isla, lo que nos llega de afuera siempre ha sido aquí un elemento catalizador de cambios y ansias de renovación. Recuerdo que a finales de los años setenta cuando se permitió a los exiliados cubanos reencontrarse con sus familias en Cuba, algunos de mis vecinos experimentaron un giro ideológico y económico en sus vidas. Junto a los maletines cargados de ropa y otros accesorios nunca vistos por aquí, llegaron las experiencias, opiniones y cuestionamientos de nuestros emigrados. Regresaban cambiados. Sin embargo, lo más impactante no eran sus jeans, sus zapatos sin remiendos o los billetes verdes que sacaban de sus bolsillos, sino lo que nos contaban de sus problemas y sus logros en Miami, New York o Atlanta.

Los exiliados cubanos y los turistas han traído, a lo largo de varias décadas, parte de la información que ha servido para socavar el mito de este supuesto “paraíso” donde habitamos. El intercambio familiar y amistoso a ambos lados del estrecho de La Florida, se ha convertido en una fuente de noticias de lo que ocurre fuera y dentro de nuestras fronteras. Nada hay más corrosivo para un Estado que pretende erigirse como el padre salvador de una Nación, que el testimonio personal de quienes -en otras latitudes- tienen mejores espacios para realizar sus sueños y una mayor tolerancia hacia sus opiniones. En medio del monopolio informativo estatal, resulta un bálsamo la llegada de periódicos, revistas, anécdotas y datos portados -en el equipaje- por estos bienvenidos visitantes.

Ante la falta de evolución de nuestra actual situación política y social, una flexibilización de los viajes de los norteamericanos podría traer más resultados en la democratización de Cuba que la indecisa actuación de Raúl Castro. Las posibles medidas que el actual presidente cubano puede implementar sobre nuestra realidad, van encaminadas a conservar el poder en sus manos; mientras que un gesto que propicie la diplomacia popular -esa que no se hace en los salones de protocolos ni en las cancillerías, sino cuerpo a cuerpo, cara a cara, a partir de la intensa interacción de las personas- propiciaría el despertar de la conciencia ciudadana, aceleraría el sentimiento de pertenencia a una comunidad mundial del que tan carente estamos los cubanos.

En caso de que se levantaran sus limitaciones para entrar a Cuba, los norteamericanos volverían a disfrutar de un derecho que les ha sido menoscabado en los últimos años: el

de viajar libremente a cualquier latitud, sin recibir una penalización por ello. Los ciudadanos cubanos, por nuestra parte, resultaríamos beneficiados a partir de la inyección de recursos materiales y dinero en efectivo que estos turistas del Norte gastarían en las redes alternativas de servicios. La autonomía económica redundaría —de eso no tengo dudas— en autonomía ideológica y política, en un empoderamiento real. Los naturales lazos culturales, históricos y familiares que hay entre ambos pueblos lograrían un escenario real donde concretarse, sin la sombra de las actuales regulaciones y prohibiciones.

Con la eliminación de esas ya obsoletas restricciones de viaje, se pondría fin a uno de los principales elementos con el que la propaganda oficial sataniza —una y otra vez— a las administraciones norteamericanas y quedaría aún más en ridículo el anacrónico permiso de salida que necesitamos los cubanos para entrar y salir de nuestro propio país. De la frase dicha por el Papa Juan Pablo II, aquel enero de 1998 en la Plaza de la Revolución, quedaría por cumplir, solamente, la primera parte: “Qué Cuba se abra al mundo, que el mundo se abra a Cuba”.

Confío en que se puedan desarrollar campañas publicitarias que concienticen al turismo estadounidense para que apoye y ayude a los ciudadanos cubanos, que priorice el sector social por encima del estatal, y que brinde su mano solidaria a las personas antes que a las instituciones oficiales. Junto a los maletines, las bermudas y las cremas solares, pueden llegar también el apoyo, la solidaridad y la libertad. Ambos pueblos saldríamos ganando.

Chairman BERMAN. So this is what she says, and Ms. Leiva, I would like to ask you to expand a little bit on the point that you touched on in your testimony.

We have heard the notion that more Americans coming and visiting Cuba, their only interaction will be with a few hotel workers, although they are people, too, and that essentially the Castro regime will get all the financial benefits, and our notion of what might happen in terms of greater interaction between Americans and Cubans, greater information for Cubans about America, our intentions, our purposes, our lives, none of that would happen. You are there. Why do you think differently?

Ms. LEIVA. The Cuban Government has always tried to prevent people from getting together or to knowing a tourist, or people coming from abroad. It is each time more difficult for them because people want to know, and are friendly, and want to talk with all visitors.

Besides that the Cuban people are losing fear. Repression is still in place, and there is the political police and informers, and the police in defense of the revolution, but each day more and more people speak out what they feel are their daily problems.

And besides that, it is very important that repression—it is not enough to people who have lost confidence in the government, and who have been deceived by the promises, and want something different. They want to have a better future, and they want to be able to speak, and want to travel, and want to listen.

So the situation in Cuba has changed a lot. I won't say that it is definite to overcome or—

Chairman BERMAN. Ms. Leiva, I hate to interrupt you. I should have indicated that each member, including unfortunately me, is limited to 5 minutes, and I took 4 of the minutes myself. I didn't leave you enough time and I apologize, but my time has expired. I am sure that we will be coming back to you. The ranking member, Ms. Ros-Lehtinen, is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. If I could direct my question to Mr. McCaffrey. Earlier this year at a hearing of the Subcommittee on National Security and Foreign Affairs of the Committee on Oversight and Government Reform, you testified, and I quote, "Mr. Castro engaged me for a couple of hours on"—and I will continue quoting you, but I always find it intriguing that people are so proud of the number of hours that Castro spends with them.

He spent 2 hours. No, he spent 3 hours with me, 4 hours, 5 hours. I guess it gives you some kind of bizarre street cred or badge of honor. Anyway, you say that Mr. Castro engaged you for a couple of hours. Whoa. And "he wants his spies back from Florida. I remember telling him, I said, 'Mr. Castro, I am sure that you are very proud of these men, and they are Cuban patriots, and you will get them back eventually when we have normalized relations.'"

I find it regrettable, Mr. McCaffrey, that you would refer to these Cuban spies, who were convicted in our United States fair criminal justice system, and whose cases were reheard again, and whose convictions were once again reaffirmed, as patriots, and that you focus on returning these spies to the Cuban regime.

Yet, you do not mention cop killers like Joanne Chesimard, and other fugitives of United States law, and United States justice, who were given refuge by the Cuban regime.

Also in your testimony from April of this year, you noted, and I quote,

"There is no question that there are lots of drugs floating around Cuba, and particularly washing up on shore. You know, bundles of cocaine and marijuana.

"But it was clear to me that they were not on a government basis, but part of an international conspiracy to threaten the regime, and to threaten their sense of Communist morality."

Communist morality? Given the brutal repressive apparatus of the regime that rules Cuba, the totalitarian dictatorship, exerting absolute control over the island and its people, do you really think that Fidel, and Raul, and the regime elite, are not aware of drug trade in and out of the island, and do not facilitate or sponsor such activities?

And also in your testimony before the Government Reform Subcommittee, you said, and I quote, "I would bring some of them"—meaning Cuban officials—"into our schooling system. I would get two of them to go to Leavenworth. You know, the first 5 years, they would all be intel people. But eventually they would get jealous and some of the commerce would get the slots. So, dialogue and engagement on areas of mutual interests, that will work."

Now, in light of the significant threat posed to our Nation and our interests by Cuban espionage, and in light of the recent massacre at Fort Hood, where all of these signals, and all of these signs

were completely overlooked, how can you have no problem with opening the doors of Leavenworth and our training programs to Cuban intelligence agents, who are declared enemies of the United States? I find that shameful, sir.

General MCCAFFREY. Well, let me first of all correct you. My title is General after 32 years of military service.

Ms. ROS-LEHTINEN. I apologize.

General MCCAFFREY. Wounded in action three times, and I am offended by your deliberate marginalization of my viewpoints, and let me go on to say that it is clear in my own mind—

Ms. ROS-LEHTINEN. I was quoting you, sir. Are those not quotes, sir? Are those quotes, yes or no?

General MCCAFFREY. I am offended by your language.

Ms. ROS-LEHTINEN. You are offended by your quotes?

General MCCAFFREY. Now, let me go on to continue to respond by saying—

Ms. ROS-LEHTINEN. What part of your quotes offend you? Your quotes offend you.

General MCCAFFREY. Are you going to let me answer, or are you—

Ms. ROS-LEHTINEN. I have my 5 minutes. I can do what I wish with my 5 minutes, General. So, go ahead. I want to know. Are you offended by your quotes? I was quoting you.

General MCCAFFREY. Are you done? Well, if you are asking me if I think that Cubans are a national security threat to the United States, my answer is that if you ask for the top 20 national security threats, they would not be among them.

Now, my actual viewpoint, however, is that United States national interests will be better served by lifting the travel ban, by engaging in diplomatic contact with them, and by lifting the economic bans, than you will by the current policies.

Ms. ROS-LEHTINEN. The specific questions that were asked of you whether you do not feel that our security would be at any risk by your quote saying that you would invite these officials to come into our facilities.

General MCCAFFREY. Oh, this is silly.

Ms. ROS-LEHTINEN. That is your quote. You are offended by your quote?

General MCCAFFREY. Your argument to be honest does not apply to the realities. What I support is people-to-people engagement, diplomatic engagement—

Ms. ROS-LEHTINEN. I am reading from your quote, sir.

General MCCAFFREY [continuing]. Economic engagement, and those are the policies that I endorse.

Ms. ROS-LEHTINEN. Just the facts.

Chairman BERMAN. The time of the gentlelady has expired. The gentleman from Massachusetts, Mr. Delahunt, is recognized.

Mr. DELAHUNT. General McCaffrey, I want to go on the record and say that I consider you a great American patriot.

[Applause.]

Mr. DELAHUNT. But let us talk about our national security. Are you familiar with Admiral Jim Lloyd?

General MCCAFFREY. Sure. He is a former Commandant of the Coast Guard.

Mr. DELAHUNT. Right. Are you familiar with General Jim Thomas Hill?

General MCCAFFREY. Yes, the former commander of the United States Southern Command.

Mr. DELAHUNT. And that includes, I take it, the island of—the jurisdiction would include the Caribbean.

General MCCAFFREY. Sure, the Caribbean.

Mr. DELAHUNT. Are you familiar with General Jack Sheehan?

General MCCAFFREY. Sure, Four Star Marine, very patriotic, and—

Mr. DELAHUNT. And highly decorated?

General MCCAFFREY. Yes.

Mr. DELAHUNT. Another patriot?

General MCCAFFREY. Right.

Mr. DELAHUNT. Are you familiar with Lieutenant Robert Gard?

General MCCAFFREY. Lieutenant General Bob Gard, yes.

Mr. DELAHUNT. Lieutenant General John Costello?

General MCCAFFREY. I know him by reputation, but I don't know him, yes.

Mr. DELAHUNT. Brigadier General John Adams?

General MCCAFFREY. I only know him by reputation.

Mr. DELAHUNT. Okay. And I know that you know General Charles Wilhelm?

General MCCAFFREY. Yes, a very fine, Four Star Marine, retired, and a former SOUTHCOM commander I might add.

Mr. DELAHUNT. Okay. Well, I am going to read—and this was not a letter that was signed. It is now as I understand in the record, but I want to read excerpts from this letter, because it goes to the issue of national security, American national security.

And this is the letter that these men signed, these American patriots, that have fought for this country. United States policy toward Cuba has not only failed in its principal objective of ending Cuba's Communist system, but has harmed our interests across the board.

Most important it works against our national security interests. In our judgment the committee would advance the best interests of the United States by acting favorably on H.R. 874, the Freedom to Travel Act.

Do you concur with the conclusion that these gentlemen submitted for the record?

General MCCAFFREY. I do, yes. I think it is a very sensible viewpoint.

Mr. DELAHUNT. Okay. To Mr. Sosa. I had never heard the argument before until Mr. Cason's testimony relative to lifting the travel ban would be of no avail because we don't speak Spanish, and who is going to talk to us, and who are we going to talk to.

And you made an observation, or I think you noted that how many Hispanics?

Mr. SOSA. According to the United States Census Bureau in a 2004 report, 34.5 million speak Spanish as a first language.

Mr. DELAHUNT. As a first language? Okay. Well, some of us do speak Spanish; 34 million of us speak Spanish as a first language. I wonder how many of those 34 million are Americans of Cuban descent?

Mr. SOSA. I think the Cuban-born citizens in this country, I think, are 1.5 million. I may be wrong on this.

Mr. DELAHUNT. I see. So, there are 33 million other Americans out there that speak Spanish as their first language. I would suggest that that argument put forth by Mr. Cason really does not seem to hold water.

But he did reference a case decided back in 1984 in the midst of the Cold War, where he said that the authority of the President, if he has a policy issue, he suggested that it was unfettered and untrammelled.

But let me read from the language of that case. In the opinion of the State Department, Cuba, with the political, economic and military backing of the Soviet Union, has provided widespread support for armed violence and terrorism in the Western Hemisphere.

Cuba also maintains close to 40,000 troops in various countries in Africa and in the Middle East in support of objectives hostile to the United States foreign policy interests. Therefore, we think there is an adequate basis under the due process clause of the Fifth Amendment to sustain the President's decision to restrict travel.

General McCaffrey, are we faced with the same conditions today?

General MCCAFFREY. No.

Mr. DELAHUNT. Are there still 40,000 Cuban troops all over the world?

General MCCAFFREY. No, I think that my take on the island right now is that it is one of the poorest places on the face of the earth with an incompetent military.

Chairman BERMAN. The time of the gentleman has expired. The gentleman from Arizona, Mr. Flake, for 5 minutes.

Mr. FLAKE. I thank the chairman, and just before questions, I want to dispel something that has been brought up a number of times here. It has been said that people want to go to Cuba, I believe, and Mr. Cason mentioned the tourists go there for rum, sex, or whatever else, this list of pejoratives.

And I have heard from others as well that seems to indicate that the only reason that people go to Cuba is to lie on the beach and drink mojitos, and I think it is deeply offensive to a lot of Americans who go for a number of reasons, and not just to sit on the beach.

And the notion that we don't have a travel ban, and that we only have a currency ban, that is just grasping at straws basically. Tell that to the woman—and I believe she was from Indiana—who went to Cuba to distribute bibles with her church group.

She was not aware of the restrictions. She went through Canada because that is where they were going through, and she went there to distribute bibles, and she got fined when she got back. I would like for her to say, well, there is no ban on traveling to Cuba.

And this notion that everybody goes for these prurient reasons is just offensive to so many Americans who go there. Sure, every place in the world, you will have bad actors, but to lump everybody who goes to Cuba and travels to Cuba into one group, who are simply seeking sex tourism or something is just deeply offensive, and I have to say that from the outset.

Mr. Cason, in your testimony, you mentioned that tourism and trade have not brought down a totalitarian regime anywhere in

history. You note that there is no evidence to suggest that increasing tourism to Cuba will help promote democracy.

Do you have any evidence to present that indicates that isolating a regime anywhere in the world like this has fostered democracy?

Ambassador CASON. I would like to mention what Lech Walesa and Vaclav Havel talked about on the question of tourism and the freedom of Czechoslovakia and Poland. They said it had absolutely no relevance whatsoever.

The point I am making is about tourist travel. We are not talking about the other 18 categories. The notion that allowing tourists to go to the areas where basically the hotel rooms are, which is Varadero, Cayo Coco, and other areas that I think you are aware of, and that I have visited, the idea that those people going there can somehow promote democracy, and interact with the Cuban people, in fact, it can't happen, it doesn't happen.

Mr. FLAKE. Reclaiming my time. I asked you for evidence. You quoted Walesa and others, saying that it had no effect there. I am asking you, are there instances where in isolating the regime has had the opposite effect that you can point to?

I would suggest that you can't. Mr. Sosa will make a compelling argument that engaging the Cubans however, allowing travel and other means, will foster democracy. You argue that it does not. And I would suggest that you have no more evidence on your side than he has on his.

Ambassador CASON. My evidence is history, and that there have been millions and millions of people from all over the world, democrats, who have gone for over 50 years to Cuba.

Mr. FLAKE. Excuse me, but you are making the reverse argument. Tell me a time where we have had a travel ban that has actually fostered democracy in another country, and just answer that question. Have we and can we point to an example of that?

Ambassador CASON. Well, I don't think we have a travel ban on Cuba. I think for a long period of time large numbers of people have been able to go.

Mr. FLAKE. As we have already discovered.

Ambassador CASON. And hundreds of thousands of Cuban Americans can go. My point is that they have not brought any change, political change, of the sort that people are arguing here should result from that.

Mr. FLAKE. Thank you. Reclaiming my time, it has been mentioned as well that this legislation, or what we are trying to do here, is to encourage tourism, or to promote tourism, or to promote or encourage travel.

Mr. Peters, you have studied the legislation. Does this legislation, for example, contain a grant program for travel agents to promote travel to Cuba, or does this legislation simply say you are allowed. We will give you the freedom that we give you in every other area?

Mr. PETERS. It is the latter. The legislation that you are referring to ends the prohibition. It does not push anybody to go anywhere, and no, it does not have any United States Government funds that promote tourism or give grants to anybody with regard to travel.

Mr. FLAKE. So nobody under this legislation is compelled to do anything. It is simply granting them the freedom should they wish to travel?

Mr. PETERS. That is correct.

Mr. FLAKE. Thank you. I yield back.

Chairman BERMAN. The time of the gentleman has expired, and the gentleman from New Jersey, Mr. Sires, is recognized for 5 minutes.

Mr. SIRES. Thank you, Mr. Chairman. I will just speak a little bit for the 34 million people that speak Spanish. I have to tell you that I was a Spanish teacher for 10 years. My brother obviously is Cuban, my younger brother, and you ask them if they speak Spanish, and they will tell you yes.

You talk to them, and it is an embarrassment, and they are my brothers. I taught in a school that was 93 percent Hispanic. You will ask those students if they spoke Spanish, and they will tell you—90 percent will say yes.

So I am not agreeing with any of you, but this notion that 34 million people speak Spanish, yes, they say it is their first language because they go home and say que pasa, how are you. That is fine.

But my question comes to this. I am hard-pressed to think that if we lift the travel ban that is going to help the Cuban people when the government controls every single aspect, from who gets to rent a room, from who gets to go where, from the people that are coming to the island, because I assumed that they are going to curtail if there is a whole mass of people going to the island.

So for me to accept the fact that this is somehow helping in any way, I only see them helping the government. So does anybody want to take a shot at that? I am sure that you all do.

Mr. SOSA. Well, first, a couple of things. First of all, the 34.5 million comes from the United States Census Bureau, and frankly any one of us—

Mr. SIRES. Sir, excuse me, I am reclaiming my time. The Census Bureau says check if you speak Spanish. You ask my brother if he speaks Spanish, and he will say yes. You ask my younger brother who was born here if he speaks Spanish, and it is an embarrassment, and he will say yes. So, go ahead.

Mr. SOSA. I don't know your family, but anybody who has—

Mr. SIRES. I was a teacher for 10 years in a Hispanic district, sir, okay?

Mr. SOSA. Anybody who—

Mr. SIRES. In a Hispanic district where 93 percent of the students were Hispanics. Thank you.

Mr. SOSA. Sir, anybody who has traveled around the United States and then to a major American city, knows that there is a tremendous number of people who speak Spanish. So we need to move on from that.

Mr. SIRES. I don't disagree with that. I mean, you are making it sound like everyone is such a fluent Spanish speaker, but never mind. There are so many other questions.

Mr. SOSA. There are a lot of us. Okay. So your other point was would it help America if the Cuban people—

Mr. SIRES. How is it going to trickle down to the Cuban people?

Mr. SOSA. Well, first of all, it is not true that every person that travels from the United States to Cuba is somehow followed around with some minder. I have been to Cuba several times, and I have wondered all over the island.

I am sure that there was somebody looking one way or the other at what I am doing, but it did not stop me from talking to people. I talked to people from all walks of life in Cuba. They can't, as much as they want to control, you cannot control of hundreds of thousands of Americans arriving tomorrow in Cuba. It is not possible.

Mr. SIRES. Well, let me tell you a story. I have a friend of mine named Alex Duran from Colombia, who went to Cuba, because he figured that sooner or later they are going to do something. He went to Cuba, and when he got to Cuba, he was actually called in to be questioned on what he was doing there, and he is not even Cuban.

So for you to say that you are not followed—I mean, every single thing that I get, in every conversation that I get, people are followed. People are tracked. I still have aunts and I still have cousins in Cuba, and when we get a chance through the family, this is the information that I get.

And so I am just hard-pressed—look, if tomorrow the people of Cuba were going to benefit, I might think twice about my position. I just don't think it is going to trickle down to the Cuban people, and that is my argument against this.

Mr. PETERS. Congressman, I will take a shot at this. It has not trickled down. I would encourage you to go on the internet and Google the words Cuba passa particula, and look at the private homes that people rent. Look at the people who are renting. These are little businesses.

Mr. SIRES. Mr. Peters, who gives them the permission to rent the homes?

Mr. PETERS. Well, they are licensed by the government.

Mr. SIRES. The government.

Mr. PETERS. Excuse me?

Mr. SIRES. The government gives them the permission.

Mr. PETERS. The government, and they have to get a license to do it. That is right, and they pay taxes.

Mr. SIRES. And that is my argument.

Mr. PETERS. I am not in favor of licenses. I am not in favor of taxes either, but it is not unique in Cuba that people have to get a license or pay taxes.

Mr. SIRES. Yes, but my argument is—

Mr. PETERS. You are asking me whether the money trickles to people. Those people make good money. They employ people.

Mr. SIRES. Now do you think that any of the dissidents will ever be able to get a license to rent to somebody?

Mr. PETERS. Excuse me?

Mr. SIRES. Do you think that a dissident will ever get a license to rent their rooms?

Mr. PETERS. Well, look, I am not in favor of a restriction of that nature, but you are asking does it trickle down to people? It absolutely does. All over the island. And there are artists that sell to

foreigners, and one that I know of is an Angelica Christian who employs five people because he makes so much money doing it.

Mr. SIRES. Thank you, Mr. Chairman.

Mr. PETERS. It does trickle down.

Chairman BERMAN. The time of the gentleman has expired. The gentleman from Florida, Mr. Mack, is recognized for 5 minutes.

Mr. MACK. Thank you, Mr. Chairman, and Mr. Chairman, I have been listening to the discussion today from both sides, and I think I have found the silver lining in today's hearing, and that is that this committee should move swiftly to apply the same restrictions that we have on Cuba, to Iran, Sudan, and Syria, all of which are on the State Sponsor of Terrorism List. And at some point we would be willing to offer a resolution on this.

Chairman BERMAN. Would the gentleman yield?

Mr. MACK. Yes.

Chairman BERMAN. You know that you would be trying to repeal my provision, and so would I take it personally.

Mr. MACK. Duly noted. Mr. Sosa, if I may, in listening to your testimony, I find it somewhat shameful that you would interject in today's debate racial and ethnic politics by arguing that only if one is from a particular race or ethnicity can one relate to the Cuban people or discuss democracy, freedom, and human rights.

My question is what about the thousands of tourists from Spain and Mexico? Have these Spanish speaking tourists failed? And another question is that my good friend, the ranking member, Ileana Ros-Lehtinen, is she a better ambassador of freedom than I am?

Again, it is just something about your testimony that I question why you would bring up race and ethnicity in this.

Mr. SOSA. Okay. First of all, Spain was a former colonial master of Cuba. So that has some historical effects on the people of Cuba. There is no question that the people of Cuba more closely resemble the people of the United States, the population in general, than they do the people of Canada.

That is just a fact. I am not interjecting anything. I mean, that is just a fact of life, and that does mean in my opinion that there is a much closer tie between the people of Cuba and the people of Canada, and certainly Luxembourg, or France, or Germany, or any of these other countries.

Mr. MACK. Well, all right. Again, listening to your testimony, the other thing I heard, and which I thought was outrageous, was that somehow it was the American people's fault for the brutal regime of the Castro brothers.

That somehow the restrictions that we have on Cuba, somehow it is our fault that the Castro brothers continue to be a brutal regime, and maybe you and I can sit down and talk at some other time that I can understand. Okay. We don't have to talk. That is fine.

Mr. SOSA. I never said that.

Mr. MACK. But what I heard you say is that if we drop the restricts, then no longer could the Castro brothers use United States policy, and that somehow United States policy is to blame here, and we hear this a lot. I mean, it is just not the case, and I think you are misguided on that.

Mr. SOSA. Well, I never said it.

Mr. MACK. My question is to the Ambassador. Going back to this idea of people traveling to Cuba, and would this money trickle down to Cubans. I would like for you to—and I have also listened to your testimony and read your testimony. If you would talk a little bit about that, because in my opinion it is not going to help one bit.

Ambassador CASON. Well, one thing is whether it is going to help, and another thing is if it trickles down. I think very little trickles down. Sure, they have paladars that can have 12 people seated at them, and a lot of them owned by regime people behind the scenes.

And sure there are some private rooms, but the vast majority of tourists, of those 15 million tourists, don't go there. They go way out in areas where there are no Cubans, where there is no tipping, no chance to buy things, art work and that sort of stuff.

Sure, some trickles down, but the idea that somehow this is going to bring prosperity to the average Cuban is just bunk, and there is no evidence again that tourism by all these people from other parts of the world that do speak Spanish, and that do engage if they find a Cuban to engage with, has many any impact whatsoever on the system. So that is what I have been arguing.

Mr. MACK. So then all this money would then just stay in the hands of the Castro brothers.

Ambassador CASON. Sure, they own the bars, and the cigar shops, and the rum. All of that belongs to the Cuban State. There is very little independent activity. There are some people, a smaller group, every month that try to do something independent, but they are rounded up and put in jail for 5 years for dangerousness.

So does something trickle down? Yes, something does, but it is not going to bring democracy or anything to Cuba, or to help the average Cuban.

Mr. MACK. Thank you.

Chairman BERMAN. The time of the gentleman has expired. The gentlelady from California, Ms. Woolsey, is recognized for 5 minutes.

Mr. WOOLSEY. Thank you, Mr. Chairman. You know, sitting here, it sounds like those who oppose travel to Cuba are singing an old song. I feel like I am listening to an old record, something that we have all heard before, and it is fairly comfortable because we can sing along.

Except that it does not fit the 21st century, and that is my opinion that it does not fit. Could you tell me, General, or Ms. Antunez, or Mr. Peters, do you know what kind of a—is there a difference of opinion between first generation Cuban-Americans, and first generation Cubans, and second generations? Is it changing? Are we missing the boat here by not paying attention to other opinions?

Mr. PETERS. Congresswoman, I think the polling data that various polling firms have done over the years is very clear in the Cuban-American community. There was a recent poll that showed that 59 percent of Cuba-Americans support ending travel restrictions on all Americans, so that we could all travel there freely.

And I think internally when you start to look inside those polls, you see that the change is driven, the change toward favoring policies of engagement is driven by greater support for that position

among younger Cuban-Americans, and Cuban-Americans who have arrived here more recently.

Mr. WOOLSEY. Respond.

General MCCAFFREY. I would not want to say that I am an expert on the Cuban-American community. I am in and out of Miami all the time, but my guess is that our current policy toward Cuba is not supported by the United States population.

It has caused us to become isolated in the international community. It is painful to the Cuban people, and the Cuban *mia cabanos*, the new, younger generation, does not support it either. So I think those that espouse continuing the ban on travel are an isolated group who are rooted in the past.

Castro is locked in 1959, and the United States Government is located in 1961. We need to move on. Engage the Cuban people, open diplomatic representation, and try and move them back into the community of nations.

Mr. WOOLSEY. Thank you. Let us move on to—I am going to change the subject, and we have our wonderful witness that we are looking at on the video. Ms. Leiva, let us talk about agriculture. Let us talk about farmers. Let us talk about what kind of food products the Cubans would purchase if we would open up our trade relations, the United States-Cuba trade relations.

Ms. LEIVA. Well, you can imagine that the Cuban Government imports around 80 percent of the food that we consume in Cuba, and mostly from the United States. Right now, this year, the commerce, the trade, dropped by 36 percent altogether. Why? Because they don't have enough money to buy.

That means that more money in Cuba would mean that they would be able to buy more food and more goods that they don't have. The commerce is not producing, and it is incredible how people are lacking everything they need, and each day it is more of a difficult situation.

But if people could rent, and people could work, and sell to privately, and if many tourists would come, and many people from anywhere, the government would not be able to have all the capacities in hotels or restaurants, and this would move the people's economy, and they would know that this because the Cuban Government is so wonderful that they have given the possibilities as the propaganda of the government is, but that is because has changed the balance, because Americans are coming, and visitors do not intend to bring down the government in any place.

But by getting close to people and by talking, they can let everyone know what their experiences are, and the tax people open their minds, the people feel free, and of course, if there is an improvement economically, that would change a lot for the common people in Cuba.

I think we are talking about or some people are talking with all my respect about a Cuba that does not exist, and is a society that isn't the one that we live in. I know that they do it for the best, and they would like freedom immediately, respect for human rights, and that there would be no political prisoners, or dissidents, and that we would govern our country as a democracy. But—

Mr. WOOLSEY. Well, thank you so much for your patience.

Ms. LEIVA. But it is not possible that way.

Chairman BERMAN. Ms. Leiva, unfortunately, the 5 minutes has expired, and so we have to cut this off and go on to the gentleman from California, Mr. Royce, who is recognized for 5 minutes.

Mr. ROYCE. Thank you, Mr. Chairman. I had a question for Ambassador Cason, and it goes to the testimony that you gave. You mentioned the training that Cuban hotel employees receive. Can you expand on that?

Ambassador CASON. Yes, the people that get to work in the hotels are a minority elite. They have to pass an allegiance test. These jobs are very important jobs that people have, in a society where very few people have a chance to have a steady job.

The people that are at those hotels, and the people that take tourists around are trained to answer the questions that tourists will ask of them. They are trained to give the regime's answers. They are not going to risk their livelihood by answering questions honestly, and so tourists are taken into Potemkin villages.

And again very few of those tourists that have been going over the last 15 years to Cuba are staying in the urban areas in these little family run places. They are staying in hotels where ordinary Cubans are not allowed to come in, and couldn't come in, and the whole environment is controlled, and the people that they deal with are trained people, and many of them members of the Communist Party.

Mr. ROYCE. The reason that this is interesting to me is because yesterday morning, with our Human Rights Commission meeting here, we took testimony from a Mr. Kim, a defector from North Korea, who explained how the system works in North Korea, and exactly how Kim Jong-il extracts the wealth from this kind of activity.

It is difficult to find one-for-one examples in foreign policy, but the idea of opening up Cuba for United States tourism really reminds me of those that have advocated for Mount Kumgang in North Korea, the Kumgang Mountain Resort.

And this is of course the ideas like capitalism, I guess, will be slowly introduced to North Koreans, and the wages garnished by workers there at the resort will trickle down. But here is what in fact what happened.

In fact what happens is that Communist Party members, who are the sons and daughters of the elite, are sent to work there. They are adamantly in support of the regime, and they don't talk to people who go in about any of these ideas anyway.

So they are kept at arms length, and so the reality is that you don't reach the population. What you do is you pay money to bolster the intelligence apparatus, or the state, or in the case of North Korea, it was their weapons program.

And I think there is an awful lot of wishful thinking. I think that Kim Jong-il, like Castro, would never do anything to threaten his grip on power, but he does not mind running that hotel out there because the workers at Kumgang are so highly screened, and they are party members, and they don't get paid.

The wages go to the state, and then the state feeds the Communist Party workers. So the vast majority of the money made at this resort is pocketed by the regime for exactly the types of purposes that you have called attention to.

You also mentioned that the regime believes that it can control tourism. Explain that to us.

Ambassador CASON. The regime has controlled tourism. They are not about to let their survival be at stake by letting the place be flooded by Americans. There are only a certain number of hotel rooms. Most of the time they are booked solid.

So there is no room for millions of extra Americans to come there. You would have to kick somebody else out of the hotels, or raise the prices or something.

Mr. ROYCE. Well, do you think, or the bottom line for the regime, the Castro regime has proven very adept at warding off reform for a long time. Do you think that regime would make any reforms that would somehow threaten its grip on power?

Ambassador CASON. Absolutely not.

Mr. ROYCE. Or do you think that it intends to use it for more hard currency so it can continue to expand its intelligence apparatus?

Ambassador CASON. That regime is not going to do anything that would undermine its political control, especially these 80-year-olds who know that they don't have the support of the young people, who don't believe that the revolution is going to provide for their future. They just don't believe in the system.

So that regime is not about to allow a large number of American tourists to come and wander around among the Cubans in order to undermine the system. It is just not going to happen. They have shown that they control it, and they will, as their regime's future is at stake.

Mr. ROYCE. Have the years of European travel to the island put a dent in the regime's control in your opinion?

Ambassador CASON. Absolutely not. There is not a sign of political reform that has come from any of those 15 million tourists.

Mr. ROYCE. Thank you, Mr. Chairman.

Chairman BERMAN. The time of the gentleman has expired. The gentlelady from California, Ms. Lee, is recognized for 5 minutes.

Ms. LEE. Thank you, Mr. Chairman. Let me welcome all of our guests here, and witnesses today, and I especially want to greet Ms. Antunez. Thank you for being here. Let me just first say to my colleague, Mr. Mack, I want to just mention one point to you as it relates to race.

Race is a factor in so many issues, both here and in Cuba. Actually, Ms. Antunez also pointed to the fact—and let me read you this. She says I know the regime's contempt for Cuban people and how they show no mercy to those of us who are Black. So she also raised the issue of race, which is a good thing to do.

Now, I want to just say to you, Ms. Antunez, that I share many of your concerns about the lives of Afro-Cubans, and I understand it, because as an African-American myself, I remember the days of the United States Government's Jim Crow laws, where African-Americans could not vote.

My father was a Lieutenant Colonel in the United States Army, and I remember very vividly being turned away at restaurants and movie theaters. He had his United States Army uniform on, and we were told that we were not allowed because we were Black.

I also remember when I started school that I could not go to public school because I was Black. I also remember, and this is in my lifetime, when Black people were lynched, when they were hung. I remember these things very well.

This was not long ago, and we are still here in my own country dealing with discrimination and inequalities, often times with race as part of the reason for these inequalities. So I have experienced a lot, and I understand what you are trying to say.

But yet I don't remember many countries at all refusing their citizens the right to travel to the United States, or to engage in an embargo against my country because of these gross human rights violations that I have experienced, and many of my colleagues in the African-American community.

I believe that African-Americans can demonstrate to Afro-Cubans how African-Americans have challenged our Government for freedom and for equality. The embargo and the travel ban have kept us, has put this barrier up, and has kept us from helping you, and for sharing with you our struggles, and what we have had to do to fight just for the right to be part of this country.

So why wouldn't ending the travel ban be in the best interests of Afro-Cubans?

Ms. ANTUNEZ. I am very happy that this topic has come up and that you have addressed it, because my own people, and my own family, are living through some of the same kinds of things that you have just cited.

And I am thinking specifically of my brother, who, because he is Black and opposes the regime in our country, they have even sicced dogs on him, and it is not something that I am just saying. He bears the scars on his body.

And I am also thinking of my sister-in-law, who was beaten by the political police on the streets of Cuba, and addressed as Black, and with other epithets in an obscene manner merely because she was defending the rights of one of her fellow citizens.

Chairman BERMAN. I am going to ask for unanimous consent for an additional minute for the time taken.

Ms. ROS-LEHTINEN. And, Mr. Chairman, I just want to say that you are a wonderful translator, but I believe that the first part of her sentence was saying that I don't have to rely on memories and on recollections. It is something that I live with every day.

Ms. LEE. May I reclaim my time, Mr. Chairman?

Chairman BERMAN. It is your time.

Ms. LEE. This is something that we continue to live with every day also, Congresswoman Ileana Ros-Lehtinen.

Ms. ROS-LEHTINEN. I don't doubt it, Ms. Lee.

Ms. LEE. So just understand that the point is that I don't remember, and I don't see many countries not allowing their citizens the right to travel to America because we still have so many violations of human rights here in our own country.

[Applause.]

Ms. ROS-LEHTINEN. I just want to be—I am not part of the blame America first crowd. I wanted to just clarify more accurately what she had said.

Chairman BERMAN. All right. The time of the gentlelady has expired. I will give the translator time to translate the answer.

Ms. ANTUNEZ. Thank you. I am speaking about the facts that I have gleaned from my own life experiences, and I would like to say that I am sure that American tourism would actually be fatal for us, and the space that we have won through our non-violent activism.

Not because I don't want something good for my country, but because I don't need to go on the internet to know the effects of repression that would come about as a consequence of this policy.

Chairman BERMAN. The time of the gentlelady has expired. The gentleman from New Jersey, Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman. Let me just point out that Congresswoman Lee, among others, were permitted to visit Cuba last winter, and meet with the Castro brothers, and some in her delegation were absolutely effusive in their praise for those two individuals.

I know that Berta Antunez tried to give you a letter, and I am not sure, Ms. Lee, if you actually raised the case of Antunez, or whether or not you tried to visit him. He was on a hunger strike at the time, a hunger strike on behalf of human rights, and to the best of my knowledge, you did not visit with him while you were there.

Ms. LEE. Do you want to yield?

Mr. SMITH. I will yield at the end. I, along with Frank Wolf, have tried for years to get into Cuba to visit with political prisoners and to visit with people like the great Antunez. We have been turned down every time because Frank Wolf and I want to raise prisoners of conscience.

We want to go to the prisons. We have been in gulags in China, gulags in Indonesia, gulags in the Soviet Union, including the infamous Perm-35, which is where Natan Sharanski had spent his time.

In the late 1980s, Armando Valladeras and I were in Geneva. He actually got the United Nations Human Rights Commission, very often a very weak organization, to focus and to bring scrutiny to the prisoners in the gulags.

They sent a fact finding team. Since then the International Committee for the Red Cross has been denied. There is a travel ban on the ICRC going to Cuba, and going to the prisons. There is a travel ban on the Human Rights Rapporteur from the United Nations—that mandate has ended, but there was a travel ban preventing his investigation.

I would ask General McCaffrey, have you ever asked Castro to permit the ICRC to visit Cuban political prisoners? What specific individuals have you raised with Fidel Castro and others in the government, and have you asked Castro to let you visit those prisoners of conscience yourself?

I don't have access. Those of us who raise these issues can't even get in the door, and you certainly, I think, do an enormous amount of good on that. Yesterday, Colonel Fuentes, the superintendent of the New Jersey State Police, said every law enforcement officer in New Jersey wants cop killer Joanne Chesimard returned to prison in New Jersey.

She brutally gunned down an officer in East Brunswick on the New Jersey Turnpike, and then made her way to Cuba, where she

lives in the lap of luxury. I would also ask you finally before my time runs out, I mentioned earlier that in 2001, I got legislation passed in the House and it later died in the Senate as so many things related to human rights do over there, that called for two conditions, modest, minimalist conditions, for lifting the travel ban.

First, release the political prisoners, because they are being tortured as we meet here today, and secondly, allow us to get back the almost 80 individuals who have committed felons, like Joanne Chesimard, and now are living in Cuba in a safe harbor. So, General, if you could.

Colonel Fuentes is the New Jersey State Police officer who made a strong and a compelling case yesterday as he and other law enforcement people do, and have you raised that case?

General MCCAFFREY. Well, let me say that I think you ought to be very proud of your work in this area, and I certainly endorse entirely your viewpoints. I think the notion that there is a totalitarian government in Cuba, and great repression, and there is a lack of freedom on unionization, assembly, freedom of speech, is unarguable.

And I personally have raised with both Fidel—and not for 2 hours. I actually had 7 hours with him—that this is a major point of United States foreign policy, and to try and reduce the perceptions throughout the global community that there are repressive totalitarian regimes.

And I have also raised the same point with the Cuban Ambassador, and their intrasection, that that is probably the easiest thing they could do is drop their repressive imprisonment of these dissidents. So I share your viewpoints.

Mr. SMITH. General, would you help me and Frank Wolf get into Cuba?

General MCCAFFREY. If there is any modest contributions I can make, and I have great admiration for Frank Wolf. He is one of the finest men that I have seen in public life.

Mr. SMITH. We would like to go as early as December and go to the prisons.

General MCCAFFREY. Well, I would not think that I have great leverage, but anything that I can do is at your service.

Mr. SMITH. Would you, Mr. Peters, help us get in?

Mr. PETERS. Well, I don't think I have any particular leverage either, but I am happy to work with you. In fact, your staff contacted me some months ago, and I told them that I was happy to work with them, and I am happy to work with you.

With regard to the—and I am from New Jersey, too, as you know. I understand what you are saying about Joanne Chesimard, and of course she should be returned. I don't think it is a very simple process.

Mr. SMITH. Have you raised it with government officials?

Mr. PETERS. No, I have not raised that case with government officials.

Mr. SMITH. Why not?

Mr. PETERS. Excuse me?

Mr. SMITH. Why not?

Mr. PETERS. Well, I will tell you what I have done. I will tell you that I have raised the issue of human rights with them in the past,

and every single time that I have gone with a Congressional congregation, I am proud to say that Congressional group has raised the issue of human rights, including with specific names.

Chairman BERMAN. The time of the gentleman has expired, and the gentleman from American Samoa, Mr. Faleomavaega, is recognized for 5 minutes, and that will probably be the last person to be recognized.

And let me just interject here that if anyone else is prepared to come back right after these two votes, we will continue the hearing, assuming our witnesses don't pass out. So, (1) whoever wants to come back, and (2)—well, we will come back. Can the witnesses stay?

Ambassador CASON. I have a plane that leaves at 3 o'clock.

Chairman BERMAN. The Ambassador can't stay. Mr. Sosa can stay.

General MCCAFFREY. I have to be at a meeting at 2 o'clock.

Chairman BERMAN. The General can't stay. Mr. Peters can stay. Ms. Antunez, can you stay? Ms. Leiva, can you spend another 45 minutes so we can finish the hearing?

All right. The gentleman from American Samoa is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman, and I thank the witnesses for their most eloquent statements. I think at the height of the Cold War, when we talk about the Cuban missile crisis, the Bay of Pigs, this has become not only an emotional issue for our country, but at that time as national security seemed to be the number one issue in the minds of our leaders on top of the Cuban missile crisis.

And I would like to ask General McCaffrey: You had mentioned that Cuba is no longer really a threat to our national security given your wealth of experience, not only as a military flag officer, but certainly someone who has worked on national security issues. Can you elaborate on that a little more?

General MCCAFFREY. I apologize, but with national security issues, we have got a lot of them, and we certainly have a hostile Cuban Government, with an internally repressive regime. In the past, they had a history of confronting United States foreign policy issues.

Castro has clearly allied himself with Chavez right now, and is causing many problems as he could, I am sure, in Venezuela. Now having said that, our national security concerns oriented around a dozen different threats, and some of them are hugely important to us, and they don't include Cuba.

So my own view is that the reason we have to worry about Cuba is that I fear when Castro passes away, which I am confident he will, and that we see the unraveling of this repressive regime, we are going to end up with millions of Cubans seeking freedom, and fleeing the island.

So I actually look at the National Guard, who I will be talking to tomorrow night, and others, as having a huge challenge in the coming years, and how do we deal with a humanitarian disaster if we are not engaged with the Cubans now.

I want to know who the 45-year-olds are who are going to run the government, and I want to see us engage militarily, politically,

diplomatically, and intelligence services, in trying to bring these people out of their isolation.

Mr. FALEOMAVAEGA. I know that in my travel to Cuba, I had to go through Cancun to get some kind of special visa in order to get to Havana. I want to ask Mr. Peters the question about the quote that he made here and the very interesting statement that he made, that investors from all over the world operate joint ventures in Cuba.

Spanish companies are making an effort to drill oil in Cuban territorial waters. Venezuela pays Cuba over \$1 billion per year for services of Cuban doctors and other workers. Iran extended Cuba \$445 million in credits in November of this year.

Brazil extended a \$1-billion line of credit last year. Funds are being used for port and road developments, and other projects. China has also extended a \$600-million line of credit to Cuba in September of this year, including \$260 million for grain purchases.

That is a very interesting comment here in terms of the economic situation and the economic sanctions. In your opinion do you think that the real basis of our involvement in Cuba, first, as it was in the early part of the last 50 years, was national security?

Now as you look at the economic conditions, do you really think that this really has the basis of how things may change in the future if Castro should depart from this earth in the coming period?

Mr. PETERS. Congressman, the point that I was making in that passage was that we often think that because we have sanctions against Cuba that the Cuban economy is on the brink, or that we are squeezing them somehow, and that is not the case.

The economic situation there is not good, but as all those facts indicated, and as others do, they are not isolated. They are engaged with the rest of the world, and whether we like it or not, that economy is not teetering.

And more importantly from the point of view of the purpose of our sanctions, our sanctions have never had the effect, and the economic troubles that they have experienced, and they have been very severe, and they seem more severe now than they were even last year, have never put the power of the government on the line.

And so there is no politically decisive impact in our sanctions. It doesn't make a difference between the Communist government surviving or the Communist government not surviving.

Mr. FALEOMAVAEGA. Unfortunately, my time is short, and there is not enough time to ask some more questions. Thank you, Mr. Chairman.

Chairman BERMAN. The gentlemen's time has expired. We have two votes, which means that this will be much quicker than the last time. We will go down there and we will vote, and we will vote a second time right away, and be back in about 15 minutes maximum, I think.

And if you can stay, great, any of you, but we hope as many of you as can will, and hopefully the members that want to ask questions, we will be back here right away, and if no one is here, we will just adjourn it. So with that the committee is recessed.

[Recess.]

Chairman BERMAN. Okay. We are smaller, but more robust. The gentlemen from New York, Mr. Meeks, is recognized for 5 minutes.

Mr. MEEKS. Thank you, Mr. Chairman, and thank you for staying. This has been a crazy and busy day, and I know that this issue is a very emotional issue, and unfortunately when emotions are involved, sometimes logic stops.

And so I just want to say that it has been a long time since we have had a different policy in Cuba, and when I think about the whole situation, one of the reasons why people talk about national security, et cetera, it was initially the alliance between Cuba and Russia, and yet we never put a ban on traveling to Russia, and we always had conversation with the Russian Government.

And now we have even are working with them in the G-20 and other places, and it seems as though when Cuba was a threat to the United States was only because of Russia, and the missile crisis, and not because of Cuba in and of itself.

And so I don't see where Cuba is a threat to the United States of America at all at this particular point. That being said, let me just ask Ms. Antunez that recently the President of the United States allowed or ended all restrictions on travel to Cuba by Cuban-Americans.

And I was wondering whether or not you believe that such travel should be prohibited, or whether Cubans should be free to go to Cuba?

[The following testimony was delivered through an interpreter.]

Ms. ANTUNEZ. I am sorry, could you repeat the last part of your question?

Mr. MEEKS. Whether or not such travel by Cubans to Cuba, should that be prohibited, or should Cubans to Cuba be allowed? Cuban-Americans.

Ms. ANTUNEZ. In the first place, ending tourism or any travel, anything that will bring additional means to the Cuban regime and continuing its repression, and strengthening itself, and keeping its hold in power, anything that would do that is not convenient for the Cuban people.

Mr. MEEKS. No, that is not my question. My question do you think it is okay for Cuban-Americans to be able to go visit Cuba?

Ms. ANTUNEZ. I would like to say that I think at this time that it is correct to maintain the policy that the United States Government has maintained all these years of allowing the real Cuban people who are suffering to win space for themselves through non-violent activism, and that we would lose if an uninhibited flow of people bearing resources for the regime were to come into Cuba.

Mr. MEEKS. That is not answering my question. Maybe I should move on, because the question was a simple question of whether or not Cubans should be visiting—Cuban-Americans should be visiting Cuba, and where there is family contact, and there are family ties, and that is the essence of my question. It is not a complicated question at all.

Ms. ANTUNEZ. No.

Mr. MEEKS. That is that. Thank you. Finally.

Chairman BERMAN. You have 13 seconds.

Mr. MEEKS. Well, let me end with this. I have 13 seconds. I wish I had time to ask questions. I will say this that in the words of a President—

Translator. She did not understand your question, Congressman. I am sorry.

Mr. MEEKS. I don't have much time. I am just going to end, but in the words of a President that I didn't agree much with, a President said that civilized people everywhere have a stake in keeping contact, communications, and creativity as broad, meek, and free as possible. The way that governments can best promote contacts among people is by not standing in their way. That President was Ronald Reagan.

Chairman BERMAN. The time of the gentleman has expired, and the gentleman from Indiana, Mr. Burton, is recognized for 5 minutes.

Mr. BURTON. Thank you, Mr. Chairman. There is a number of reasons why I am opposed to this move, and rather than ask a bunch of questions, because some of the questions that I wanted to address were to General McCaffrey and Ambassador Cason.

But when an American company or hotel down there pays their employees, the money goes through the government, and if they make \$400 a month, that is reduced by 26 times, because the currency they have down there is worth one-twenty-sixth of a dollar.

And these people can't go and swim in the pools, or run around these hotels, and have the freedom that you would expect them to have because they are under the heel, the boot, of the Castro regime.

Castro is working with Chavez, and Chavez is supplying money now, and Chavez wants to revolutionize Central and South America, and he is one of the compatriots now with the Castro brothers. And they want to turn that into a Communist regime, and reverse everything that Ronald Reagan was able to get accomplished when he was President.

If you drive a cab, if you work in a gas station, or a restaurant, you are pre-vetted, and once again, you get those jobs only after the pre-vetted has taken place, and you get about one-twenty-sixth of what you earn if you are paid in American dollars.

There is no limitation that I know of on humanitarian aid or food. I have heard several of the people testify today that they don't get enough food, and that we are stopping it. I have talked to a supermarket chain in my district, and they were telling me how they are selling food to Cuba on a regular basis, and there is no restrictions.

And humanitarian aid I know is not being restricted. One of the things that the KGB taught Castro early on in his administration down there, if you want to call it that, was that the way to keep control of the people is to have somebody that is a spy, or whatever you want to call it, in about every three or four blocks, a block captain.

And if somebody complains about what is going on, they report it to the authorities, and then of course the person that is accused of that suffers the end result. And you talk about travel to Cuba changing things.

As I recall, and I was talking to Ms. Ileana Ros-Lehtinen, our ranking Republican, that during the Carter administration there were no restrictions whatsoever, and the repression under the Castro regime was just as severe as it is today.

People were thrown into the gulags, and I think Armando Valladeras was through into jail at that particular time, and I wish everybody who thinks we ought to start working with the Castro brothers down there would read his book.

It is called *Against All Hope*, and it is a clear depiction of what people go through if they are a person that disagrees with the administration down there, and is thrown into the gulags. It is just horrible what they have to go through.

I was going to ask General McCaffrey, as he was asked by Mr. Smith, did you ever try to get into the prisons, and Mr. McCaffrey never answered that question, and I think the question was also asked of you, and after I finish my remarks, I would like for you to answer that.

Have you ever asked to go in and see political prisons, and if so, were you allowed to go in and see the political prisoners, and if you didn't ask to go in to see them, I would like to know why you didn't, because that is one of the major things that we have been concerned about for a long time.

Cuba is still by the State Department considered a terrorist State, and I think we ought to take that into consideration as well until there is a reversal of that, and with that, if you would like to answer that question, I would appreciate it.

Mr. PETERS. Thank you, Mr. Burton. If there is time, I would respond to what you said about the hotels and the taxi drivers, because I don't think that is quite accurate, and so there isn't.

Mr. BURTON. Just the question that I asked. That is the one that I want to know. Did you ask about the prisoners?

Mr. PETERS. No, I have never asked to go into prisons to visit political prisoners. I have never done that. I have advocated on behalf of Prisoners of Conscience. I have visited former Prisoners of Conscience, and I have visited dissidents, and—

Mr. BURTON. Well, real quickly, why didn't you ask to go and see them?

Mr. PETERS. And every single time that I have gone with a Congressional delegation, I am proud to say that delegation has advocated in favor of human rights, including with specific names.

Mr. BURTON. Why didn't you ask to go in and see the political prisoners?

Mr. BURTON. I have talked to dissidents on many, many occasions.

Chairman BERMAN. The time of the gentleman has expired. I do want to remind everyone that there is a hearing that is scheduled to start at 2 o'clock by the Subcommittee on the Middle East and South Asia, and I will recognize the gentlelady from Texas, Ms. Sheila Jackson Lee, for 5 minutes.

Ms. JACKSON LEE. Well, Mr. Chairman, I thank both you and Ileana Ros-Lehtinen for allowing members to come back and for completing this hearing. It is a very important hearing, and I want to thank the other witnesses in these absence, and those who were able to stay.

I want to applaud President Obama when he took the constructive step of allowing Cuban-Americans to visit family in Cuba as often as they please. I think it was a magnificent step, and Mr. Pe-

ters, I think you acknowledged that is a policy change that is productive.

I started my opening remarks by suggesting that I was engaged because of my committee assignment with the Elian Conzalez issue, or circumstance, and I believe there was right on both sides, but I think we were right to reunite this child at that time with his family in Cuba, but I think it is also important for his Miami family to be able to see and to interact with their family.

I believe that my colleague articulated the tribulations and the challenges of African-Americans in this country. As I understand Mr. Delahunt's legislation, and which I have cosponsored and support, and hope that I have done so, and think it is an important policy change, there is no ban.

We have focused on tourism, but frankly activists, human rights activists, individuals who wish to engage in promoting the collaboration with Afro-Cubans on pressing for their rights, all of those individuals I understand, if this was ever to become law, would not be banned.

The question would be, of course, how would Cuba receive them? So my pointed questions go to the fact that I believe that we should have a quid pro quo. We are stifled in memory. Our policy is that we don't speak to them. We don't travel there.

And frankly that was the policy of China. There are some of us who are still fighting the human rights abuses in China, but we just had the encounter of our head-of-state visiting in Asia, and so we are multi-tasked.

And I think in Cuba that we should be multi-tasked, and that is engage, but also assess, critique, persist, and to those who are in this audience who have been incarcerated, know that we are not abandoning your pain.

We understand the pain of incarceration and oppression. For those of us who watched the horror of South Africa, we know what it was like to see people of our, if you will, kinship be so treated, but look at the relationship of South Africa today.

So, Mr. Sosa, I ask you a question about this effectively, if you would, but you suggest that conditioning on United States policy to actions taken by the Cuban Government effectively puts control of our foreign policy in the hands of Cuba.

Just a quick question because my time is going, and a quick answer. Do you believe that it should be a bilateral, a multi-tasked, approach, and eliminate the travel ban, but at the same time be engaged for responses or concessions by the Cuban Government; yes or no?

Mr. SOSA. Eliminating the travel ban should be unilateral. It is an extra essential threat to the Cuban Government. The embargo on the other hand, and lifting that embargo, would require some concessions in my opinion, particularly in the human rights side, and I would not be in favor.

Ms. JACKSON LEE. So we should be multi-tasked. The travel ban should be lifted, but we should be engaging on what we think would be effective in a policy change as it relates to the embargo issue including human rights; is that correct?

Mr. SOSA. Yes.

Ms. JACKSON LEE. Thank you. Let me speak to Ms. Antunez. Ms. Antunez, could we be of help? You may have heard of the NAACP, the Urban League, which is a national activist and civil rights group, that African-Americans have in essence found opportunities.

You may have heard of Dr. Martin Luther King, who obviously has passed. Would this kind of effort and energy in helping Afro-Cubans be received warmly by you and our friends in Cuba, particularly the Afro-Cubans?

[The following testimony was delivered through an interpreter.]

Ms. ANTUNEZ. Well, if I understood your question correctly, yes, that would be good. I actually tried to do this on a prior occasion. I tried to ask for help for the people of Cuba, and on this occasion, I brought a letter from my brother, Antunez, to the Congressional Black Caucus, who had traveled to Cuba.

I wanted to try and meet with you so that I could explain to you the situation in Cuba.

Ms. JACKSON LEE. Well, I think this hearing—and, Mr. Chairman, if I just may finish—I think this hearing is almost finished, and if you have a letter, I will stand by to the end of this hearing and receive your letter, because I think American influence to the end of the travel ban would be of assistance to all Cubans, including Afro-Cubans. I am prepared to engage with you.

Chairman BERMAN. The time of the gentlelady has expired. Why don't you translate this.

Ms. ANTUNEZ. Yes, I don't have a letter with me now. I brought a letter in April directed to the members of the Black Caucus from Cuba at a time when my people, and specifically my brother, were suffering, both in health and also from political repression. They were in very bad circumstances, and that letter was not received at that time.

Ms. JACKSON LEE. Well, take the help when it is offered, and it is offered today. Thank you very much.

Ms. ROS-LEHTINEN. Mr. Chairman.

Chairman BERMAN. The chair recognizes the gentlelady, the ranking member.

Ms. ROS-LEHTINEN. I have heard from a lot of folks in wanting to lift the ban group here, and they have their stickers, and thank you for being here, and I also want to point out and say thank you to the ex-political prisoners from Cuba who are now residing in New Jersey for also coming over here. Thank you so much. It is democracy at work. Thank you.

Chairman BERMAN. Just in closing the hearing, I want to thank the ranking member for her cooperation. This was a vigorous and fascinating exchange of views, and our witnesses were very helpful, the ones remaining and the ones who had to leave.

I think it was a great example of democracy in action, and clashes of views and ideas, and the one thing that I think the entire committee shares is a desire that one day in Cuba that kind of peaceful clash of ideas can be expressed in the political system in Cuba.

[Applause.]

Mr. DELAHUNT. Mr. Chairman.

Chairman BERMAN. The gentleman from Maine is recognized.

Mr. DELAHUNT. I don't want to give you the last word, but if you would indulge me for a moment. The question has been asked of various individuals when they go to Cuba do they ask to see political prisoners.

I want it to be noted for the record that my first trip to Cuba occurred in 1988, as a part of the human rights project. At that point in time, we asked and requested a meeting with a group of prisoners in combutardo del taste, and probably mispronouncing it, who identified themselves as los plantados.

I have a sense that some of them are here today. Let me just suggest this. We did press the government after that visit, and I certainly am not taking credit for it, but I am aware that approximately 9 months to 1 year later los plantados were released at some time, but we don't know.

Good things can happen if we continue to press, and I have been on trips with Mr. Peters. I can assure you that in every single occasion that we have pressed. We have met with dissidents. Miriam Leiva, and her husband, Oscar Espinosa Chepe, are friends of mine. I know the pain and anguish that they have suffered as well. So I say this to everyone that is here in the audience today, we understand.

Ms. JACKSON LEE. Mr. Chairman, would you just indulge me for just a moment?

Chairman BERMAN. No, I get the last word.

Ms. JACKSON LEE. I want you to have the last word, and so would you yield for just a brief moment, Mr. Chairman, I would appreciate it.

Chairman BERMAN. The gentlelady.

Ms. JACKSON LEE. And I will yield back, Mr. Chairman.

Chairman BERMAN. Okay.

Ms. JACKSON LEE. Let me just say that I indicated to my dear sister, Ms. Antunez, that help is here and take advantage of it. Let me say, not having been present in April, let me convey at least the openness of all Members of Congress, including the Congressional Black Caucus, to the issues of oppressed people, and I do want to stay behind in all sincerity either to receive information or to be able to reach back to you, because if we are nothing in this country, we are people who fight against oppression, and we are willing to fight against oppression on your behalf. I yield back to you, Mr. Chairman.

Chairman BERMAN. Thank you, and now the hearing on another form of oppression, and against religious freedom, is going to take place by the Subcommittee on Middle East and South Asia, I believe, and with that, thank you all, and the hearing is adjourned.

[Whereupon, at 2:14 p.m., the committee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

FULL COMMITTEE HEARING NOTICE
Committee on Foreign Affairs
U.S. House of Representatives
Washington, D.C. 20515-0128

Howard L. Berman (D-CA), Chairman

November 16, 2009

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building**:

DATE: Thursday, November 19, 2009

TIME: 10:00 a.m.

SUBJECT: Is it Time to Lift the Ban on Travel to Cuba?

WITNESSES: General Barry R. McCaffrey, USA, Retired
President
BR McCaffrey Associates, LLC

Ambassador James Cason
Former Chief of Mission
U.S. Interests Section, Havana, Cuba

Ms. Miriam Leiva
Independent Journalist and Founder, Ladies in White

Mr. Ignacio Sosa
Executive Board Member
Friends of Caritas Cubana

Ms. Berta Antunez
Sister of Former Political Prisoner Jorge Luis Garcia Perez
("Antunez")
Pro-democracy Activist

Mr. Philip Peters
Vice President
Lexington Institute

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE HEARING

Day Thursday Date 11/19/09 Room 2172 RHOBStarting Time 10:03 A.M. Ending Time 2:13 P.M.Recesses 2 (11:41 to 12:12) (1:24 to 1:51)

Presiding Member(s)

Howard L. Berman (CA), Chairman

CHECK ALL OF THE FOLLOWING THAT APPLY:

Open Session	<input checked="" type="checkbox"/>	Electronically Recorded (taped)	<input checked="" type="checkbox"/>
Executive (closed) Session		Stenographic Record	<input checked="" type="checkbox"/>
Televised	<input checked="" type="checkbox"/>		

TITLE OF HEARING or BILLS FOR MARKUP: (Include bill number(s) and title(s) of legislation.)

Is it Time to Lift the Ban on Travel to Cuba?

COMMITTEE MEMBERS PRESENT:

See attached

NON-COMMITTEE MEMBERS PRESENT:

Laura Richardson (CA)

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

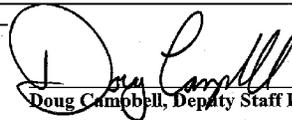
- Letters of support for Lifting the Ban on Travel to Cuba; from Warren Christopher, Madeline Albright, Cuba Study Group, Freedom House, Human Rights Watch, Open Cuba, U.S. Conference on Catholic Bishops, US Chamber of Commerce, George P. Schultz of Hoover Institution at Stanford University; and former senior officers of the U.S. Armed Forces

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

Subject	Yeas	Nays	Present	Not Voting
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TIME SCHEDULED TO RECONVENE

or
TIME ADJOURNED 2:13 P.M.


Doug Campbell, Deputy Staff Director

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE HEARING

Is it Time to Lift the Ban on Travel to Cuba?
Thursday, November 19, 2009

STATEMENTS FOR THE RECORD (cont.):

- Letter of support from Rep. Sam Farr for Lifting the Ban on Travel to Cuba – submitted by Howard L. Berman
- In the Suitcases: A reflection on the necessary liberalization of Americans' travel to Cuba. A statement by Cuban blogger Yoani Sanchez directed to Chairman Howard L. Berman – submitted by Howard L. Berman.
- Memorandum on Selected Cuban Operations against the United States, by Frank Calzon, Executive Director of Center for a Free Cuba – submitted by Ileana Ros-Lehtinen
- Letter dated 11/25/09 written to Ileana Ros-Lehtinen by the parents of Mario M. de la Pena. Submitted by Ileana Ros-Lehtinen
- Cuban Spy Instructions submitted by Ileana Ros-Lehtinen

**Attendance - HCFA Full Committee Hearing
Is it Time to Lift the Ban on Travel to Cuba?
Thursday, November 19, 2009 @ 10:00 a.m. , 2172 RHOB**

Howard L. Berman (CA)	Ileana Ros-Lehtinen, (FL)
Eni F.H. Faleomavaega (AS)	Christopher H. Smith (NJ)
Eliot L. Engel (NY)	Dan Burton (IN)
William D. Delahunt (MA)	Edward R. Royce (CA)
Gregory W. Meeks (NY)	Jeff Flake (AZ)
Diane E. Watson (CA)	Mike Pence (IN)
Albio Sires (NJ)	Joe Wilson (SC)
Gerald E. Connolly (VA)	John Boozman (AR)
Michael E. McMahon (NY)	Connie Mack (FL)
Lynn C. Woolsey (CA)	Ted Poe (TX)
Sheila Jackson-Lee (TX)	Bob Inglis (SC)
Barbara Lee (CA)	Gus Bilirakis (FL)
Shelley Berkley (NV)	
Joseph Crowley (NY)	
David Scott (GA)	
Jim Costa (CA)	
Ron Klein (FL)	

*** Laura Richardson (CA)

*** - Non-Committee Member

November 19, 2009

Verbatim, as delivered

Chairman Berman's opening statement at hearing, "Is it Time to Lift the Ban on Travel to Cuba?"

Americans have the right to travel to Iran, the world's leading state sponsor of terrorism, which seeks a nuclear weapons capability in violation of its obligations under the Nuclear Non-proliferation Treaty. We can go to North Korea, which threatens to destabilize East Asia with its nuclear weapons program. And even during the darkest days of the Cold War, our citizens could visit the Soviet Union.

Yet the vast majority of Americans are still prohibited by law from travelling to Cuba. It is the only country in the world where our people are not allowed to go.

I am no fan of the Castro brothers. In my book, they are dictators and despots.

The Cuban people are still denied the right to choose their own form of government. They are jailed arbitrarily. They are denied a free press, freedom of assembly, and freedom of expression. The recent beating of renowned Cuban blogger Yoanni Sanchez as she walked to a peace march says it all.

But let's face it. By any objective measure, the nearly fifty-year-old travel ban simply hasn't worked.

This fact is clearly understood by the American people. Recent polls indicate that 64 percent of Americans, and a full 67 percent of Cuban-Americans, support allowing all American citizens to travel to Cuba.

It's clearly time for a change.

This hearing is not about ending the entire Cuban embargo. When President Obama abolished travel restrictions on Cuban-Americans earlier this year, he made it clear that the larger issue of the embargo was a debate for another day. Unlike the travel ban, the economic embargo does not implicate the fundamental human rights of U.S. citizens. Today we will focus on whether we should scrap the restrictions on Americans traveling to Cuba.

The travel ban has prevented contact between Cubans and ordinary Americans, who serve as ambassadors for the democratic values we hold dear. Such contact would help break Havana's chokehold on information about the outside world. And it would contribute to improving the image of the United States, particularly in Latin America, where the U.S. embargo on Cuba remains a centerpiece of anti-Washington grievances.

Proponents of the travel ban argue that we should not make any change in the law without a reciprocal gesture from the Cuban regime. I believe it is a huge mistake to treat the travel issue in this manner.

Letting US citizens travel to Cuba is not a gift to the Castros – it is in our national interest. Waiting for a concession from Havana before we do something on behalf of our own citizens perversely puts the Cuban government in charge of that decision.

I understand the concern that allowing Americans to travel to Cuba would put money in the hands of the Castros. But the reality is that a significant portion of these funds would also aid the underground economy and the small self-employed sector, strengthening an important foundation of independence from Cuba's authoritarian regime.

At the end of the day, the importance of depriving the Castro regime of some additional financial resources is far outweighed by our interest in accelerating the spread of democratic ideas and supporting the development of a healthy civil society in Cuba.

For too long, our policy decisions about Cuba, including the travel ban, have centered on hurting the Castro regime rather than helping the Cuban people. But this has led to the worst possible outcome: In an effort to make the Castros feel the sting, we have made the Cuban people cry. It is time to make the well-being of the Cuban people the driving force behind our policy toward the island.

Lifting the travel ban will benefit both U.S. and Cuban citizens. We need to let Americans be beacons of hope; they will bring freedom with them.

Let thousands of U.S. visitors chip away at the Castro information monopoly with thousands of small cuts. Let the residents of 19 US cities actually travel to their sister cities in Cuba. Let Americans and Cubans openly discuss human rights and market-based economics and Hollywood movies on streets, beaches and in cafés throughout Cuba – and take the U.S. government out of the business of deciding what should be discussed and which Americans should do the talking.

The freedom to travel is an important thread running through American history – from the settlement of the West, to the road trips inspired by author Jack Kerouac, to the exploration of outer space. The Cuba travel ban is squarely at odds with this uniquely American value, and constitutes a disturbing infringement on the right of our citizens to freedom of speech, association, and to travel.

Except under the most extreme circumstances, the government has no business telling us where we should go or with whom we should talk. It is beyond absurd that the Treasury Department – through a humiliating and Kafkaesque licensing process -- is in the position of deciding which American church groups can and cannot visit religious leaders on the island, and which of our artists and musicians are allowed to collaborate freely with their Cuban counterparts. This is Big Brother government at its worst.

Last week we celebrated the 20th anniversary of the fall of the Berlin Wall. We re-lived the moments when East Germans and West Germans, after years of separation, came together as one.

There is also a wall in the Cuban context – invisible yet very real – and to the extent that our policy has erected this barrier, we must begin to tear it down. I want to experience, as we all do, the joyful day when Cubans on the island and Cuban-Americans are also re-united.

It's time to trust our own people. It's time to restore the right of Americans to travel to Cuba.

Statement of Cong. Mike Pence – 11.19.09

Hearing : *“Is it Time to Lift the Ban on Travel to Cuba?”*

Thank you, Mr. Chairman.

As we all know, travel to Cuba is not banned. There are actually 18 categories for which travel to Cuba is permitted. What is restricted, and what this hearing primarily boils down to, is tourist travel to Cuba.

We are not talking about opening Cuba’s free and open tourist industry – there is no such thing. What we are talking about are hotels and services which pay directly into the pockets of Cuba’s government and military. The average Cuban citizen can’t even approach these exclusive hotels. Those who are permitted to be there for work are not paid adequately and are required to tow a strict party-line.

Those who argue for lifting this travel restriction say that Cuba will open up democratically once the citizens can have contact with outsiders. But Europeans and others from all over the world have been able to travel to Cuba for decades. If tourist travel is going to open up Cuba, why hasn't it happened yet?

What lifting this ban would do is fatten the pocket books of party and military elites in Cuba. As in any communist system, the government elites live in luxury, while the citizens are all equal – all equal in their poverty. Just as oil money is the lifeline to the Iranian regime, tourist money is the lifeline to the Cuban regime.

Thank you. I yield back the balance of my time.

**Congressman Michael E. McMahon's Opening Statement for the November 19, 2009
Hearing: "Is it Time to Lift the Ban on Travel to Cuba?"**

Thank you, Mr. Chairman.

"Cuba is a totalitarian police state which relies on repressive methods to maintain control. These methods include intense physical and electronic surveillance of both Cuban citizens and foreign visitors. Americans visiting Cuba should be aware that any encounter with a Cuban citizen could be subject to surreptitious scrutiny by the General Directorate for State Security (DGSE) of Cuba. Also, any interactions with average Cubans, regardless of how well intentioned, can subject that Cuban to harassment and/or detention, and other forms of repressive actions, by state security elements. The Government of Cuba bases much of its legitimacy on being strongly opposed to the U.S. government. Nevertheless, its need to earn hard currency through the tourist industry prompts it to encourage tourism from any source."

Mr. Chairman, this description is not a relic of the Cold War, but rather an excerpt from the State Department's 2009 Country Description by the Bureau of Consular Affairs.

Recent lobbying efforts to eradicate trade and travel restrictions to Cuba rest on the foundation that exposure to Americans will lead to the opening of the Cuban Dictatorship.

But, Cuba receives \$3 billion annually through tourism, yet none of the Europeans, Latin Americans, Canadians and Asians going through Cuba have steered the regime towards a greater understanding of democracy or human rights.

Will vacationing Americans suddenly break the chains of communism and set the Cuban people free?

On the contrary, our dollars will go towards rewarding the Cuban regime for its atrocious treatment of its citizens and its rabid anti-Americanism.

Tourism is a commodity, perhaps the most lucrative for that regime. When you sanction a country, you want to make sure to target its most lucrative industry, whether it's refining oil in Iran, precious gems in Burma or tourism in Cuba.

Cuba is still the country with the highest (per capita) percentage of political prisoners in the world.

Such legislation to permit travel and ease trade to Cuba will only strengthen Castro's resolve.

Hard currency should be kept out of the hands of this regime and the only reforms the United States should push forward are reforms to Cuba's oppressive policies.

Thank you.

Statement by Rep. John Tanner at House Foreign Affairs Hearing on Cuba
Travel

November 19, 2009



Mr. Chairman, I ask unanimous consent to submit my statement in support of lifting the ban on travel to Cuba for the record.

I would like to begin by commending Chairman Berman and Senator Lugar for their letter in support in lifting the travel ban. Many of us have long supported lifting the ban on travel, and I hope this fresh momentum will help make that goal a reality.

For over four decades our policy has been to cut off the Castro regime in hopes that isolation will breed reform or even revolution. However, the record speaks for itself. The Castro regime remains in power and, as evidenced by recent crackdowns on local Cuban bloggers, the Cuban government does not appear to be turning towards reform despite our lengthy policy of isolation.

I firmly believe that one of America's greatest assets in confronting oppressive regimes is the outward expression of our many freedoms simply through living our daily lives. The more person-to-person interactions that occur between a free and an oppressed state, the more the latter desires to obtain the liberties of the former. This is accomplished not by proselytizing, but by simple interactions that create a longing for democratic principles in the hearts of oppressed people. By giving Americans the ability to travel to Cuba, we will provide a vehicle for change in the Castro regime through our daily interactions with the Cuban people.

Still, Cuba remains the only country in the world where U.S. citizens are unilaterally prohibited from traveling. Nowhere else are Americans restricted of their freedom to travel and associate, not even to repressive countries such as North Korea, Burma, or Iran. In addition, certain groups of Americans, notably politicians, such as myself, on official travel, are allowed to travel to Cuba. Yet, ordinary citizens are still prohibited from traveling to Cuba. As a lawyer, I hold dear the notion of equal protection under the law, and our current policy of allowing some but not all to travel to

Cuba violates that principle. I agree with Chairman Berman and Senator Lugar when they state in their letter that “[s]ometimes a travel ban may be necessary, but nothing about the Cuba situation today justifies such an infringement on our basic liberties.”

I urge my colleagues in the House and Senate to support legislation to lift all restrictions on travel to Cuba by U.S. citizens.

I yield back the remainder of my time.

CONGRESSWOMAN JACKSON LEE, OF TEXAS
Committee on Foreign Affairs

Full Committee

“Is it Time to Lift the Ban on Travel to Cuba?”
STATEMENT

November 19, 2009

Foremost, I would like to extend my gratitude to the Chairman for hosting this important Committee hearing today. I would also like to thank our distinguished witnesses:

- General Barry R. McCaffrey, USA Retired, President of BR McCaffrey Associates, LLC;
- Ambassador James Carson, Former Chief of Mission of the U.S. Interests Section in Havana, Cuba.
- Ms. Miriam Leiva, Independent Journalist and Founder of Ladies in White;
- Mr. Ignacio Sosa, Executive Board Member of Friends of Caritas Cubana;
- Ms. Berta Antunez, Sister of Jorge Luis Garcia Perez (“Antunez”), Pro-democracy activist; and
- Mr. Phillip Peters, Vice President of the Lexington Institute.

I thank you for bringing your advice and expertise today as we analyze the long-standing U.S policy prohibiting travel to Cuba.

The U.S. relationship with Cuba is mired in hardened rhetoric and entrenched positions. Both sides of the debate about the embargo and other hard-line U.S. policies

towards Cuba claim the moral high ground. Since 1963, the U.S. ban on travel to Cuba has been amended many times moving along the spectrum from complete elimination to strict enforcement. The oscillation of the travel ban represents the difficulty of this issue and the infidelity that our government has had to using this aspect of our foreign policy towards Cuba. As former Cuban political prisoner Oscar Espinosa Chepe said after his release from prison in 2004, the U.S. travel ban is “absurd” and “what we need is to create space for dialogue.”

It has long been my belief that engagement is preferable to categorically rejecting dialogue and greater mutual understanding can be fostered through cultural exchange. In that spirit, I welcomed the new approach to our relationship with Cuba offered by President Obama and his administration. I believe that the Administration’s new talks with Cuba on migration and postal service are a step in the right direction.

A travel ban to Cuba prevents cultural exchange that could help promote democratic change. Is the policy of isolating Cuba from the U.S. a better way to break the Government’s repressive authority over the island than sending tourists, cultural groups, sports teams, and anyone else to Cuba? I find it hard to believe that the Cuban government could successfully keep the ensuing tidal wave of human interaction from fostering democracy promotion if the travel ban were lifted. If we look to the outcomes of our past policies it is hard to make a case that hard-line policies toward Cuba advance freedom, promote democracy, or help the Cuban people in any meaningful way. That is why I cosponsored HR 874, allowing travel between the U.S. and Cuba, which was introduced by my colleague, Congressman Bill Delahunt, Chairman of the Subcommittee on International Organizations, Human Rights, and Oversight.

I would like to note that the hard-line policy against Cuba is seen unfavorably by the international community. On October 28, 2009, the United Nations General Assembly once again passed a nonbinding resolution condemning the U.S. embargo on Cuba. While the yearly resolution may be seen only as a symbolic act, the 187 countries that supported its passage clearly disagree with the antiquated notion that the embargo is justified.

I took the President at his word when he said at the Opening Ceremony at the Summit of the Americas on April 17, 2009, “The United States seeks a new beginning with Cuba.” Let us start the new beginning by sending our citizens as cultural emissaries to the island and create mutual understanding that can help us rebuild our relationship. Cuba and the United States are natural friends and we should work to restore the trust and good will that has been missing for more than four decades.

Thank you, Mr. Chairman.

OPENING STATEMENT (Rep. Albio Sires – 11/19/09)

Mr. Chairman, lifting travel restrictions could send countless American tourists to Cuba. And when tourists visit the island, their money does not help the Cuban people; it goes into the pockets of their oppressors! By lifting travel restrictions, we are unequivocally funding an oppressive regime.

This oppression of the Cuban regime is systemized and constant. A couple weeks ago, agents rounded up and beat blogger Yoani Sanchez and others who were on their way to a peaceful demonstration to promote human rights and denounce violence – and for this, they were beaten. Just yesterday, Human Rights Watch released a 123-page report detailing the atrocities conducted by the Cuban regime. The report documents unwareted threats, violent attacks, arrests, and imprisonments. The horrible conditions in Cuba are not unknown, and they are not up for debate. This is the reality in Cuba, and it is these oppressive activities that increased travel will help fund.

Lifting travel restrictions would provide a windfall for the Cuban regime, but offer no hope for the Cuban people. By allowing tourist travel, we would send a clear message that we no longer care about freedom and democracy on the island. This is not the message we should send.

I look forward to hearing from today's witnesses who have personal knowledge of the opposition movement in Cuba. Thank you.

The Honorable Gerald E. Connolly (VA-11)

**HCFA Full Committee Hearing: Is it Time to Lift the Cuba Travel Ban?
Wednesday, November 18, 2009
10am**

Mr. Chairman, thank you for holding today's hearing on the state of travel restrictions to Cuba, a subject of great interest for those with family and financial ties to Cuba and those who seek to create new ties.

Philosophically, in an ideal world, I support allowing Americans to travel freely anywhere in the world they seek to visit for pleasure or business. I can attest to the tremendous value of being able to experience other peoples and cultures. If only the question posed by today's hearing were that simple.

In the case of Cuba, we are in the midst of a protracted engagement with another country with which we've had financial, trade and travel restrictions of varying degrees for the past half century. Our relationship with Cuba has been tenuous at best ever since the Castro regime came to power following the 1959 Cuban Revolution. From the nuclear showdown of 1962 to the military conflict in Grenada in 1983 to the continued oppression of its people, Cuba has consistently positioned itself opposite American interests.

That being said, we continue to make overtures of cooperation to Cuba despite the fact that such actions have not been reciprocated. Earlier this year, as part of the Omnibus Appropriations Act, we adopted two provisions to relax current restrictions on Cuban travel. The first was an amendment to the Travel Sanctions Reform and Export Enhancement Act reversing regulatory impediments to the sales of food and medicine to Cuba that were imposed by the Bush administration in 2005. The second overturned family travel restrictions imposed by the Bush administration in 2004. Under the new provision, immediate family members will be allowed to visit their relatives in Cuba once a year instead of only once every three years as previously allowed. President Obama then went a step further by lifting all restrictions on family travel and allowing telecommunications companies to begin providing services to the island.

The United States has extended an olive branch, and now it is up to the Castro regime to respond. Further relaxing the current travel and trade restrictions without reciprocal actions from Cuba would only undermine our efforts to improve human rights conditions there, and it also might embolden a Castro regime in its twilight. While I sympathize with the plight of those with family in Cuba, I believe we cannot afford simply to give away what leverage we still have

over the Castro regime if we seriously intend to realize improvements for the Cuban people and their families here in America.

Pro lifting ban:

- Will facilitate communication and an exchange of ideas between Americans and Cubans. This is the best way to open Cuba—through individual interactions.
- America is a free society, and Americans have a right to travel where they'd like.
- It's an inconsistent policy, since travel to other authoritarian countries is not prohibited.
- It is an arcane policy; Cuba poses no threat to the U.S.

Con lifting ban:

- The ban is not overarching, just severely limiting. Therefore, if it is absolutely necessary, Americans can travel to Cuba.
- Lifting the ban would bring tourist revenue to Cuba, which would benefit the Castro regime. Why should the U.S. allow this windfall when the Castro regime has not made any progress? Estimates of annual U.S. cash remittances to Cuba range from \$400 million-\$1 billion.
- The United States has already made overtures. Last April, President Obama loosened travel and remittance restrictions with regard to Cuba. What reciprocal action has Cuba taken?
- European tourists are allowed to visit Cuba, but Cuba has not become freer as a result. What makes us think that allowing Americans to go would be any different?

Bottom line: I understand the reasons for lifting the ban, but I'm hesitant to do so without some sort of good faith gesture from the Castro regime.

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MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE HOWARD L. BERMAN, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN,
COMMITTEE ON FOREIGN AFFAIRS

WARREN CHRISTOPHER
7TH FLOOR
1999 AVENUE OF THE STARS
LOS ANGELES, CALIFORNIA 90067-6035

November 11, 2009

Dear Chairman Berman:

When the Foreign Affairs Committee meets on November 19 at a hearing to discuss the wisdom of the ban on U.S. citizen travel to Cuba, I would like to add my voice to the deliberations.

I believe strongly that the time has come for Congress to lift the Cuba travel ban completely. The ban on travel by Americans to the island has never served to weaken the Castro regime, change its harsh treatment of the Cuban people, or rally support for U.S. policy in the region or around the world.

I would appreciate very much if you could make my sentiments known to the Committee.

Sincerely,



Warren Christopher

The Honorable Howard L. Berman
U.S. Congress
2221 Rayburn House Office Building
Washington, D.C. 20515

MADELEINE ALBRIGHT

November 12, 2009

The Honorable Howard L. Berman
U.S. Congress
2221 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

I am writing in response to a request from members of your committee soliciting my views on a proposal to lift the ban on travel by United States citizens to Cuba.

I believe that U.S. policy toward Cuba should be to establish and maintain contacts that will contribute to the growth of political openness and respect for human rights in that country. It has been my experience that American citizens are among the world's best ambassadors for freedom and democracy. Accordingly, I support lifting restrictions on travel by Americans to Cuba, especially at this time of pressure for economic modernization and potential political transition on the island.

Please do not hesitate to share my views on this subject with members of your committee.

Sincerely,



Madeleine K. Albright

CUBA STUDY GROUP

November 17, 2009

The Honorable Howard L. Berman
Chairman
Committee on Foreign Affairs
U.S. House of Representatives
2170 Rayburn House Office Building
Washington, DC 20515

Mr. Chairman,

I commend you and the Committee for scheduling the upcoming hearing "Is it Time to Lift the Ban on Travel to Cuba?" It is indeed time for the U.S. Congress to recognize that the policy of isolation has not only failed to bring about change in Cuba, but may have actually delayed it by further isolating the Cuban people.

The Cuba Study Group believes that the ban on travel to Cuba not only adds to the isolation of the Cuban people, but also that it undermines other important policy goals.

Nowhere in any of the Eastern European transitions did human isolation from the free world – specifically in the form of travel and remittance restrictions – constitute an element of pre-transition policies by relevant Western nations, including the United States. In fact, a deeper analysis of these transitions reveals an extraordinary correlation between the degree of pre-transition openness and the degree of democratic success.

Fluid and unregulated contacts with the outside world can help Cubans gain access to greater information and resources. Greater exchange may provide ample opportunities to infuse private and government resources to directly support the efforts of civil society activists.

After nearly fifty years of division, political hatred, and government brutality, human ties, built step by step on the ground, will be essential to any peaceful transition to democracy.

The overwhelming majority of Cuba's leading dissidents and bloggers have been critical of U.S. restrictions on travel to Cuba and have repeatedly called on the United States to lift restrictions on travel and remittances. It is counterintuitive for the United States to claim it supports the aspirations of Cuban civil society activists while refusing to listen to their pleas.

For these and other reasons the Cuba Study Group has joined other human rights organizations, such as Freedom House and Human Rights Watch, who have called on Congress to end the ban on travel to Cuba. I thank you for your leadership and ask that this statement be included in the record.

Respectfully,



Carlos Saladrigas
Co-Chairman

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Is it Time to Lift the Ban on Travel to Cuba?

**Statement to the
Committee on Foreign Affairs
U.S. House of Representatives**

**Freedom House
November 19, 2009**

Chairman Berman, Ranking Member Ros-Lehtinen, Honorable Committee Members,

Ten days ago, the 20th anniversary of the fall of the Berlin Wall provided a powerful reminder of freedom's appeal. The Berlin Wall was built during the height of the Cold War to block the movement of East German citizens—to keep them from choosing where they would travel or live—and to obstruct the ideas of political liberty from coming in from the West. In a 1987 speech at the Brandenburg Gate, President Ronald Reagan famously called out to the Soviet leader, “Mr. Gorbachev, tear down this wall.” Yet it was not Mikhail Gorbachev who brought down the wall a little more than two years later, but rather the citizens of Berlin on both sides of the wall. They literally tore the wall down, because they wanted to go where they pleased, to say what was on their mind, and to choose the kind of country they wanted to live in.

East Germany, at the time of its collapse, was as repressive as Cuba is today. Both countries received the lowest rating for political rights in the *Freedom in the World* survey (for 1989 and 2009 respectively) and the next lowest rating, 6 out of 7, for civil liberties. Cuba's restrictions on travel are among the tightest of any country. Cuban citizens may travel outside their country only with explicit government permission. These travel restrictions, along with strict controls on the flow of information, greatly limit the exposure of Cuban citizens to the outside world, particularly to the values and experiences of freedom that will point Cuba toward a brighter future.

Freedom House wants to see the U.S. ban on travel to Cuba lifted, so that the flow of information to Cuban citizens will increase and the spread of the ideas of liberty will be far more difficult for the Cuban government to contain. Removal of this travel ban, as Freedom House declared in its January 7, 2009 statement, will reinvigorate efforts to advance human rights and democracy in Cuba. Moreover, freedom of movement is a fundamental right. Repeal of the U.S. ban on travel to Cuba will reaffirm the right of all Americans to travel wherever they want.

Repression in Cuba

Cuba remains one of the most repressive countries on earth. It is among the 17 countries worldwide labeled by Freedom House as the *Worst of the Worst* in 2009. The Communist Party of Cuba, under the leadership of Raul Castro, maintains a monopoly on political power. There is no tolerance for any political organization outside of the Communist Party. Neighbor-watch groups, known as Committees for the Defense of the Revolution, extend the regime's reach throughout society to monitor and limit opposition activity. The unauthorized assembly of more

than three people is punishable by law with up to three months in prison. Critics of the regime risk arrest or physical assault. Press freedom is sharply curtailed, and access to the internet is tightly controlled. In Freedom House's survey of *Freedom on the Net* in 15 countries, released earlier this year, Cuba received the lowest rating for internet and digital media freedom, even below China, Tunisia, and Iran.

Although Raul Castro has introduced modest reforms, they are primarily aimed at improving Cuba's macroeconomic performance and have had a minimal effect, if any, in loosening the Communist regime's grip on society. The reforms have done nothing to loosen constraints on political rights in Cuba. The regime continues to crack down brutally on dissent. Just two weeks ago, for instance, prominent bloggers Yoani Sanchez, Orlando Luis Pardo, and Claudia Cadelo were thrown into the back of a car by plain clothes government security agents while they were walking to participate in a peaceful march in downtown Havana. They were punched in the head, chest, and kidneys and were taken to a place 20 minutes away, where they were thrown out of the car.

Cuba's Travel Restrictions

Foreign travel by Cuban citizens remains tightly restricted. According to *Freedom in the World*, which assesses freedom of travel, among other individual rights, only two other countries have tighter restrictions on foreign travel: North Korea, where there is no freedom of movement; and Saudi Arabia, which denies women the right to travel within or outside of the country without a male relative. Cuba's travel restrictions are on a par with those of Uzbekistan, Turkmenistan, and Equatorial Guinea.

Despite reports in April 2008 of plans by Raul Castro to lift restrictions on foreign travel by Cuban citizens, these restrictions remain in place. Citizens are only allowed to leave the island if they receive an exit visa, known as a *tarjeta blanca* ("white card"). The process to obtain a *tarjeta blanca* can take months, and citizens can be denied a *tarjeta blanca* without official explanation.

In the past year and a half, the process may have become a bit easier for average citizens, but most of the dissidents who received permission to leave the island had a European or Latin American government intervene on their behalf, and other independent writers and activists are still prevented from traveling abroad. Juan Juan Almeida, whose father was a leader of the 1959 Cuban Revolution, is being refused permission to leave the country because he criticized the government, while Yoani Sanchez was denied an exit visa to travel to New York last month to receive a prestigious journalism prize from Columbia University. In September 2009, the Cuban government refused to grant exit permits to about 30 students who had received U.S. government-funded scholarships to study at U.S. universities.

Isolation of Cuban Citizens

The restrictions on travel, independent media, and internet access have left Cubans isolated from the outside world. Cubans are cut off from news and views that challenge the warped "reality" presented in official propaganda. This isolation is reflected in the bleak outlook of Cubans, as

reported in two Freedom House studies on *How Citizens View Their Country's Future*, entitled *Change in Cuba* (September 14, 2008) and *Another "Special Period" in Cuba?* (March 25, 2009). Each study was based on more than 160 in-depth interviews with a broad range of Cuban citizens in five provinces.

These studies found that while many Cubans expect the communist system to collapse eventually, they view change in Cuba as a distant prospect, and they have difficulty envisioning a better future for their country. They are uninformed or misinformed about Cuba's democracy movement, and they seem incapable of organizing a popular response to government oppression. Even younger Cubans express little if any interest in participating in a future transition.

Many of the respondents in Freedom House's surveys are so absorbed with day-to-day survival that they think it is a luxury to imagine what life might be like in a year or two, let alone whether they could be free. A 37-year-old doctor in Santiago, for example, said that all he could do was to "be resigned and try to live better. Two students, when asked what they thought about life in Cuba, responded sarcastically, "We have to like it. It's our country and we can't leave."

Moreover, while Cubans see little prospect for change, even that prospect seems to give them more anxiety than hope. There is significant fear that political change will bring crime and insecurity to Cuba.

Some of the respondents to Freedom House's surveys expressed a desire for freedom. Among the three reforms they specifically want to see is the freedom of movement.

The bleak outlook of Cubans reported in Freedom House's surveys has taken root over decades of government propaganda and intimidation. Cubans are unlikely to gain hope for a better future unless they begin to see real alternatives to Communist-party rule and to hear first-hand about the benefits of free markets and open political systems. Such hope is critical to give Cuban citizens a sense of empowerment and to inspire them to assert their rights and demand freedom for Cuba.

Removal of the U.S. ban on travel to Cuba offers the prospect of greatly expanding the flow of information to Cuban citizens about the outside world, particularly the values and experiences of democracy. American travelers can explain the benefits of our vibrant civil society and our open system of government, counteract the propaganda that the Castro regime uses to make Cubans afraid of change, and convey the promise of political alternatives. Lifting the travel ban is expected to lead to a huge increase in the number of American travelers to Cuba, which in turn will greatly complicate the Cuban government's efforts to block interaction between U.S. and Cuban citizens and to keep Cubans isolated.

Rights of U.S. Citizens

Removal of the U.S. travel ban will not only benefit Cubans but also respect the rights of U.S. citizens. Freedom of movement is recognized as a fundamental right under Article 13 of the Universal Declaration on Human Rights and under Article 12 of the International Covenant on Civil and Political Rights. The U.S. Supreme Court, in its 1958 ruling on *Kent v. Dulles*,

established the freedom of travel as a Fifth Amendment right, and in its 1964 ruling on *Aptheker v. Secretary of State*, Justice William Douglas declared that “Free movement by the citizen is, of course, as dangerous to a tyrant as free expression of ideas or the right of assembly... Freedom of movement is the very essence of our free society... Once the right to travel is curtailed, all other rights suffer.” Supreme Court Justice Arthur Goldberg concurred: “Travel abroad, like travel within the country, ... may be as close to the heart of the individual as the choice of what he eats, or wears, or reads. Freedom of movement is basic in our scheme of values.” Nonetheless, the Supreme Court in 1984 overturned its previous decisions and ruled that foreign policy concerns of the executive branch could override the Fifth Amendment right.

As part of the U.S. economic sanctions on Cuba, U.S. citizens are banned from travel to Cuba without the U.S. Treasury’s explicit authorization. There is no such ban in place for travel by U.S. citizens to any other country, not even to the countries designated by the U.S. State Department as state sponsors of terrorism—Iran, Sudan, or Syria.

U.S. legislation limits travel to Cuba to 12 categories of activities, including family visits, agricultural exports, journalism, and professional research. The effects of this limit are discriminatory. Cuban-Americans may receive U.S. Treasury authorization to visit Cuba, while Irish-Americans and African-Americans generally may not. Exporters of U.S. agricultural products can travel to Cuba, but exporters of other products cannot.

Conclusion

The ban on travel to Cuba is an anomaly for U.S. citizens in today’s world. Americans expect to travel freely, as well they should. Their visits to Cuba will serve to break through the barriers that the Cuban government maintains in its effort to keep out the values of democracy and the prospects for freedom. Let us put our trust in U.S. citizens to serve as ambassadors for our ideals—to convey the virtues of free expression and other fundamental rights, to explain how democracy is a choice made every day, to show Cubans the alternatives to the decrepit communist system, and to give Cubans hope for a brighter future.

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Washington, DC—November 18, 2009

Chairman Howard L. Berman
U.S. House Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515



www.hrw.org

Dear Mr. Chairman,

I would like to take this opportunity to congratulate you on convening this timely and critically important hearing of the United States House of Representatives Committee on Foreign Affairs on the US travel ban to Cuba. Human Rights Watch fully supports the Freedom to Travel to Cuba Act introduced in both the Senate (S. 428) and the House of Representatives (H. 874) to abolish restrictions on travel to Cuba. We believe lifting the travel ban represents an essential step towards ending a US policy that has failed for decades to have any impact whatsoever on improving human rights in Cuba.

Today, Human Rights Watch released a new report on human rights in Cuba (<http://www.hrw.org/en/node/86554>). The report concludes that rather than dismantle Cuba's repressive machinery, Raul Castro has kept it firmly in place and fully active. Scores of political prisoners arrested under Fidel Castro continue to languish in Cuba's prisons, and Raul Castro's government has used draconian laws and sham trials to incarcerate scores more who have dared to exercise their fundamental freedoms. The Raul Castro government has relied in particular on a "dangerousness" provision of the Criminal Code that allows authorities to imprison individuals before they have committed a crime, on the suspicion that they might commit an offense in the future.

Efforts by the US government to press for change by imposing a sweeping ban on trade and travel have proven to be a costly and misguided failure. The embargo imposes indiscriminate hardship on the Cuban population as a whole and has done nothing to improve the situation of human rights in Cuba. Rather than isolating Cuba, the policy has isolated the United States, enabling the Castro government to garner sympathy abroad while simultaneously alienating Washington's potential allies.

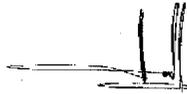
There is no question: the Cuban government bears full and exclusive responsibility for the abuses it commits. However, so long as the embargo remains in place, the Castro government will continue to manipulate US policy to cast itself as a Latin American David standing up to a US Goliath, a role it exploits skillfully.

Ending the travel ban is a step in the right direction toward reforming this failed policy, and Congress should act swiftly to pass the Freedom to Travel to Cuba Act.

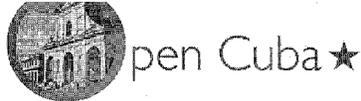
However, lifting the travel ban by itself will not bring an end to the Raul Castro government's repression. As a result, Human Rights Watch recommends that the US government replace its failed embargo policy with a more effective, multilateral approach. Our report lays out a proposal for the United States to work with allies in the European Union, Canada, and Latin America to forge a new coalition that will exert targeted pressure on the Raul Castro government to release all political prisoners.

Please share this statement with members of your committee. In addition, I would be very grateful if you would include this letter in the record of your hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "José Miguel Vivanco". The signature is written in a cursive style with some vertical strokes.

José Miguel Vivanco
Executive Director, Americas Division
Human Rights Watch



**Testimony Submitted for the Record by OpenCuba.org, a Campaign to
Connect Americans and Cubans through Travel**

**Before the Committee on Foreign Affairs
United States House of Representatives
November 19th, 2009**

Hearing on: "Is it Time to Lift the Ban on Travel to Cuba?"

Chairman Berman, Ranking Member Ros-Lehtinen, and members of the committee: The OpenCuba.org campaign is pleased to take this opportunity to provide its views on the Committee's consideration of ending restrictions on the ability of U.S. citizens to travel to Cuba.

The OpenCuba.org campaign was designed to create a grassroots platform for those that want to see an end to the U.S. ban on travel to Cuba. Launched by online travel company Orbitz Worldwide on May 11, 2009 -- and supported by a broad range of non-governmental organizations, including several Cuban-American groups, industry trade associations, and travel companies -- the campaign calls on U.S. lawmakers, President Obama and Vice President Biden to remove the ban on travel to Cuba.

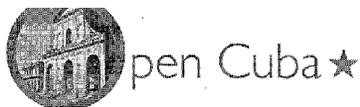
Recently, the OpenCuba.org campaign announced that more than 100,000 individuals had signed the online petition seeking to restore every Americans' right to travel to Cuba. Appendix 1 provides a state-by-state breakdown of the petitioners. Never before in the history of the U.S. ban on travel to Cuba has there been such an upwelling of popular support for a change in U.S. policy. The 100,000 OpenCuba.org petitioners are sending a powerful message to U.S. lawmakers, President Obama and Vice President Biden that the time to act is now. The time has come to restore to Americans the freedom to travel to Cuba.

According to a poll conducted earlier this year by Orbitz and the research organization Ipsos, 67% of Americans say they would support a policy that would allow all Americans to travel to Cuba, and 72% agree that expanding travel and tourism from the U.S. to Cuba would have a positive impact on the day-to-day lives of the Cuban people.

Cuba is the only country in the world to which the U.S. government bans travel. Americans today are free to travel to any other country, including countries such as Iran, Libya and North Korea.

The OpenCuba.org campaign believes that:

- 1) Americans should have the freedom to travel where they choose, and
- 2) travel -- and the resulting exchange of ideas between people from different countries and cultures -- can be a powerful force for peace and understanding.



American travelers around the world have served as ambassadors of the ideals and culture that we as a country hold so dear. The U.S. ban on travel to Cuba undermines our ability to use travel, and the resulting interactions between Americans and Cubans, to improve relations between our two countries.

Tourism also has the potential to significantly enhance the economic situation of developing countries around the world. Repealing the U.S. ban on travel to Cuba will help Cuba build a stronger tourism industry that will benefit the lives of its general population.

Efforts to end the ban on U.S. travel to Cuba are led by Senators Byron Dorgan and Mike Enzi and Congressmen Bill Delahunt and Jeff Flake. In their respective chambers, these members have introduced bipartisan legislation, each called the Freedom to Travel to Cuba Act. These bills have attracted more than 180 co-sponsors in the House and more than 30 co-sponsors in the Senate. The OpenCuba.org campaign is a strong supporter of this legislation and of the work of Senators Dorgan and Enzi and Congressmen Delahunt and Flake thus far. The OpenCuba.org campaign thanks Chairman Berman for his leadership in holding this hearing today.

Submitted by the OpenCuba.org Campaign:

Orbitz Worldwide
 Cuban American Alliance Education Fund
 Cuban American Commission for Family Rights
 Friends of Caritas Cubana
 National Foreign Trade Council
 USA*Engage
 Fund for Reconciliation and Development
 NAFSA: Association of International Educators
 National Tour Association
 United States Tour Operators Association
 Adventure Travel Trade Association
 iExplore.com

And -- 100,000 signers of the petition to end the travel ban.



Appendix I

Signatories from the OpenCuba.org campaign's petition to end the Cuba travel ban breakdown on a state-by-state basis as follows:

Destination	Petitioners	Destination	Petitioners	Destination	Petitioners
CA	14289	OR	1719	OK	393
NY	9095	WI	1501	RI	378
FL	7593	CT	1406	VT	363
AL	5828	IN	1086	ID	286
IL	4804	DC	980	NE	279
TX	4712	MO	977	AR	265
MA	3367	TN	966	AK	251
NJ	3186	SC	893	DE	248
PA	3179	LA	773	MT	228
WA	3130	NV	766	MS	221
CO	2792	NM	752	WV	200
VA	2765	UT	575	WY	128
MD	2288	ME	538	SD	90
GA	2282	KY	533	ND	65
MI	2268	IA	492	QC	5
OH	2208	KS	489	ON	5
NC	2178	HI	485	BC	3
AZ	1904	PR	433	Not in USA	2401
MN	1790	NH	431		



Committee on International Justice and Peace

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-3160
WEBSITE: WWW.USCCB.ORG/JPHD • FAX 202-541-3339

November 18, 2009

Representative Howard L. Berman
Chairman
Committee on Foreign Affairs

Dear Chairman Berman:

I write as chairman of the Committee on International Justice and Peace of the United States Conference of Catholic Bishops (USCCB) to express support for H.R. 874, a bill to allow travel between the United States and Cuba.

The USCCB has for many years consistently called for relaxing the sanctions against Cuba. These policies have largely failed to promote greater freedom, democracy and respect for human rights in Cuba. At the same time, our nation's counterproductive policies have unnecessarily alienated many other countries in the hemisphere. Improving the lives of the Cuban people and encouraging democracy and human rights in Cuba will best be advanced through more, rather than less, contact between the Cuban and American people.

Existing restrictions on the ability of Cubans residing in this country to travel to Cuba are particularly objectionable. No one should be prevented from visiting a dying relative or attending a loved one's funeral simply because he or she has traveled to Cuba once in the previous three years. Earlier this year we supported changes to this inhumane policy by the Administration of President Obama which adjusted administrative rules to facilitate travel by Cuban Americans to Cuba. Such changes, however welcome, cannot replace the need for the Congressional action contained in H.R. 874 that would lift all restrictions on travel by all U.S. citizens to Cuba.

Our Conference of Bishops supports final passage of this important piece of legislation.

Sincerely yours,

Most Reverend Howard J. Hubbard
Bishop of Albany
Chairman, Committee on International Justice and Peace



Statement of the U.S. Chamber of Commerce

On: Submitted for the Record for the Hearing: "Is it Time to Lift the Ban on Travel to Cuba?"

To: United States House of Representatives Committee on Foreign Affairs

By: U.S. Chamber of Commerce

Date: November 19, 2009

The Chamber's mission is to advance human progress through an economic, political and social system based on individual freedom, incentive, initiative, opportunity and responsibility.

The U.S. Chamber of Commerce is the world's largest business federation, representing more than three million businesses and organizations of every size, sector, and region.

More than 96 percent of the Chamber's members are small businesses with 100 or fewer employees, 70 percent of which have 10 or fewer employees. Yet, virtually all of the nation's largest companies are also active members. We are particularly cognizant of the problems of smaller businesses, as well as issues facing the business community at large.

Besides representing a cross-section of the American business community in terms of number of employees, the Chamber represents a wide management spectrum by type of business and location. Each major classification of American business -- manufacturing, retailing, services, construction, wholesaling, and finance -- is represented. Also, the Chamber has substantial membership in all 50 states.

The Chamber's international reach is substantial as well. It believes that global interdependence provides an opportunity, not a threat. In addition to the U.S. Chamber of Commerce's 112 American Chambers of Commerce abroad, an increasing number of members are engaged in the export and import of both goods and services and have ongoing investment activities. The Chamber favors strengthened international competitiveness and opposes artificial U.S. and foreign barriers to international business.

Positions on national issues are developed by a cross-section of Chamber members serving on committees, subcommittees, and task forces. More than 1,000 business people participate in this process.

The U.S. Chamber of Commerce sees an end to the travel ban as an important first step toward a policy more likely to bring change to Cuba and commercial benefits to the United States.

The last 50 years of U.S. policy toward Cuba have proven that unilateral sanctions do not work. Rather than encouraging Cuba to democratize, the embargo made a martyr out of a tyrant and actually helped prop up the Communist regime. Allowing Americans to act as ambassadors of freedom and democracy is an important first step in reforming U.S. policy toward Cuba.

But ultimately what we would like to see is an end to the embargo. During one of the most exciting and dynamic periods of global economic expansion and technological innovation, the Cuban people have been left out. Cuba's poverty is the direct result of a half century of Marxist mismanagement, but the embargo allows the Castro brothers to blame it on Washington. Lifting the embargo would not only remove their excuse for economic failure, it would help American farmers, businesses, and workers, as well as the Cuban people by providing new economic opportunities.

Unilateral sanctions also isolate the United States from its allies who choose not to join the U.S. in imposing sanctions, denying U.S. companies access to markets and bolstering third-country competitors. For American businesses, the U.S. International Trade Commission estimated in 2001 that the Cuba embargo costs American exporters up to \$1.2 billion annually in lost sales. Moreover, the embargo does not just hurt American businesses, but also workers and farmers who would benefit from trading with Cuba.

The United States is currently the primary supplier of food to Cuba, with exports reaching \$718 million in 2008. Currently authorized exports of U.S. food and agricultural products to Cuba would undoubtedly get a boost from a lifting of the travel ban. American travelers prefer American goods and familiar brands when traveling abroad. U.S. exporters would benefit from increased sales of their goods at restaurants, airports, hotel shops, and convenience stores across Cuba.

Additionally, U.S. exporters of currently authorized goods would benefit from a lifting of restrictions on the ability to travel for the purpose of establishing commercial relationships. U.S. exporters often lose out to third-country competitors because of the significant delays travel restrictions place on the ability to transact commercial sales. Unrestricted U.S. business travel to Cuba to explore the market would create additional commercial opportunities.

It is clear that the time is right to finally end a failed policy that isolates the United States from the region and the world. Public opinion has shifted in favor of increased trade and travel to Cuba. A September 2009 poll released by Bendixen & Associates indicates that 59% of the Cuban-American community approves of lifting the travel ban for all Americans.

Prosperity and free enterprise go hand in hand. The Chamber's own mission statement commits us to "advancing human progress through an economic, political, and social system based on individual freedom, incentive, initiative, opportunity, and responsibility." The Chamber supports efforts to broaden economic engagement with the island in the belief that additional commercial and people-to-people contacts would promote a transition to democracy and full civil liberties.



GEORGE P. SHULTZ
THOMAS W. AND SUSAN B. FORD
DISTINGUISHED FELLOW

November 18, 2009

Dear Chairman Berman,

When the House Foreign Affairs Committee meets tomorrow to discuss a possible lift on the ban on travel by Americans to Cuba, I urge you and your colleagues to strongly consider a change in U.S. policy.

I believe that American engagement with Cuba through open travel could build the momentum needed to facilitate political change and better bilateral relations. I therefore urge you and your colleagues in the U.S. Congress to end the ban on travel to Cuba.

Please feel free to share my views on this subject with members of your committee.

Sincerely yours,

A handwritten signature in cursive script that reads "George P. Shultz".

George P. Shultz

The Honorable Howard L. Berman
United States Congress
2221 Rayburn House Office Building
Washington, D.C. 20515

Chairman Howard L. Berman
United States House of Representatives
Committee on Foreign Affairs

November 18, 2009

Dear Chairman Berman:

As former senior officers of the United States armed forces, we are writing today to support lifting the travel ban on US citizen travel to Cuba.

U.S. policy toward Cuba has not only failed in its principal objective of ending Cuba's communist system, but has harmed our interests across the board. Our policy enables the Cuban government to blame all of the island's problems on the embargo. It needlessly complicates our relationships in the Western Hemisphere and globally. Most important, it works against our national security interests by limiting our ability to work with Cuba on threats like terrorism, surges in migration, and narcotics trafficking.

It makes no sense for Cuba to be the only nation on earth where Americans are forbidden by their own government to travel. Allowing all Americans to travel to Cuba would increase information and contacts for Cuba's people. It would send a strong message to the region and nations everywhere that U.S. diplomacy has matured and favors engagement. Finally, it would bring our principles and foreign policy into alignment, by setting the example that governments honor the dignity of their citizens by allowing them to travel without restrictions.

In our judgment, the Committee would advance the best interests of the United States by acting favorably on H.R. 874, The Freedom to Travel to Cuba Act.

Sincerely,

/s Brigadier General John Adams (Ret.)

/s Lieutenant General John G. Castellaw (Ret.)

/s Lieutenant General Robert G. Gard (Ret.)

/s General James Thomas Hill (Ret.)

/s Admiral James M. Loy, USCG (Ret.)

/s General John J. "Jack" Sheehan, USMC (Ret.)

SAM FARR
17TH DISTRICT, CALIFORNIA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE
AGRICULTURE, RURAL DEVELOPMENT, FOOD AND
DRUG ADMINISTRATION, AND RELATED AGENCIES

HOMELAND SECURITY
MILITARY CONSTRUCTION, VETERANS' AFFAIRS,
AND RELATED AGENCIES

CO-CHAIR, CONGRESSIONAL ORGANIC CAUCUS

CO-CHAIR, CONGRESSIONAL TRAVEL AND
TOURISM CAUCUS

CO-CHAIR, HOUSE OCEANS CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515-0517

November 19, 2009

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The Honorable Howard L. Berman
Chairman
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn HOB
Washington, D.C. 20515-0001

RE: Statement for the Record

Dear Chairman Berman:

I am pleased that the Committee on Foreign Affairs is holding a hearing on changing our Cuba travel policy.

Cuba, 90 miles away, is the only country that our government currently denies the American people the freedom to travel. In fact, the United States is the only country in the Western Hemisphere that cannot travel freely to Cuba.

However, if Congress acts to reverse these travel restrictions, U.S. citizens will be allowed the same freedom that people across the Western Hemisphere and around the globe currently enjoy.

I have been a proponent of travel my whole life. So much so, that I have been co-chair of the Congressional Travel and Tourism Caucus for the past twelve years. I have long held that travel is not only a significant economic activity, but a major pillar of our public diplomacy. When Americans travel we take with us our values – the desire for freedom, fairness and respect of all individuals and our strong goodwill and generosity.

This policy has been ineffective for the last 40+ years and has become a national embarrassment. I don't think Congress should sustain this kind of backward policy that is divisive and denies our nation of our greatest diplomatic assets – our people.

Guided by the notion of winning goodwill through cultural exchange the New York Philharmonic Orchestra planned to travel to Cuba, just as it did in North Korea during February of last year. The U.S. government unwisely rebuffed the planned trip.

This policy affects my district as well. The county of Santa Cruz, California is an avid supporter of the sister city/county program. Santa Cruz County has been cut off from any cultural exchange with its sister county Guamá, Santiago, Cuba.

Sadly, it is easier for an American potato to get to Cuba than it is for an American citizen. The Freedom to Travel to Cuba Act would rationalize our policy toward Cuba and bring us in line with rest of the free world.

This legislation is supported by a large segment of the travel industry including Orbitz, the National Tour Association, the United States Tour Operators Association, CheapTickets.com, and a variety of other travel entities.

We are the land of the free and the home of the brave. Let's make those words ring true by bravely ending this defective policy and passing the Freedom to Travel to Cuba Act.

Sincerely,


SAM FARR
Member of Congress

SF/mh

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE ILEANA ROS-LEHTINEN,
A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

**MEMORANDUM ON SELECTED
CUBAN OPERATIONS AGAINST THE UNITED STATES.**

prepared by Frank Calzon, executive director of Center for a Free Cuba

November 22, 2009

On November 19, 2009, the House Committee on Foreign Affairs held a hearing on restrictions the United States places on American tourists wanting to travel to Cuba. Some of the policy discussion that took place was predicated on the assumption that whatever the Cuban government did 40 or 50 years ago, the Cuban regime today is no longer hostile to the United States. That premise is wrong. The hostility of the Cuban government is reflected in its rhetoric and its actions, and if Cuba had the resources that it had a decade ago would be reflected in its military and intelligence operations. Cuba's government today faces a liquidity crisis and is on the brink of bankruptcy. Its military and security services control the island's tourist industry and finance their operations with its revenues. It is estimated that unfettered American tourism would add hundreds of millions of dollars to the coffers of Cuba's military and security services. That is clearly inimical to U.S. interests.

On November 21 – two days after the committee hearing – high-ranking Cuban military officers in a nationwide broadcast that was reported in the official government newspaper, *Granma*, talked about “the political-military threat against Cuba” posed by “The Empire,” a reference to the United States. One does not have to go back 50, 30 or even 20 years to find evidence of Havana's anti-American sentiment and activities. They are broadcast and reported daily.

At the 1996 espionage trial of Cuban intelligence officers, FBI-transcripts of intercepted communications were put into evidence. Included were instructions from Havana to its agents to check out South Florida marinas as landing areas, “The general idea... is to operate in the area and be able to move persons as well as things, including arms and explosives, between our country and the United States.”

At the Center for a Free Cuba, we believe *intentions* matters and that they are best discerned by the historical record and evidence such as trial records. As the current War on Terror demonstrates, people with limited resources and bad intentions can do great damage – in lives and treasure lost. A sober and realistic appraisal of Cuba's capabilities and intentions must be part of any reappraisal of U.S. Cuba policy.

We respectfully submit that the following facts need to be taken into account:

- After becoming President of the United States Barack Obama fulfilled his campaign promise to lift U.S. restrictions on Cuban American travel and remittances to Cuba, and urged Havana to lower the tax it imposes on humanitarian remittances and to release its political prisoners. General Raul Castro's response to the President's requests was no.
- President Obama has repeatedly stated America's peaceful intentions in regard to Cuba; most recently when he answered a questionnaire sent to him by Yoani Sanchez, a noted Cuban blogger. In his answer the President clearly stated that the United States has no desire to use military force against Cuba.
- Days after the President's statement, on November 21, *Granma*, Cuba's official newspaper, ran an article about the “political-military threat against Cuba” posed by the United States. Entitled “The

Amy-Bulkwark 2009: A Necessity of the first order," the article quoted General Leonardo Andale, the vice chief of Cuba's Armed Forces Division, saying "the Army's strategic war games...scheduled from the 26th to the 28th of the month, is a necessity of the first order in the face of the present political-military threat represented by the confrontation between Cuba and the Empire." "The Empire," is one of the mildest terms used by the regime to refer to the United States. "This exercise," said another Cuban general, "will be the most important conducted over the last five years in Cuba (and) will include troop movements, artillery practice, air operations and other actions... in every region of the country."

- How do war games relate to the Congressional hearings? Cuba is broke. The tourist industry is Cuba's main source of "hard currency," and it is controlled by Cuba's armed forces and intelligence services. Every tourist dollar spent, thus, bolsters Cuba's military and its repression.
- While the Congress looks into the possibility of lifting restrictions on American tourists visiting the island, the Cuban government continues its campaign to convince the world that five Cubans convicted of spying in U.S. courts are innocent. The disinformation campaign is so well designed that a few American officers have echoed the regime's claim that the spies were simply "monitoring" anti-Castro activities in South Florida. In fact, evidence at trial outlined efforts to penetrate and get readiness information about the U.S. Southern Command.
- In an act of international terrorism, Cuban war planes shot down two small civilian planes in international airspace over the Florida Straits, killing three Americans and a Cuban with legal U.S. residency in South Florida. Cuba's government awarded medals to the pilots, who enjoy impunity in Cuba.
- "Operation Whale Two" is another Cuban intelligence operation against the United States testing the defenses of the U.S. Drug Enforcement Agency. Yet there are some in the United States that argue Cuba is not involved in the drug trade. Transcripts of intercepted communications reveal Havana asked its agents to report who in the Florida Keys was being recruited by DEA and to scout marinas that might be used for Havana's intelligence operations. "How would you suggest that a maritime incursion could be carried out to the United States from our country, what type of boat would you recommend and for what reason for this part it would have two or three crew members with false documentation. Tell us by which zone would you consider it to be the safest, suggest places where one can land that you already know about." Havana asked its agents adding, "The general idea...is to operate in the area and be able to move persons as well as things, including arms and explosives, between our country and the United States."

The historical record shows, without a doubt, the animosity and hostility of the Castro brothers against the United States. Earlier efforts by two administrations to engage Havana resulted in (1) the deployment of Cuban armies in Angola and the Horn of Africa and (2) an uncontrolled emigration from Cuba during which the Castro government salted boatloads of refugees with criminal inmates from its prisons and mental institutions. The regime interpreted Washington's willingness to negotiate as a sign of weakness and took advantage of it. Equally important when Washington has stood firm, Havana's level of support for violence abroad has declined and no refugee crisis has ensued.

Cuba, Iran, North Korea, Venezuela and other regimes are still testing and measuring the resolve of the new American administration. President Obama extended an open hand to Cuba, the regime responded by shaking its fist. While some political analysts in this country argue that the United States should unilaterally be offering gestures of friendship and be lifting various sanctions, we argue that to do so simply emboldens the hardliners within the regimes where we seek change. Those hardliners see those actions as a sign of weakness arguing there is no reason to reciprocate with changes. They often look to

Fidel Castro and Cuba. During a visit to Tehran, Fidel Castro once asserted said that the United States is so weak that Cuba and Iran could bring it to its knees. So it is the Cuban military now responds by engaging in war games and protecting the Air Force officers who killed defenseless Americans in international airspace.

The record is lengthy and clear. Lifting tourist restrictions to the island will provide very much needed hard currency to Cuba's military and intelligence organizations and runs the risk of being misunderstood as a sign of weakness with potentially deadly consequences.

November 25, 2009

Congresswoman Ileana Ros-Lehtinen
House Committee on Foreign Affairs
United States House of Representatives
Washington, D.C.

Dear Ileana:

As you know very well, we are the parents of a young American pilot, born in New Jersey whose plane was intentionally shot down by a Cuban war plane in international airspace. The Cuban military pilots joyfully followed orders of then Cuba's Minister of the Armed Forces, and now Cuba's Head of State, Raul Castro. Our son, Mario M. de la Peña was a 24-year old commercial pilot, volunteering to seek Cuban refugees: men, women and children fleeing Castro's Cuba in makeshift rafts in the Florida Straits. He and three others, two U.S. citizens: Armando Alejandro Jr. and Carlos Costa and a legal resident Pablo Morales, were murdered in international airspace on Feb 24, 1996 when their small unarmed Cessnas belonging to "Brothers to the Rescue" (BTTR), were destroyed in a premeditated military operation involving two Cuban MiGs. The Clinton Administration, notably Secretary of State Madeline Albright condemned the crime and brought it to the attention of the UN Security Council. Cuba had blatantly violated civil aviation rules. Instead of punishment, the two Cuban officers who pulled the trigger were given medals by Fidel Castro, and to this day, they and their superiors continue to enjoy impunity in Cuban soil for their crimes.

A Cuban military pilot, "Juan Pablo Roque", had entered the US claiming to be a defector. Roque was a member of the "Wasp Network" a spy ring operating under the orders of the Cuban Directorate of Intelligence, Roque soon infiltrated the humanitarian organization BTTR and also became an "informant" for the FBI. Prior to the shoot down, Roque was alerted by the head of the Wasp Network in So. Florida, Geraldo Hernandez, not to fly on that fateful day and the Cubans arranged Roque's return to Havana the day before the shoot down. Ileana, last week the Committee held a hearing on tourist travel to Cuba. We respectfully suggest that American lives and Havana's involvement in international terrorism should also be a matter of concern for the Congress. The Justice Department has just announced that men charged with murdering Americans will be tried in New York City. Would you call on United States Attorney General Eric Holder to submit the name of the murderers to INTERPOL so that if any one of them travels outside Cuba they could be detained and brought to Justice?

In the case of other Americans murdered by Libyan terrorists, the State Department spent considerable time and efforts until the Libyan government turned over some of the alleged killers and one of them was convicted by a Court in Scotland. Would you call on Secretary Hillary Clinton to do the same in the case of our son and the three other search and rescue volunteers?

Fidel Castro is no longer the head of state, but the same Cuban government that ordered the killing of innocent Americans remains in power. Let us not forget that Fidel Castro issued a terrible warning in June of 1976 when he said:

“If the Cuban State opted to develop terrorist acts, to respond with terrorism to the terrorists, we are sure that we could be very efficient terrorists. ...Let no one think otherwise. If we decide to be terrorists, there is no doubt that we would be very efficient. But that the Cuban revolution has never recurred to terrorism does not mean that we have renounce it...Let this be a warning.”

Ileana, that warning was not heeded, and remains in effect. Members of the Congress have visited with Fidel Castro, but there is no indication that any of them has asked him if he no longer feels that the Cuban revolution “could be very efficient terrorists,” and whether his warning is no longer valid and he regrets having made such threat.

Not withstanding political changes about foreign policy, we are writing to you on a matter of justice. Please call on the Attorney General, on the Secretary of State and on other Members of Congress to do all that is within their power to obtain justice in this case. American lives, Ileana, should be as important as the right of American tourists to travel anywhere.

Respectfully,

Mario T. de la Peña

Miriam de la Peña

"Havana Communications to Cuban Spies"

Pulled from transcript of documents presented by the United States at the trial of Cuban spies.

101 (E) AA (F1.wpd)

SECRET.

EXACT COPY.

FRANKLIN'S MAIL, FEBRUARY 9, 1994. EXTENDED 2-14-94.

FRANKLIN.

BEFORE STARTING OUT WITH WORK MATTERS I WANT TO SEND YOU GREETINGS ON BEHALF OF ALL THE COMRADES AND ESPECIALLY MINE, DEMONSTRATING THE CALMNESS AND GENERAL HAPPINESS THAT WE HAVE AFTER KNOWING THAT YOU ARE FREE SEEMINGLY WITHOUT ANY MAJOR SETBACKS AS A PRODUCT OF YOUR LAST VISIT HERE. I DO NOT EXAGGERATE IN TELLING YOU THAT WE WENT THROUGH SOME DAYS OF UNCERTAINTY COMFORTING OURSELVES IN THOSE MOMENTS ON KNOWING YOUR INTEGRITY AND GENERAL REPUTATION, WHICH WOULD HELP YOU TO COME OUT OF THE MESS.

YOU SHOULD TELL YOU THAT I'M WRITING THE PRESENT MAIL BASED ON A MESSAGE SENT BY EL ABUELO IN WHICH HE INFORMS US OF HAVING SEEN YOU ON THE 28TH AND 30TH OF THIS PAST JANUARY, THAT YOU ARE IN GOOD HEALTH AND THE USUAL COMBATIVE DISPOSITION. HE TELLS US THAT SOMEONE SQUEALED ON YOU AROUND KEY LARGO AND THAT THEY WENT AT YOU WITH ALL BARRELS FINDING A PAPER OF A PREVIOUS VISIT TO THE BAHAMAS FROM OCTOBER 93) THAT SERVED THEM TO JUSTIFY THE TONGUE LASHING. THAT YOU ARE APPARENTLY CLEAN, ACCORDING TO YOUR EX-GIRLFRIEND AND HER EX-BOSS F.B.I., THAT YOU ALREADY HAVE THE BOAT IN GOOD SHAPE AND THAT YOU ARE GOING TO TRY IT OUT, THAT YOU HAVE A NEW BEEPER NUMBER. AND THAT YOU CAN NOW DECRYPT THE MESSAGES IN THE COMPUTER. THAT BEBO ACOSTA IS IN THE PHASE OF TRIALS AND MODE OF ENTERING AND LEAVING AND THAT YOU ARE THINKING OF GETTING IN BETWEEN JIBACOA AND GUANABO. ALSO THAT THEY SHOULD FINE YOU BETWEEN 500 AND 1000 DOLLARS FOR NOT REPORTING THE CUSTOMS THING.

WE WILL GO IN SECTIONS: WHEN WE RECEIVED THE COMMUNICATION OF THE SITUATION THAT YOU WERE IN AND THE COMMUNICATIONS BETWEEN

Reviewed by: LS Salomon
Declassified by: KMDJ/RJG
Prod. #10517
10/17/00

DP-101 (E) AA (F1.wpd)

ON WHETHER IT WAS A ROUTINE CHECK OR BECAUSE OF SOME SIGNAL THAT YOU MIGHT HAVE GIVEN, OR IF OTHER REASONS EXISTED, EXPLAIN IT. THE INTERRELATION BETWEEN THE CIVIL RIGHTS OF CITIZENS AND THE PREROGATIVES THE COAST GUARD HAS, AS WELL AS THE CONSTITUTIONAL AMENDMENT THAT PROTECTS PRIVATE PROPERTY, THE USE OF ANIMALS BY THE COAST GUARD IN SEARCHING FOR DRUGS OR EXPLOSIVES.

4-WHAT DO YOU CONSIDER AS UNUSUAL IN A RECREATIONAL BOAT THAT COULD DRAW THE ATTENTION OF THE AUTHORITIES BEFORE A SEARCH. FOR EXAMPLE, I THINK THAT THE FACT ONE IS USING THE WATER TANKS FOR FUEL LOOKING FOR MORE CRUISING RANGE COULD CALL ATTENTION TO ITSELF OR NOT. THE TAKING OF BAGGAGE, PORTABLE COMPUTER, NON-SPORTSWEAR, CLOTHES AND THINGS CONNECTED WITH CHILDREN THOUGH THEY ARE NOT ON THE BOAT, IN SHORT, A STUDY OF ALL THOSE THINGS THAT COULD DRAW ATTENTION.

5-NUMBER THE MARINAS THAT YOU KNOW IN THE FLORIDA KEYS FOR HAVING BEEN IN THEM AND RECOMMEND TWO OF THEM FOR THEIR CHARACTERISTICS TO BE USED AS POINTS OF LANDFALL BY A BOAT THAT IS FULLY ACCREDITED.

6-HOW TO TAKE CARE OF NECESSARY ITEMS FOR A FISHING TRIP SUCH AS HOW TO GET FUEL, MAKE ICE, BAIT, PROVISIONS, ETC. WHAT FACILITIES DO THE MARINAS HAVE IN REGARD TO THOSE GOODS. HOW TO RESOLVE THE PROBLEM OF BAILING A BOAT IN PORT.

SUGGESTIONS.

1-HOW WOULD YOU SUGGEST THAT A MARITIME INCURSION COULD BE CARRIED OUT TO THE U.S. FROM OUR COUNTRY, WHAT TYPE OF BOAT WOULD YOU RECOMMEND AND FOR WHAT REASON. FOR THIS PART IT WOULD HAVE TWO OR THREE CREW MEMBERS WITH FALSE DOCUMENTATION, TELL US BY WHICH ZONE WOULD YOU CONSIDER IT TO BE THE SAFEST, SUGGEST PLACES WHERE ONE CAN LAND THAT YOU ALREADY KNOW ABOUT.

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THE GENERAL IDEA OF ALL THIS, WHICH IS UNDER YOUR CONTROL, IS TO OPERATE IN THE AREA AND BE ABLE TO MOVE PERSONS AS WELL AS THINGS, INCLUDING ARMS AND EXPLOSIVES, BETWEEN OUR COUNTRY AND THE U.S. FOR THAT CONCEPT, SUGGEST OTHER SUBJECTS THAT WE MIGHT NOT HAVE HAD IN MIND.

BE AS EXTENSIVE AS POSSIBLE IN YOUR EXPLANATIONS AND KEEP IN MIND THAT WE WILL NEVER EXHAUST THE THEME BECAUSE EVERYTHING THAT IS RELATIVE TO THE OPERATIONAL SITUATION OF THE AREA, WHICH INCLUDES UP TO THE BAHAMAS IN ITS MOST EXTENSIVE CONCEPTION, IS DYNAMIC AND IT IS IN CONSTANT CHANGE. OVER HERE WE HAVE HAD INFORMATION OF AN OPERATION THAT IS BEING CARRIED OUT THAT IS CALLED "DISTANT SHORE" AND THAT HAS TO DO WITH AN IDEA THAT THE YANKEES HAVE OF A POSSIBLE MASSIVE EXODUS (MARJEL TYPE) THAT THEY ARE TRYING TO FORESEE. KEEP THE PREVIOUS IN MIND SO YOU CAN EVALUATE THE INFORMATION THAT REACHES YOU. THIS HAS EVEN BEEN WRITTEN ABOUT IN THE MIAMI HERALD. IF IT IS FEASIBLE, GRAPHICALLY ILLUSTRATE WHAT YOU CAN, WE ARE REFERRING TO PHOTOS OR PROMOTION MATERIALS FROM MARINAS AND PORTS, PRINTED LAWS (TO BE OF USE, IN SPANISH). UP TO HERE THE INITIAL GUIDE THAT WE WILL SLOWLY CONTINUE TO EXTEND AND MODIFY IN THIS MANNER.

NOW I AM GOING TO REFER TO SOME THINGS THAT WERE LEFT PENDING FROM THE PREVIOUSLY MENTIONED DECEMBER MAIL AND BECAUSE THERE WAS NO COPY ON BOARD THE BOAT, WE DID NOT SEE IT.

A.-LOOK AT WHAT IS RELATED WITH JEAN PAUL COLE, IF HE HAS SEEN HIM AGAIN.- IF HE HAS FINALLY HAD ACCESS TO THE MENTIONED MAGAZINE THAT IS EDITED BY THE FOUNDATION THAT CONTAINS INTELLIGENCE INFORMATION. HOW IS THE RELATIONSHIP WITH JORGE CASTELLON SINCE NOTHING ELSE HAS BEEN MENTIONED. THIS WILL BE TAKEN TO ZERO, SINCE YOU HAD STARTED TO WORK IN THIS DIRECTION AND SO AS NOT TO LEAVE ANYTHING UP IN THE AIR, INFORM US AS TO HOW THIS STANDS.