

TOP TEN REASONS FOR CHANGING US POLICY TOWARD CUBA

In January of 1961, two years after the Cuban Revolution ousted dictator Fulgencia Batista, the United States broke diplomatic relations with the island nation and declared that travel to Cuba by U.S. citizens was contrary to the goals of U.S. foreign policy. Travel restrictions were introduced that have been alternately tightened and eased under different presidents. Restrictions are enforced through the Department of the Treasury's Office of Foreign Assets Control (OFAC) which forbids U.S. citizens or residents from spending money in Cuba. Since travel costs money, those who visit Cuba without permission from OFAC can be fined for violating the regulations and could be subject to criminal prosecution under the Trading with the Enemy Act of 1917.

Since the embargo began, ten presidents, from both political parties, have supported Cuba's diplomatic and economic isolation and imposed increasingly severe restrictions on travel and trade for the purpose of overthrowing the Castro government. This policy doesn't work, it can't work, and it's never going to work.

The embargo discredits the United States overseas, compromises our values at home, and hurts the American economy at the same time it takes away Americans' constitutional rights to travel and do business as they please. Compared to our relations with every other nation in the world, including the remaining communist systems in China and Vietnam, U.S. policy toward Cuba simply isn't rational and it must be changed.

The top ten reasons the U.S. should change its policy toward Cuba:

- ❖ The policy has produced nothing in decades
- ❖ Enforcing the policy drains resources from the war on terror
- ❖ The policy hurts American companies and American workers
- ❖ The policy is an assault on family values
- ❖ The policy infringes on the rights and liberties of all U.S. citizens
- ❖ The policy hurts America's image abroad
- ❖ The Castro government uses our policy to advance its own ends
- ❖ The policy puts political interests above the national interest
- ❖ Important people oppose the policy and want to see it changed
- ❖ The policy stops Americans from doing what they do best

This year, Congress should lift the ban on travel and restrictions on trade. It is in the best interest of U.S. citizens and the future of U.S. relations with Latin America to engage with Cuba rather than continue to isolate ourselves. The Administration ought to see the importance of having flexibility in its interactions with Cuba and support Congress in repealing the Helms-Burton Act of 1996.

FAMILY TRAVEL TO CUBA

Since the 1970s Cuban Americans have been allowed to visit family in Cuba under varying restrictions. For several years immediately prior to the Bush administration, Cuban Americans were allowed to visit family once a year without asking for permission and more frequently in cases of humanitarian need.

In 2004, President Bush's *Commission for Assistance to a Free Cuba* recommended tightening the restrictions on family visits. The Commission claimed that reducing family travel would decrease the amount of dollars entering Cuba and hasten the end of Fidel Castro's government. In fact, the policy hurts families on both sides of the Florida straights and has had little discernable effect on the Cuban government.

The restrictions that went into effect in June 2004 include the following:

- ❖ Visits by Cuban Americans to family in Cuba are permitted only once every 3 years instead of once every year.
- ❖ No humanitarian exceptions for response to family illness or crisis.
- ❖ Visits are restricted to two weeks and limited to immediate family as defined by OFAC, eliminating the right to visit cousins, aunts, uncles, nephews, nieces, or more distant relatives.
- ❖ For all family visits, a written application for licensed travel must be submitted to OFAC and approved.
- ❖ The amount of money Cuban Americans may deliver or send to family in Cuba was decreased from \$3000 to \$300 per quarter and remittances are restricted to immediate family.

The Human Toll:

Travel restrictions keep Cuban Americans from legally visiting sick or dying family members and from attending the weddings, funerals, and special birthdays that mark transitions of the family life cycle. The narrow definition of "family" conflicts with how Cuban Americans define their kin and severely limits their ability to honor their relations and maintain family networks. Policies that prevent Cuban Americans from freely visiting their families in Cuba violate their human rights, impede the transmission of cultural and family values, and cause unnecessary suffering.

There are many examples that clearly demonstrate human traumas ensued by the current travel restrictions.

- ❖ An American Sergeant of Cuban origin who after serving and risking his life in Iraq is prevented from visiting his two teenage sons in Cuba
- ❖ An American citizen cannot accompany his aging grandmother from Florida to visit her dying son in Cuba.
- ❖ A humanitarian project, which became a major source of support for the NGO representing the Cuban Association for the Disabled, was brought to a halt when the Treasury Department refused to renew its travel license.

TRADE AND AGRICULTURAL SALES TO CUBA

In 2000, Congress passed the Trade Sanctions Reform Act (TSRA) which was sponsored by then Senator Ashcroft (R-MO) and then Rep. Nethercutt (R-WA). President Clinton signed TSRA into law in October, 2000. Regulations governing how trade would proceed within the rules of the overall embargo were published in July, 2001, by the Office of Foreign Assets Control (OFAC) of the Department of Treasury. The first trade occurred in December, 2001.

- ❖ **Current Trade:** Since December, 2001, Cuba has signed contracts with US firms and shippers for \$2 billion dollars worth of agricultural products, food, and shipping services. This has involved 300 different products purchased from 160 companies from 35 different states. The bulk of the trade, both in quantity and dollar value, has been wheat, corn, beans, soy products, poultry, and powdered milk. But also sold to Cuba has been chewing gum, wine, utility poles, frozen fruit juices, fertilizer, eggs, ground beef, and paper.

More than 750 different shipments have been made from 23 US ports; 72% of all shipping has been done on US flag carriers.

The value (in millions) of US exports on an annual basis has been: **2001:** \$4.433; **2002:** \$175.859; **2003:** \$343.947; **2004:** \$474.113; **2005:** \$540.897; **2006:** \$544.00.

- ❖ **Complicated Rules just for Cuba:** Unlike for any other country, there are special rules for this trade with Cuba which greatly complicate the process and which limit the trade from expanding further. These rules have been developed and implemented unilaterally by OFAC with no congressional oversight. The rules do not allow direct banking between Cuban and US banks (forcing all payments to go through third countries), do not allow trade financing, do not allow US firms to import from Cuba, and call for Cuba to pay “cash in advance.” Since these rules limit the amount of trade, there are some who say that the original intent of Congress in passing TSRA has been thwarted unilaterally by the Administration and its rules.
- ❖ **Business – Potential and Limits:** While the current level of trade is significant, much more could be carried out if the rules were changed. For several states the current trade is of very important economic benefit – for North Dakota, Cuba is its largest export market for its most important product, beans; and Cuba ranks in the top ten export markets for rice, corn, and wheat.

But the business could be significantly increased if OFAC was not in a position to change the rules whenever it wants. When trade started in December 2001, payment of “cash in advance” meant cash had to be received by the US exporter before the goods changed ownership. But in early 2005, OFAC changed this practice by redefining “cash in advance” to mean cash received before the product left the US, making transactions much more complicated.

Cuban officials have stated that they would purchase an additional \$300 million per year of US products if trade were normalized. But since OFAC has proven it can change the rules whenever it wants, Cuba operates with a clear uncertainty about whether another change could happen at any future time making increased exposure with US companies too risky. For this reason, Cuba instead in 2006 purchased the \$300 million from other companies in other countries.

Over the last two years many US firms, organizations, and companies have signed letters of support for easing restrictions on trade with Cuba. Some of these have included the following:

A.R. Savage & Son, Inc. - Florida	National Corn Growers Association
AgBioTech, Inc – New York	National Foreign Trade Council
AlaCaribe Initiative, Inc. - Alabama	National Milk Producers Federation
Alamar Associates – Washington, D.C.	National Pork Producers Council
American Farm Bureau Federation	Navarretta Group – California
American Italian Pasta Company - Missouri	North Dakota Agriculture Commissioner, Roger Johnson
American Meat Institute	North Dakota Farm Bureau
Buffalo Hills Bison Co. - Minnesota	North East Food Distribution Co. - Massachusetts
Buffalo International - Florida	Northern Gulf Trading Group - Alabama
Caterpillar Americas - Florida	PS International – North Carolina
Cattleman’s Meat Company - Michigan	Perfected Foods Co. - Florida
Ciervo de Oro Foods - California	Port Manatee Commerce Center - Florida
CoBank - Colorado	Port of Corpus Christi - Texas
Crowley Liner Services - Florida	Port of Mobile - Alabama
Cuba Trade Coalition - Alabama	Radlo Foods, LLC - Massachusetts
Dolphin Shipping and Trading Co. - Georgia	Sunlight Foods, Inc. - Florida
Elof Hansson, Inc. - Georgia	The Rice Company - California
FAR Trading Consultants - Georgia	The Scheye Group Ltd. - Illinois
FC Stone - Iowa	United Americas Shipping Services, Inc. – Florida
Interplanner Travel Services – Washington, D.C.	United Egg Producers Association
Kaehler’s Homedale Farm Enterprises – Minnesota	U.S. Apple Association
Louis Dreyfus Corporation – Connecticut	U.S.-Cuba Trade Association
Louisiana Dep’t. of Economic Development	U.S. Dairy Export Council
Maybank Shipping Co. – South Carolina	U.S. Rice Producers Association
Molimar Export Consultants – Pennsylvania	U.S. Wheat Associates
National Association of State Departments of Agriculture	USA*Engage
National Association of Wheat Growers	USA Rice Federation
National Chicken Council	Virginia Apple Trading Co. – Virginia
National Barley Growers Association	Wheat Export Trade Education Commit

RELIGIOUS TRAVEL: Obstructing Religious Freedom

In 2005, the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) – guided by the U.S. State Department and the White House – quietly reinterpreted the regulations governing religious travel to Cuba. New regulations have severely limited the ability of U.S. national and regional church bodies and ecumenical agencies to take delegations to Cuba. Under these regulations, unrestricted licenses are only available to individual local congregations. These changes have diminished the ability of the churches to carry out their core Christian mission. In addition, the U.S. State Department has repeatedly denied visas to Cuban religious leaders for travel to the United States, hindering religious fellowship.

- ❖ **Denial of travel licenses.** Church World Service, the National Council of Churches of Christ in the U.S.A., and their member denominations including the American Baptist Churches, Presbyterian Church U.S.A., the General Board of Global Ministries of the United Methodist Church, and United Church of Christ/Disciples of Christ Global Ministries, among other national and regional U.S. church denominations and religious institutions, have been denied their traditional licenses to travel to Cuba on the grounds that they do not qualify as religious organizations under OFAC travel guidelines.
- ❖ **Restrictions on travel licenses.** National religious institutions received written notice that they must apply under new provisions which substantially restrict religious travel. The license applications must list up to 25 specific people that can travel under the license, and travel is limited to once a quarter. It is unrealistic to place a four-trip limit on ecumenical agencies and church denominations with millions of members. During 2004 and 2005, for example, the National Council of Churches sent 33 delegations to Cuba. The NCC serves as the ecumenical church council of 35 communions, 45 million persons in more than 100,000 congregations in the U.S.
- ❖ **Religious Discrimination.** Local individual congregations, however, are still being granted unrestricted licenses allowing for multiple annual trips. National church denominations and institutions view this as improper and discriminatory interference in the life and mission of the churches.
- ❖ **Denial of visas for Cuba church leaders.** Leaders previously permitted to travel to the United States to attend church gatherings have been denied visas since early 2005. Here again, U.S. government officials have undertaken to make decisions about religious matters and to interfere in religious fellowship and mutual exchange between Christians in the United States and Cuba.

Consequences: The impact of these measures has hindered church-to-church relations between people in the United States and people in Cuba. The new regulations diminish the ability of the churches to carry out their core religious mission. Relationship and fellowship are at the heart of the churches' understanding of their life and mission. To hinder this activity is to strike at the heart of the churches' religious identity and freedom.

The Churches' response: Church leaders have met with State and Treasury Department officials, members of Congress, and they have sent letters to President Bush, Secretary Rice and former Secretary Snow. Members of Congress have also met with State and Treasury officials on this matter. In March 2006, 105 Members of the U.S. House of Representatives and 17 Senators, Republicans and Democrats, sent letters to Treasury Secretary John Snow questioning the reasoning behind OFAC's new interpretation of the regulations on religious travel. *In spite of these efforts OFAC's discriminatory and restrictive policies on religious travel continue in force.*

EDUCATIONAL EXCHANGE WITH CUBA

Since 2000, the administration of President George W. Bush has generated increasingly severe limitations on academic, scientific, and cultural exchanges between Cuba and the United States. In May 2003, “people-to-people” educational travel to Cuba was eliminated which allowed educational visits for interested U.S. citizens to see and learn about Cuba for themselves in an organized manner. In June 2004, regulations were changed to require that all university academic exchange trips be at least 10 weeks long. (For logistical and financial reasons, most university exchange trips to Cuba had been just a few weeks long.) As a result, all January term courses, condensed semesters in Cuba, and most summer courses were eliminated. The rules also prevent students from participating in programs through universities other than their own.

In addition, it has become increasingly difficult for Cuban academics to receive visas to travel to the United States. The visa policy (for Cuban academics seeking to travel to this country) discriminates on the basis of ideology and political affiliation.

Consequences: The consequence of these new restrictions essentially ended study abroad in Cuba. The new rules led to the cancellation of more than 90 percent of programs.

Throughout the 45 years of U.S. unilateral economic sanctions against Cuba, it is scholars and scientists in the two countries who have maintained intellectual and academic relations. Ironically, the new restrictions on academic and educational exchange are being implemented in the name of promoting democracy.

Why educational travel restrictions should end:

- ❖ **Travel for educational purposes should not be limited for political reasons.** Differences between our government and the government of Cuba should not be an excuse for limiting educational opportunities of U.S. citizens.
- ❖ **Limiting academic freedoms of our own citizens is counterproductive.** It doesn't make sense for our government to limit our freedoms out of concern about Cuba restricting the rights of its citizens.
- ❖ **Students and ordinary Americans should have the opportunity to see Cuba for themselves and form their own opinions about the island.** U.S. citizens are permitted to travel to any other country in the world, no matter the state of relations between those countries and our government.
- ❖ **Only positive results can come from the free exchange of ideas.** Relations between the government of Cuba and the United States have been at a standstill for more than 45 years. Teaching, learning, and the free exchange of ideas between Americans and Cubans, especially students and academics, can only have a positive impact on this negative situation.
- ❖ **Travel restrictions prevent exchange and understanding between our two nations.** The travel ban limits opportunities to promote cultural understanding between Cubans and Americans and impedes improved relations between the two countries.