

NATIONAL SECURITY IMPLICATIONS OF U.S. POLICY TOWARD CUBA

HEARING

BEFORE THE
SUBCOMMITTEE ON NATIONAL SECURITY
AND FOREIGN AFFAIRS
OF THE
COMMITTEE ON OVERSIGHT
AND GOVERNMENT REFORM
HOUSE OF REPRESENTATIVES
ONE HUNDRED ELEVENTH CONGRESS

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NATIONAL SECURITY IMPLICATIONS OF U.S. POLICY TOWARD CUBA

WEDNESDAY, APRIL 29, 2009

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY AND FOREIGN
AFFAIRS,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 p.m., in room 2154, Rayburn House Office Building, Hon. John F. Tierney (chairman of the subcommittee) presiding.

Present: Representatives Tierney, Flake, Driehaus, Fortenberry, and Issa (ex officio).

Also present: Representatives Cooper and Delahunt.

Staff present: Catherine Ribeiro, director of communications; Mariana Osorio, Aaron Wasserman, and Cliff Stammerman; legislative assistants; Anne Bodine, Alex McKnight, Brendan Culley, and Steven Gale, fellows; Andy Wright, staff director; Elliott Gillerman, clerk; Margaret Costa; intern; John Cuaderes, minority deputy staff director; Adam Fromm, minority chief clerk and Member liaison; Tom Alexander, minority senior counsel; Dr. Christopher Bright, minority senior professional staff member; Glenn Sanders, minority Defense fellow.

Mr. TIERNEY. Good afternoon.

A quorum being present, the Subcommittee on National Security and Foreign Affairs, the hearing entitled National Security Implications of U.S. Policy Toward Cuba, will come to order.

I ask unanimous consent that only the chairman and ranking member of the subcommittee and the ranking member of the full committee be allowed to make opening statements. Without objection, so ordered.

I ask unanimous consent that Mr. Delahunt and Mr. Cooper and Ms. Richardson all be allowed to participate in this hearing. In accordance with the committee rules, they will only be allowed to question the witnesses after all official members of the subcommittee have had their turn first. Without objection, so ordered.

I ask unanimous consent that the hearing record be kept open for five business days so that all members of the subcommittee will be allowed to submit a written statement for the record. Without objection, that is so ordered as well.

First, let me thank all of you for your patience and forbearance. They say the best-laid plans of mice and men always go astray. And of course, they timed the voting just at the beginning of this

hearing, so 25 minutes has gone by, and we regret that and apologize for any inconvenience it has made for our witnesses.

We sincerely do appreciate all the help you have given us in providing your written statements in advance, as well as your willingness to testify here today.

At the outset of this hearing, I want to recognize the leadership Ranking Member Flake has shown on this very important issue. He has been recognized as one of the leaders on this issue. He has recognized the need for advancement of America's thinking on the subject, and he has been a principal sponsor of major related legislation, together with our Massachusetts colleague, Bill Delahunt. So thank you for your leadership on this.

President Obama's April 13th announcement lifting restrictions on family visits and remittances to Cuba I believe is a step in the right direction. I hope it is the first step in a long journey. Indeed, the President left open the door to further changes when he stated "We also believe that Cuba can be a critical part of regional growth." The current U.S. policy toward Cuba is anachronistic and unsustainable. It is a source of contention between the United States and the rest of Latin America, as well as the European Union.

In the lead-up to the recent Fifth Summit of the Americans in Trinidad and Tobago the Costa Rican paper *La Nacion* observed that all of Latin America is asking for an end to Cuba's isolation. In today's hearing, the subcommittee aims to identify concrete ways in which increased U.S.-Cuba cooperation is in our own national security interest, ways it could support the safety and security of U.S. citizens, and the nature of the threat the United States would face should our interactions stagnate or lessen.

The United States and Cuba have many shared concerns and a long history of shared collaboration, such as joint medical research that predates the Spanish American war, so-called fence talks between Cuban and American soldiers on Guantanamo, overflights by U.S. hurricane hunters to predict extreme weather and piece-meal partnership between our Coast Guards.

Most of this cooperation requires nothing more than political will to implement it. Increased cooperation in these fields could give political leaders in both countries the confidence they need to end the 50-year era of mistrust.

On April 13, 2009, a letter from 12 retired generals and admirals to President Obama gave a persuasive argument for greater U.S.-Cuba engagement. It stated as follows: "Cuba ceased to be a military threat decades ago. At the same time, Cuba has intensified its global diplomatic and economic relations with nations as diverse as China, Russia, Venezuela, Brazil and members of the European Union. Even worse, the embargo inspired a significant diplomatic movement against U.S. policy when world leaders overwhelmingly cast their vote in the United Nations against the embargo and then visited Havana to denounce American policy. It is time to change the policy, especially after 50 years of failure in obtaining our goals."

These generals and admirals recommend "renewed engagement with Havana in key security issues such as narcotics trafficking, immigration, airspace and Caribbean security." This idea of en-

agement underlies our current policies in Iran, Syria and North Korea, all much graver concerns to the United States, where Americans are currently free to travel.

Experts generally agree that the U.S.' national security would be strengthened if Cuba pursued alternatives to Venezuelan or Russian influence. Increasing energy trade with Cuba would contribute to the U.S.' energy security. It would create competition with the export-oriented populist agenda of Venezuelan leader Hugo Chavez, while dampening Venezuela's efforts to strengthen its regional presence through visible aid to Cuba.

U.S. energy trade could also limit the attractiveness of the more assertive foreign policy of Russia and China's increased presence in Latin America and investment in Cuba's energy segment. Cuba's strategic location and its apparent seriousness of purpose in fighting drugs is another strong argument for comprehensive U.S.-Cuban cooperation.

Closer coordination could also help close off trafficking routes in the western Caribbean and disrupt ongoing operations of South American cocaine mafias. Equally important, Cuba's evacuation plans, post-disaster medical support and advanced citizen preparedness education programs are well worth studying. More than 1,600 Americans died during Hurricane Katrina in 2005. The U.S. death toll from Hurricane Ike in 2008 came close to 100. Cuba's death rate from storms over the same period, in contrast, was only about three people per year. Only seven Cubans died from Hurricane Ike.

Hurricane preparedness is one of the few areas where the United States and Cuba actually do talk to one another. The U.S. National Hurricane Center has a good working relationship with its Cuban counterpart, and hurricane hunters based in the United States regularly cross Cuba's airspace, with its government's permission.

However, other forms of cooperation with Cuba in hurricane response are nearly non-existent. An open exchange of knowledge and transfer of technologies could save lives.

All these factors, then, lead us to the inevitable conclusion that talking to Cuba is in our own interest as well as in Cuba's interest. Our expert witnesses today will detail some steps that we should be taking. President Obama has taken an important first step, now let's explore how and when we can go further and do better.

At this point I would like to yield to Mr. Flake for his opening remarks.

[The prepared statement of Hon. John F. Tierney follows:]

**Statement of John F. Tierney
Chairman
Subcommittee on National Security and Foreign Affairs
Committee on Oversight and Government Reform
U.S. House of Representatives**

Hearing on “National Security Implications of U.S. Policy toward Cuba”

As Prepared for Delivery

April 29, 2009

Good afternoon. At the outset of today’s hearing on “National Security Implications of U.S. Policy toward Cuba,” I’d like to recognize the leadership that Ranking Member Flake has shown on this important issue.

President Obama’s April 13 announcement lifting restrictions on family visits and remittances to Cuba is a step in the right direction. I hope it is the first step in a longer journey. Indeed, the President left the door open to further changes when he stated, quote, “We also believe that Cuba can potentially be a critical part of regional growth.”

Current U.S. policy toward Cuba is anachronistic and unsustainable – and it is a source of contention between the United States and the rest of Latin America, as well as the European Union. In the lead-up to the recent Fifth Summit of the Americas in Trinidad and Tobago, the Costa Rican newspaper *La Nacion* observed that, quote, “all of Latin America is asking for an end to Cuba’s isolation.”

In today’s hearing, the Subcommittee aims to identify concrete ways in which increased U.S.-Cuba cooperation is in our own national security interest, ways it could support the safety and security of U.S. citizens, and the nature of the threat the U.S. would face should our interaction stagnate or lessen.

The U.S. and Cuba have many shared concerns and a long history of shared collaboration – such as joint medical research that predates the Spanish-American war; so-called “fence talks” between Cuban and American soldiers on Guantanamo; overflights by U.S. hurricane hunters to predict extreme weather; and piecemeal partnerships between our Coast Guards.

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Even worse, the embargo inspired a significant diplomatic movement against U.S. policy...when world leaders overwhelmingly cast their vote in the United Nations against the embargo and visit Havana to denounce American policy, it is time to change the policy, especially after 50 years of failure in attaining our goals.

These generals and admirals recommend, and I quote:

...renewed engagement with Havana on key security issues such as narcotics trafficking, immigration, airspace and Caribbean security...This idea of engagement underlies our current policies in Iran, Syria and North Korea, all much graver concerns to the United States – where Americans are currently free to travel.

Experts generally agree that U.S. national security would be strengthened if Cuba pursued alternatives to Venezuelan or Russian influence. Increasing energy trade with Cuba would contribute to U.S. energy security and would create competition with the “export-oriented” populist agenda of Venezuelan leader Hugo Chavez, while dampening Venezuela’s efforts to strengthen its regional presence through visible aid to Cuba. U.S. energy trade could also limit the attractiveness of the more assertive foreign policy of Russia, and China’s increased presence in Latin America and investment in Cuba’s energy sector.

Cuba’s strategic location and its apparent seriousness of purpose in fighting drugs is another strong argument for comprehensive U.S.-Cuban cooperation. Closer coordination could also help close off trafficking routes in the western Caribbean and disrupt ongoing operations of South American cocaine mafias.

Equally important, Cuba’s evacuation plans, post-disaster medical support, and advanced citizen preparedness education programs are well worth studying. More than 1,600 Americans died during Hurricane Katrina in 2005, and the U.S. death toll from Hurricane Ike in 2008 came close to a hundred. Cuba’s death rate from storms over the same period, in contrast, was only about three people per year. Only seven Cubans died from Hurricane Ike.

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Mr. FLAKE. Thank you, Mr. Chairman. Let me start by thanking you and the staff for the bipartisan manner in which this hearing was prepared. And thank the witnesses, it is a great group, I know all of you, and I look forward to the testimony. We are sorry for holding you up.

I will be short here. As we know, the purpose of this hearing is to review national security implications of our current policy to Cuba. There is no denying, I think by anybody, that our current policy toward Cuba has failed to achieve the bipartisan goal of regime change. Instead, our policy of isolation has turned the island in to what Retired General Charles Wilhems has called a 47,000 square mile blind spot in our security rear view mirror. We have little to show for this policy but restrictions on the freedom of Americans and tense regional relations.

While I have no sympathy for the Castro regime, my views on the appropriate direction of U.S.-Cuba policy are well known. I support ending the trade embargo, which has given the United States a needless black eye in the region for far too long without any gains. Along with many in the Cuban-American community, I also support lifting of the travel ban for all Americans, our best Ambassadors for democracy.

I congratulate the administration on the recent removal of restrictions on Cuban-American travel and remittances. I also welcome their willingness to review our current approach to the island, perhaps a subject of a future subcommittee hearing, Mr. Chairman.

However, I am also concerned about the continued emphasis on reciprocity with respect to changes in U.S.-Cuban relations. Rather than allowing the Cuban government to control the pace and nature of our bilateral relations, I have long felt that the United States must act in a manner consistent with our own self-interest, independent of the politics and whims of a foreign leader.

Given the recent emphasis on U.S.-Cuban relations, both domestically and within the region, I welcome the opportunity presented by this hearing to answer important questions such as are there national security liabilities associated with our policy of isolation? Given the lack of results of the current approach, are these liabilities justified?

Now, independent of the imminent shift in U.S.-Cuba relations, are there bilateral steps that can be taken that will improve U.S. national security? Again, Mr. Chairman, I thank you for holding this hearing and look forward to the testimony.

[The prepared statement of Hon. Jeff Flake follows:]

EDOLPHUS TOWNS, NEW YORK
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DARRELL E. ISSA, CALIFORNIA
RANKING MINORITY MEMBER

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Opening Statement

Jeff Flake
Ranking Member
National Security and Foreign Affairs Subcommittee

Hearing on
“National Security Implications of U.S. Policy toward Cuba”

April 29, 2009

Thank you, Mr. Chairman.

Let me start by thanking you and your staff. I appreciate the bipartisan fashion with which the preparation for this hearing has been conducted.

The purpose of this hearing is to review the national security implications of our current policy toward Cuba.

There is no denying that our current policy toward Cuba has failed to achieve the bipartisan goal of regime change.

Instead, our policy of isolation has turned the island into what retired General Charles Wilhelm has called a “47,000 square mile blind spot in our security rearview mirror.”

We have little to show for this policy but restrictions on the freedom of Americans and tense regional relations.

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Given the recent emphasis on U.S.-Cuba relations, both domestically and within the region, I welcome the opportunity presented by this hearing to answer important questions such as: are there national security liabilities associated with our policy of isolation?

Given the lack of results of the current approach, are the liabilities justified?

Independent of the imminent shift in U.S.-Cuba relations, are there bilateral steps that can be taken immediately that will improve U.S. national security?

Mr. Chairman, thank you again for your bipartisan efforts in organizing this hearing. I look forward to our witnesses' testimony.

Mr. TIERNEY. Thank you for your remarks.

We would like to give Mr. Issa, the ranking member of the full committee, the opportunity to provide opening remarks as well. So please, Mr. Issa, proceed.

Mr. ISSA. Thanks, Mr. Chairman. Chairman-in-waiting is always a good title for a ranking member. [Laughter.]

Mr. TIERNEY. As long as you wait a long time. [Laughter.]

Mr. ISSA. Thank you, Mr. Chairman. I will be appropriately patient.

Mr. Chairman, I want to thank you for holding this hearing. I want to take this opportunity to consider the debate on this very important matter and to provide some alternate thinking, but not to the extent that some might consider. I do agree that we need to review our policy with all of the world's nations, including Cuba, on a regular basis. I believe that this administration, like all administrations, does need to carefully analyze the longstanding policies of previous administrations.

I certainly, for example, would hope that very shortly the Taiwan Straits question be answered in the way that it has best been answered since at least Richard Nixon.

But in the case of the 50 years since Fidel Castro toppled a corrupt government and replaced it with his own tyrannical regime, these true communists, both Fidel and Raul, have retained their power by stifling any and all dissent. They have imprisoned those who tried to open Cuban society and have murdered political opponents. All the while the Cuban people have suffered from failed economic conditions and imposed communism.

We are not debating that here today. What we are debating is how to best deal with a regime which is best described as the Castro Brothers, now in the last years of their lives, Fidel no longer running the government on a day-to-day basis, but clearly having some role in the decision process. The air waves are still not free in Castro's Cuba and will not be as long as they remain in power.

But they cannot remain past the clock that God gives them. So whether we see Hugo Chavez' influence in Cuba or North Korea's or Russia's, there will be a change. I welcome the opportunity today to consider, when that time comes, a little before or a little after, being prepared to engage in positive dialog with the people of Cuba, being able to end what since 1962 has been a blight on the Americas, with a failed state, failed not just because economically it fails, but because it fails to give its own people, some of the best, the brightest and the most ambitious, the opportunities they so dearly seek.

In short, the Castro government is coming to an end and we do need to consider today what to do when it ends. Having said that, I believe the United States owes no apology for standing up against Cuba and its government for many years. I continue to believe that we must be prepared, if we cannot reach effective transition for the Cuban people, we must be prepared to stand up to them as we stand up to North Korea.

I do note to both the chairman and the ranking member of the subcommittee, that we do have travel of Americans to many countries, for example, China, which spies on us more than any other nation on earth, and which is building a world class navy and mili-

tary and which has already shown an ability to shoot down a satellite, and has certainly made it clear that is not only their own satellite that could be shot down, is a place in which Americans travel and Chinese students come here.

So Mr. Chairman, this is a mixed opening statement for a reason. I want to hear what people have to say. I want to try to reconcile the good policy of many years with the future policy that may be an opportunity for the American people to engage at the right time.

Last but not least, I would like to make it clear that when it comes to General McCaffrey and the question of drugs, I stand with all those who want to utilize every tool at our disposal to stop drugs. I must, however, note that any relationship with Castro's Cuba would have to begin to look at the head of their own navy, who stands accused of drug trafficking in this country and has not been brought to task for that, and other similar situations in which it is believed that Castro's Cuba may in fact be part of the problem and not part of the solution.

Mr. Chairman, I thank you very much for calling this hearing and yield back my time.

[The prepared statement of Hon. Darrell E. Issa follows:]

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Opening Statement

Darrell Issa
Ranking Member
Oversight and Government Reform Committee

Hearing on
“National Security Implications of U.S. Policy toward Cuba”

April 29, 2009

Thank you, Mr. Chairman.

Today, we have an opportunity to consider and debate a very important long-standing issue in U.S. foreign policy. The issue is whether to broaden our relationship with Cuba, and whether that decision is in the best strategic and security interests of the United States.

Before we address that issue, it is important to provide some context to our discussions.

Fifty years ago, Fidel Castro toppled a corrupt government and replaced it with his tyrannical regime. In true communist fashion, the Castro brothers have retained their power by stifling any and all dissent. They have imprisoned those who have tried to open Cuban society, and have murdered political opponents. All the while, the Cuban people have suffered from the failed economic conditions espoused by communism.

To cover their tracks and promote their agenda, the Castros control all print and broadcast media.

On the foreign policy side, Cuba's actions are fuelled by anti-American sentiment. The Cuban government has sent troops abroad to wage war against U.S. interests. Cuba has provided weapons to our enemies, and has ties with emerging dictators such as Hugo Chavez. It also has a long history of coordination with North Korea and Russia. Lest we forget, Cuba threatened the United States with nuclear holocaust by allowing the Soviets to place nuclear arms pointed towards Washington D.C. on its soil. Fidel Castro made that decision in 1962 and, while not currently acting as dictator, he still directly influences Cuban foreign policy today.

Just recently, Cuba stood silent while Venezuela and Russia conducted war game exercises off Venezuela's coast. This is yet another example of Cuba giving tacit, if not outright support, to those who seek to weaken our Nation.

In short, Cuba, under the Castro government, is the antithesis of what America stands for.

I believe that the United States owes no apology for standing against the Cuban government and its actions. There is no benefit to liberalizing our relationship as long as the Castros are in power.

Some oppose this view. We will hear today about possible alternatives that our government may pursue. While we do this, we must consider the costs of a policy intended to draw us closer to this nation. We must also evaluate the likelihood of success for these policies as well.

If the Obama Administration chooses to engage Cuba, it must not turn a blind eye toward its bad behavior. Holding political prisoners, forbidding free elections, government control of all major economic production, and maintaining a closed society goes against everything we, as a nation, stand for. It would be immoral to grant them the privilege of closer connections with the United States.

This is why I question the President's decision to lift travel and telecommunications restrictions on Cuba without precondition. At some point, I would like to hear from the Obama Administration because the end-game is not clear to me. The White House provided little information to the American people regarding this policy shift, and this Committee would benefit from a fuller explanation of the Administration's intentions.

Regardless of whatever U.S. policy prevails, it is essential that our government begins to plan now for the post-Communist era in Cuba. When this totalitarian regime finally gives way, and I believe it will, this nation must be ready to help guide Cuba in a direction that will encourage positive change. The United States must be ready to help facilitate the rapid transition to a democratically elected government.

I look forward to hearing from our witnesses.

Thank you.

Mr. TIERNEY. Thank you very much for your comments.

Now, the subcommittee will receive comments from the panel before us here today. I will introduce all of them and then ask for testimony, starting at my left and moving across.

General Barry McCaffrey is a retired four star general, and a 32-year veteran of the U.S. Army, during which he served as Commander of the U.S. Southern Command [SOUTHCOM]. For 5 years after leaving the military, General McCaffrey served as the Nation's Cabinet Officer in charge of U.S. drug policy. After leaving government service, General McCaffrey served from 2001 to 2005 as the Bradley Distinguished Professor of International Security Studies at the U.S. Military Academy at West Point.

He continues as an adjunct professor of international affairs. He holds a B.S. from West Point and an M.A. from American University and told me earlier he is a Massachusetts native. That always counts for extra points here.

Mr. Jorge Pinon is an energy fellow from the University of Miami Center for Hemispheric Policy. Prior to his current position, he held a variety of senior positions in the energy sector, including president and CEO of TransWorld Oil USA, president of Amoco, Corporate Development Co. Latin America, president of Amoco Oil of Mexico, and president of Amoco Oil Latin America, based in Mexico City.

Mr. Pinon also currently serves as an advisor and a member of the Cuba Task Force at the Brookings Institution and the Council of the Americas.

Dr. Rens Lee is president of Global Advisory Services, a McLean, VA based consulting firm. From 2002 to 2003, Dr. Lee worked as a research analyst at the Congressional Research Service. Dr. Lee has performed overseas contract assignments for the State Department, the Department of Energy, the World Bank, the White House Office of National Drug Control Policy and other agencies. These assignments have covered Russia, Eastern Europe, Central Asia, the Caribbean and much of South America.

He is currently writing a book on drugs, organized crime and the politics of democratic transition in Cuba. Dr. Lee holds a Ph.D. from Stanford University.

Mr. Philip Peters serves as vice president of the Lexington Institute, where he has responsibility for international economic programs with a focus on Latin America. Prior to joining the Lexington Institute, Mr. Peters served in the State Department under Presidents Ronald Reagan and George H.W. Bush. He has also served as a senior aide in the House of Representatives.

Mr. Peters is an advisor to the Cuba working group that formed in January 2002 in the House of Representatives. Mr. Peters holds both a B.A. and an M.A. from Georgetown University.

Ms. Sarah Stephens is the executive director of the Center for Democracy in the Americas. A long-time human rights advocate, Ms. Stephens began her work with Central American refugees in Los Angeles in the 1980's, and has since worked with a number of human rights and civil rights organizations. From 2001 to 2006, Ms. Stephens worked for the Center for International Policy before leaving to launch the Center for Democracy in the Americas.

Ms. Stephens has also led dozens of delegations of U.S. policy-makers, academics, experts and philanthropists to Cuba, Chile and Venezuela on fact-finding and research missions.

Thank you all again for taking your time and making yourselves available today and sharing your expertise.

It is the policy of this subcommittee to swear you in before you testify, so I ask you to please stand and raise your right hands.

[Witnesses sworn.]

Mr. TIERNEY. Thank you, the record will please reflect that all the witnesses answered in the affirmative.

I remind all of you that your full written statement will be put in the hearing record. We ask you to try to keep your remarks to roughly 5 minutes. Most of you are familiar with the lights. With 1 minute left, the amber light will come on. And when 5 minutes are up, the red light will go off, and we will ask you at that point to wind down.

So again, thank you. General McCaffrey, would you care to start?

STATEMENTS OF GENERAL BARRY McCAFFREY, PRESIDENT, BR McCAFFREY ASSOCIATES, FORMER SOUTHCOM COMMANDER, FORMER DRUG CZAR; JORGE PINON, ENERGY FELLOW, CENTER FOR HEMISPHERIC POLICY, THE UNIVERSITY OF MIAMI; RENSSELAER LEE, SENIOR FELLOW, FOREIGN POLICY RESEARCH INSTITUTE; PHIL PETERS, VICE PRESIDENT, LEXINGTON INSTITUTE; AND SARAH STEPHENS, EXECUTIVE DIRECTOR, CENTER FOR DEMOCRACY IN THE AMERICAS

STATEMENT OF GENERAL BARRY McCAFFREY

General MCCAFFREY. Thank you, Mr. Chairman, and to Congressman Flake also, and the members of the committee, for the opportunity to be here.

I am also very impressed by the other members of the panel and look forward to hearing their testimony. I thank you for introducing into the record my own comments, which I wrote in consultation with a bunch of people whose judgment I have respect for.

Whenever you talk about Cuba, there are such powerful animosities among the political agendas of those discussing the situation that I always try and set the baseline of what I actually think about Cuba. There are six quick observations, one of which is, I understand Cuba as a failing Marxist dictatorship. Second, that it is locked in a revolution that, essentially since 1962, has had some difficulty adapting to the globalization and the movement of the world around it.

Third, that their economy is a disaster. And in the short term, they are being propped up by Venezuelan oil and dollars out of the Chavez regime. But their bigger problem is that they are running an artificial, centralized, under-resourced economy where the true creative spirit of the Cuban people has been suppressed.

Fourth, I understand there is no freedom of assembly, speech, press, unions, where to live, no real choices. When you see a lot of these refugees coming out of Cuba, it is not just economic opportunity in Florida or Louisiana or Mississippi or Texas they are

seeking, they are looking for freedom, the same reasons our grandparents came here.

Fifth observation, at the end of the day, the real power in Cuba is unquestionably held in the hands of the two Castro brothers. And indeed, I think Fidel recently has stepped on Raul Castro's sort of grudging attempts to expand the nature of the debate.

Behind the power of the Castro brothers is the Army and the Interior Ministry. There are six three star generals and one four star general in the military, Raul being the four star general. All seven of them are in their late 60's or 70's. They will be gone, along with much of the leadership of Cuba, in the coming 5 years.

And then finally, I think when you look at the current Cuban leadership, to some extent, you are looking at the Soviet Union in the 1980's. It is the calm before the storm. The question is, what do we do in the first term of the Obama administration to make this thing come out better.

Congressman Flake I think said it in a very different way, and I agree with his comment that to some extent, U.S. policy has failed and we have left U.S. policy in the hands of the Cubans. It is a very interesting dilemma. There is no question we lack influence. When I was down there, I spent 12 hours with the Castro brothers, acting as a professor at West Point on a visit a couple years after 9/11. It was clear to me in my subsequent dialog with the 40 somethings of the Cuban Government that they are smart young people out there. They are bilingual, they have traveled, they have ideas. We don't know who they are and we are not engaged with them. We have truncated and minimized our access to that regime.

Another observation, if I may. It seems to me unquestionable that Cuba is of little threat to U.S. national interests, certainly U.S. national security interests. Also, I think this is a problem of modest importance to U.S. foreign policy goals. In fact, although the Cubans wake up in the morning thinking about little else than the injustice and the opportunity the United States represents to them, on the contrary, in the United States, I don't think we give it one bit of thought. It just has not been central to our concerns, even in the Caribbean region where we have seen other actors with energy and leadership playing such a dramatic role, certainly including Puerto Rico as a prime mover of modernization in the region.

I think that at the end of the day, the saddest comment I would make is I think the Cuban leadership is stuck. I cannot imagine Fidel Castro or Raul in fact relenting and negotiating away some aspects of the revolution. They are not going to do it. I think they are worried about their families, their place in history. They understand the time clock is running out on them.

And I say that because I worry that the Obama administration, which has done, I think, some incredibly smart things, opening the dialog, acting in such a gracious and open manner at Trinidad and Tobago, going to Mexico, sending the Secretary of State to the region, eliminating some restrictions on travel and remittances. Having said that, I think they will be under great pressure to explain changes in terms of reciprocity. What did we get back from them?

Did they release 300 political prisoners in return for something we would do?

I don't think they are going to do anything for us. And indeed, I would disengage U.S. foreign policy from trying to get something back in the coming year or two. There are three obvious things we ought to do, one of them has been mentioned already. We ought to lift the economic embargo and allow American citizens free transit to Cuba. I think that will be the greatest benefit to the Cuban people imaginable in terms of economic opportunity, new ideas, products, political thinking.

Second, we ought to formalize coordination on law enforcement institutions between the Cuban government and the American Government. I actually hadn't heard of the accusation against the Navy chief. It is probably not central. I do not believe the Cuban government is part of an international conspiracy on drug smuggling. I think there are remnants of communist morality there. They are worried about their own kids. They have lots of drugs floating around Cuba that are causing problems among their own young people and corrupting their own institutions of government. But we ought to cooperate not just on drugs but also human smuggling and other international concerns such as terrorism.

Then finally, it seems to me the U.S. Government ought to end opposition to Cuban participation in Western Hemisphere or multinational fora to include the Organization of American States, Summit of the Americas, etc. Through engagement, we can move this process along. We are going to have a terrible challenge in Cuba. I liken it to East Germany. That problem took a generation to begin to solve. And I think the same thing is going to happen in Cuba.

So I am all for dramatic, sudden initiatives on the part of the Obama administration to directly engage the Cubans.

Thanks very much for allowing me to offer these ideas, and I look forward to responding to your own questions.

[The prepared statement of General McCaffrey follows:]



**ENGAGING CUBA FOR RE-INTEGRATION INTO THE COMMUNITY OF THE
AMERICAS**

**Written Statement of:
General Barry R. McCaffrey, U.S. Army (Retired)
Adjunct Professor of International Affairs
United States Military Academy
West Point, NY**

**Submitted to House Committee on Oversight and Government Reform
Subcommittee on National Security and Foreign Affairs
Hearing on "National Security Implications of U.S. Policy toward Cuba"
April 29, 2009**

ENGAGING CUBA FOR RE-INTEGRATION INTO THE COMMUNITY OF THE AMERICAS

1. RECOGNITION:

- John Tierney, Chairman
- Jeff Flake, Ranking Member

2. GENERAL ORGANIZATION OF STATEMENT:

- There are three dimensions for Cuban political transition – *which will happen*: economic, political, human.

3. POLITICAL DIMENSION:

- Castro regime has lost legitimacy domestically and internationally.
- It is barely surviving and could quickly collapse if the economic lifeline thrown by Venezuelan President Hugo Chavez is withdrawn.
- Authoritarian regime has entrenched itself and controlled instruments (military, economy, courts, law enforcement) of power for 50 years.
- Civil society (academia, church, civic organizations, media, private sector) has been atomized and will have to learn how to participate in pluralistic democratic settings.
- Political transitions from authoritarian to democratic regimes have occurred frequently in Latin America. We know that democracy can successfully be consolidated following decades of dictatorship.
- Challenges in Cuba are enormous. Transitions in Argentina, Brazil, and Chile occurred after a 20-year interregnum. In none of these countries did authoritarian regimes have such a complete hold on power. In just about every country, there was a cadre of political leadership that had prior experience in democratic governance. Cubans will almost have to start from scratch in building the political institutions that are essential to good governance and participative policy making.
- Cubans will have to define their own political systems and determine the pace of transition.
- Outsiders can be supportive. Includes the U.S., Latin American nations, European Union, non-governmental organizations, and multilateral organizations. But Cubans must own and be in charge of the process of determining their future political system and rules of engagement.

4. ECONOMIC DIMENSION:

- The Cuban state has been unable to meet the aspirations of the Cuban people.
- GDP in Cuba is a fraction of what it needs to be in order to meet basic requirements of its people.
- Cabbies, bellboys, and prostitutes routinely make more than doctors and other professionals.
- If Cuban government cannot establish a trajectory of rapid economic growth, Cubans will leave the island in droves (Ted Gurr's political science theory of perceived relative deprivation).
- Cuban GDP/capita will have to reach a level similar to that of Puerto Rico (which depends on USG federal aid (social security, Medicare, Medicaid, food stamps, transfer payments, federal positions, federal retirements, etc.) in order to have immigration equilibrium. PR GDP/capita is approximately 80% of U.S. GDP.
- Economic activity in Cuba will have to be approx. \$200B/year in order to reach equilibrium status quo. Present GDP is approximately 25% of what it needs to be.
- Tremendous infrastructure implications:
 - Cuba's infrastructure (water, power, rail, transit, ports, airports, highways, residential and non-residential real estate) is inadequate to the island's present and future requirements.
 - It will require massive infusions of capital, planning, and program management and construction know-how.

- Could be \$5-10B/year for 5-10 years.
- International donor community will not provide significant funds.
- Private sector will be unwilling to invest absent high confidence on a secure return on investment.
- By default, will likely have to be USG that provides lion's share of investment (if we don't we could see a million Cubans headed to Florida).
- Big economic opportunities for U.S. firms. Marshall Plan like economic assistance program could create new, large, sustainable markets for U.S. goods (e.g. construction equipment, trucks, cars, buses, aircraft, durable goods, generators, etc.). If we don't fill this space, someone else will.
- Other nations are well positioned to help with infrastructure and construction programs: Spanish firms and others who have been investing in tourism sector:

5. HUMAN DIMENSION:

- There were 35,000 people of Cuban descent in the U.S. prior to the 1959 revolution.
- Today there are 1.2M, constituting the 3d-largest group of Hispanic-Americans after Mexicans and Puerto Ricans. Ratio of Cubans in Cuba to Cubans in the USA is approx 10:1.
- Number of people of Puerto Rican heritage in the USA is approximately 4M -- about same number as the population of the island (4M).
- 125,000 Cubans came to the U.S. during the Mariel boatlift of 1980, causing severe strain in South Florida and requiring temporary refugee facilities in locations as far away as Fort Chaffee, Arkansas and Fort McCoy, Wisconsin.
- A transition could result in a massive wave of migrants which could overwhelm federal at-sea interdiction capabilities and receiving communities in Florida.
- Our government needs to be realistic in its assessments of the potential humanitarian effects of regime change and what our response will be.
- We can't have Katrina-like unpreparedness.
- Best case outcome for U.S. is if Cubans decide that there is a viable economic future for them on the island and remain there to build the requisite political, social, and economic institutions that will result in a prosperous economy and standard of living -- a situation similar to contemporary Puerto Rico.
- Worst case scenario is that political system in Cuba fails to deliver and Cubans leave in droves (as Haitians do & residents of the Dominican Republic do).

6. OTHER CONSIDERATIONS:

- Potential for corruption -- as authoritarian government cedes control new space will be created and could be exploited (example - Post USSR Russian mafias).
- Drug Trafficking. Caribbean used to be the vector for about 50% of cocaine from Colombia. Now 90% goes through Mexico. We'll have to work with Cuban government and security forces to prevent drug traffickers from seeking to establish a foot hold in Cuba.
- Cuban Armed Forces. Generally professional. Role, mission, organization, and size will likely change to reflect new Cuban reality. Mil-to-Mil relations between U.S. and Cuba military can play a positive role. Example of SOUTHCOM engagement with Latin militaries (humanitarian, disaster relief, human rights).
- Unresolved issues from 50 years ago:
 - Abuses of present regime -- plenty of examples in Latin America for how to deal with past abuses (e.g. Argentina, Brazil, Chile, Peru). Past can't be swept under the rug. Reconciliation and justice, where appropriate and feasible, are essential.

- Property expropriations – plenty of examples in formerly communist eastern Europe on how to resolve old property disputes. All sides have to be dispassionate and realistic. Could require 3d-party resolution.
- Strengths of Cuban society:
 - One people. While ethnically diverse they are proud of their culture and history. Schisms such as we see in Iraq are not present.
 - Education. Well educated. Good human building blocks.
 - Industrious. The example of Cuban-American entrepreneurial effort. Business sector will likely quickly self-organize and be essential to economic vitality.
 - Health Care System. Better than just about any other Latin American nation.
 - Familial links to Cuban-Americans in the U.S. – these will be enormously beneficial to economic, social, and political growth.

7. CONCLUSION:

- The people of Cuba need to determine their own future.
- U.S. Government role will be important and must be supportive. We should start now by rapidly lifting the embargo. This will be a catalyst for political change.
- Our technical experts can be helpful but they must work in partnership with capable Cubans and play a supportive role.
- Cuba will reassume its place in the international community. We must recognize that it will have political, economic, and social relationships with multiple nations.
- In the end, a broadly cooperative approach will be healthier for Cuba and for longer-term U.S.-Cuban relations.
- Multilateral lending organizations like the International Monetary Fund, the World Bank, and Inter-American Development Bank will make enormous contributions.
- Government-to-government relations and accords will likely not be the centerpiece of future U.S. – Cuba dialogue. We must make space for civil society right from the start as we reengage with Cuba.



General Barry R. McCaffrey, USA (Ret.)
Adjunct Professor of International Affairs
United States Military Academy

Mr. TIERNEY. Thank you, General. We appreciate your remarks.
Mr. Pinon.

STATEMENT OF JORGE PINON

Mr. PINON. Thank you, Mr. Chairman.

Nearly 2 years ago, under the auspices of the Brookings Institution, I was invited to be part of a group of 19 distinguished academics, opinion leaders and international diplomats committed to seeking a strong and effective U.S. policy toward Cuba. Under the leadership of Ambassador Carlos Pascual and Ambassador Vicki Huddleston, our team of well-known experts in the field of U.S.-Cuba relations carried out a series of simulation exercises and discussions that have served to enhance our understanding of the complex political realities of Cuba and the United States.

By testing the responses of several strategic actors and stakeholders through a variety of scenarios, we have identified potential catalysts and constraints to political change on the island. The end result of our effort was a road map report entitled Cuba: A New Policy of Critical and Constructive Engagement, which I believe the committee has a copy of.

Two-thirds of Cuba's petroleum demand currently relies on imports, and Venezuela is the single source of these imports under heavily subsidized payment terms. This petroleum dependency, valued at over \$3 billion in 2008, could be used by Venezuela as a tool to influence a Cuban government in maintaining a politically antagonistic and belligerent position toward the United States.

Cuba has learned from past experiences and is very much aware of the political and economic risks and consequences of depending on a single source for imported oil. The collapse of the Soviet Union 1991 and the 2003 Venezuelan oil strike taught Cuba very expensive lessons.

Raul Castro understands the risks. His recent visits to major oil exporters such as Brazil, Russia, Angola and Algeria underscore his concerns. A relationship with Brazil would provide a balance to Cuba's current dependency, while others could bring with it corrupt and unsavory business practices.

Only when Cuba diversifies suppliers and develops its own resources, estimated by the USGS to be at 5.5 billion barrels of oil and 9.8 trillion cubic feet of natural gas, will it have the economic independence needed in order to consider a political and economic evolution.

Although Cuban authorities have invited U.S. oil companies to participate in developing their offshore oil and natural gas resources, U.S. law does not allow it. Today, international oil companies such as Spain's Repsol, Norway's Statoil Norsk Hydro and Brazil's Petrobras are active in exploration activities in Cuba's Gulf of Mexico waters.

American oil and oil equipment and service companies have the capital, technology and operational know-how to explore, produce and refine in a safe and responsible manner Cuba's potential oil and natural gas reserves. Yet they remain on the sidelines because of our almost five-decade old political and economic embargo.

The President can end this impasse by licensing American companies to participate in developing Cuba's offshore oil and natural

gas. In the opinion of legal experts consulted, Mr. Chairman, no legislation prevents the President from authorizing U.S. oil companies from developing Cuba's oil and natural gas reserves.

The Cuban government, influenced by its energy benefactors, would most likely result in a continuation of the current political and economic model. If Cuba's future leaders are unable to fill the power vacuum left by the departure of the old cadre, they could become pawns of illicit drug activities, drug cartels, and the United States could face a mass illegal immigration by hundreds of thousands of Cubans.

The Brookings report proposes, Mr. Chairman, as part of a phased strategy, a policy that supports the emergence of a Cuban state where the Cuban people determine the political and economic future of their country through democratic means. To achieve this goal, Mr. Chairman, Cuba must achieve energy independence.

In conclusion, Mr. Chairman, if U.S. companies were allowed to contribute in developing Cuba's hydrocarbon reserves, as well as renewable energy, such as solar, wind and sugar cane ethanol, it would reduce the influence of autocratic and corrupt government on the island's road toward self-determination. Most importantly, it would provide the United States and other democratic countries with a better chance of working with Cuba's future leaders to carry out reforms that would lead to a more open and representative society.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Pinon follows:]

**United States House of Representatives
Subcommittee on National Security
And Foreign Affairs**

**"National Security Implications of U.S. Policy toward
Cuba"**

Wednesday April 29, 2007

**Jorge R. Piñón
Energy Fellow
Center for Hemispheric Policy
University of Miami**

**This testimony reflects strictly the personal views of the author
as a member of the advisory group of Brookings Institution's
project "U.S. Policy toward a Cuba in Transition", and in no way
an expression of his views in his official capacity with the
University of Miami and/or The Center for Hemispheric Policy**

Thank you Mr. Chairman, and to the rest of the Subcommittee members, for the privilege and honor to be here today testifying and sharing with you what I consider to be an issue of national security.

Nearly two years ago, under the auspices of the Brookings Institution, I was invited to be part of a group of nineteen distinguished academics, opinion leaders, and international diplomats committed in seeking a strong and effective U.S. policy toward Cuba.

Under the leadership of Ambassador Carlos Pascual and Ambassador Vicki Huddleston our team of well known experts in the field of U.S.-Cuba relations, carried out a series of simulation exercises and discussions that have served to enhance our understanding of the complex political realities in Cuba and the United States.

By testing the responses of several strategic actors and stakeholders to a variety of scenarios, we have identified potential catalysts and constraints to political change on the island.

The end result of our efforts was a road map report entitled "*Cuba: A New Policy of Critical and Constructive Engagement*", just released last week. Mr. Chairman with your approval I will like to submit the full report for the record.

As I mentioned earlier we conducted a series of scenarios which identified potential catalysts and constraints to political change on the island. One of these was the impact and influences that Venezuela and its current leadership could have on the government of Cuba.

Two thirds of Cuba's petroleum demand currently relies on imports, and Venezuela is the single source of these imports under heavily subsidized payment terms.

This petroleum dependency, valued at over \$3 billion in 2008, could be used by Venezuela as a tool to influence a Cuban government in maintaining a politically antagonistic and belligerent position toward the United States.

Cuba has learned from past experiences and is very much aware of the political and economic risks and consequences of depending on a single source for imported oil. The collapse of the Soviet Union in 1991 and the 2003 Venezuelan oil strike taught Cuba very expensive lessons.

President Raul Castro understands the risks; his recent visits to major oil exporters such as Brazil, Russia, Angola, and Algeria underscore his concerns. A relationship with Brazil would provide a balance to Cuba's current dependency, while others could bring with it corrupt and unsavory business practices.

Only when Cuba diversifies suppliers and develops its offshore resources, estimated by the United States Geological Survey to be at 5.5 billion barrels of oil and 9.8 trillion cubic feet of natural gas undiscovered reserves, will it have the economic independence needed in order to consider a political and economic evolution.

Although Cuban authorities have invited United States oil companies to participate in developing their offshore oil and natural gas resources U.S. law does not allow it. Today international oil companies such as Spain's Repsol, Norway's Statoil Norsk Hydro and Brazil's Petrobras are active in exploration activities in Cuba's Gulf of Mexico waters.

American oil and oil equipment and service companies have the capital, technology, and operational know-how to explore, produce, and refine in a safe and responsible manner Cuba's potential oil and natural gas reserves; yet, they remain on the sidelines because our almost five-decade old unilateral political and economic embargo.

The President can end this impasse by licensing American companies to participate in developing Cuba's offshore oil and natural gas.

The Secretary of Treasury has the authority to ---rescind, modify or change the embargo regulations because the Helms Burton codified the embargo regulations -- including the provision that the Secretary "may authorize any prohibited activity." President Clinton modified the regulations by permitting 12 categories of travel and remittances, and President Bush modified the embargo by rescinding some of these regulations that were codified in the 2000 Agricultural and Food sales legislations to Cuba.

In the opinion of legal experts consulted Mr. Chairman no legislation prevents the President from authorizing US oil companies from developing Cuban oil and natural gas reserves.

A Cuban government influenced by its energy benefactors would most likely result in a continuation of the current political and economic model. If Cuba's future leaders are unable to fill the power vacuum left by the departure of the old cadre, they could become pawns of illicit business activities, drug cartels, and the United States could face a mass illegal immigration by hundred of thousand of Cubans.

We received some push-back Mr. Chairman to our recommendation that suggested that by allowing Cuba to develop its undiscovered hydrocarbon reserves would serve

to the continuation of present policies on the island by the current leadership.

We determined Mr. Chairman that if Cuba's undiscovered reserves are proven it would take between three to five years for their development, and production volumes would have to reach a level of over 200,000 barrels per day to have the same economic benefit as that derived today from Venezuela's oil subsidies.

The Brookings report proposes Mr. Chairman, as part of phased strategy, a policy that supports the emergence of a Cuban state where the Cuban people determine the political and economic future of their country through democratic means, and to achieve this goal Cuba must achieve energy independence.

In conclusion Mr. Chairman if U.S. companies were allowed to contribute in developing Cuba's hydrocarbon reserves, as well as renewable energy such as solar, wind and sugarcane ethanol, it would reduce the influence of autocratic and corrupt governments on the island's road toward self determination. Most importantly, it would provide the United States and other democratic countries with a better chance of working with Cuba's future leaders to carryout reforms that would lead to a more open and representative society.

Thank you Mr. Chairman for your time and consideration.

Mr. TIERNEY. Thank you very much, Mr. Pinon.
Dr. Lee.

STATEMENT OF RENSSELAER LEE

Mr. LEE. Thank you, Mr. Chairman.

My argument today is that Cuba can play a potentially pivotal role in controlling the Caribbean drug trade and that this reality creates both opportunities and challenges for U.S.-Cuban relations. Cuba's geographical location makes it a tempting target for international traffickers. The island lies only 90 miles from Key West on a direct flight path from Colombia's Caribbean coast to the southeastern United States.

Cuba claims to have seized some 65 tons of drugs in the past decade, most of it heading toward the Bahamas and the United States. The United States and Cuba have an obvious mutual interest in stemming this flow and in preventing Colombian and Mexican cocaine kingpins from setting up shop on the island. Yet they have not entered into a formal agreement to fight drugs, although Cuba maintains such agreements with more than 30 other countries. What cooperation exists occurs episodically on a case by case basis.

Washington and Havana need to engage more fully on the issue, jointly deploying intelligence and interdiction assets to disrupt smuggling networks that operate in the western Caribbean. To date, though, Washington has shied away from a deeper relationship, fearing that this would lead to a political opening and confer a measure of legitimacy upon the Castro regime. Yet current strategic realities in the region and Havana's evident willingness to engage in such a relationship, as well as impending leadership changes in Cuba, argue that we should rethink these concerns.

The cooperative framework that I envisage does not imply approval of the Castro regime. It would entail increased U.S. law enforcement presence on the island and increased bureaucrat to bureaucrat contacts at the working level that might serve as a platform for reshaping U.S. relations with Cuba during a time of leadership transition.

Now, Cuba has some history of high level official connections to Colombian cocaine exporters. And I describe these at some length in my written testimony. But in the past 20 years, the regime has made considerable effort to distance itself from these criminal associations, expanding drug cooperation with western and Latin American nations and adopting an increasingly prohibitionist approach toward illegal drugs at home that includes some of the most draconian anti-drug legislation anywhere on the planet.

This incidentally contrasts very sharply with the harm-reductionist and non-coercive drug control policies espoused by some Latin American leaders. Several factors may account for this shift: the growing internal market for cocaine and marijuana; the need for international acceptance following the collapse of the USSR, Cuba's main patron at the time; and a perceived juxtaposition of international drug connections and pressures for economic and political reform inside Cuba.

For these reasons and others, a U.S.-Cuban entente against the hemispheric drug threat, unthinkable a decade or more ago, seems worthy of consideration today, despite vast differences in our politi-

cal systems and the absence of diplomatic ties. In any case, we need to look forward and not backward in managing relations with that country. The drug threat from Cuba seems likely to increase with time as the Castro regime's revolutionary order loses its hold and appeal. More opening to foreign trade and investment, coupled with liberalization of the economy and some loosening of political controls, could foster new alliances of convenience between criminally inclined Cuban nationals and South American or Mexican drug cartels.

Interdiction successes in Mexico and resulting shifts in drug routes eastward to the Caribbean could aggravate these problems, culminating in the emergence of a bastion of organized crime and drugs only 90 miles from U.S. shores, an outcome I think hardly in the best interests of the United States and other countries in the hemisphere.

Thank you very much.

[The prepared statement of Mr. Lee follows:]

Cuba, Drugs, and U.S.-Cuban Relations

**Testimony before the House of Representatives
Committee on Oversight and Government Reform
Subcommittee on National Security and Foreign Affairs**

**Rensselaer Lee
Foreign Policy Research Institute, Philadelphia, PA
Global Advisory Services, McLean, VA.**

April 29, 2009

This is the story of a Caribbean state that at one time was deeply (if selectively) involved in the international drug trade, becoming now a state for which suppressing the drug traffic seems to be a foremost national priority. This apparent transformation and accompanying tectonic shifts in the international security environment, have some important implications for U.S.-Cuban relations

The United States and Cuba have a strong mutual interest in closing off trafficking routes in the western Caribbean and in preventing attempts by Mexican and South American cocaine mafias to set up shop in Cuba proper. Yet they have not entered into a formal agreement to fight drugs – even though Havana maintains such agreements with at least 32 other countries – and what cooperation exists occurs episodically, on a case-by-case basis. Washington and Havana need to engage more fully on the issue, deploying intelligence and interdiction assets to disrupt smuggling networks through and around Cuba. Washington hitherto has shied away from a deeper relationship, fearing that it would lead to a political opening and confer a measure of legitimacy on the Castro regime. Yet current strategic realities in the region and Havana's own willingness to engage in such a relationship, as well as impending leadership changes in Cuba, argue for rethinking these concerns, even in the absence of formal diplomatic ties.

Cuba's relations with the international drug trade are historically complex and controversial and deserve some mention here. The Castro regime, on its accession to power in 1959, largely wiped out what had been a flourishing domestic market for cocaine and marijuana that was closely associated with the mob-run Havana casino-nightclub scene. Despite this achievement, opportunistic ties with foreign drug-trafficking organizations apparently persisted. Allegations of Cuban state complicity in the drug trade date to the early 1960s, although hard evidence of a Cuban drug connection did not surface until the 1980s.

Such cozy relationships reached a height in the late 1980s, when a group of Cuban Ministry of Interior officials, led by MC department head Antonio de la Guardia, together with representatives of Colombia's Medellin cartel coordinated some 15 successful

smuggling operations through Cuba to the United States which – according to Cuban officials – moved a total of six tons of cocaine and earned the conspirators \$3.4 million.

Also complicit in these activities, though tangentially, was Division General Arnaldo Ochoa Sanchez, a decorated hero of the Cuban revolution. An Ochoa emissary met with Medellin cartel chief Pablo Escobar in 1988 to discuss a cocaine-smuggling venture and also a proposal to set up a cocaine laboratory in Cuba. The discussions also touched on another topic – and this is what Escobar really wanted most – the transfer of some surface-to-air missiles to the cartel in Colombia. The trafficking schemes never materialized, but in early 1990 the Colombian National Police discovered an assortment of 10 ground-to-air and air-to-air missiles of French manufacture (apparently originating in Angola) in a Bogotá residence belonging to an assassin employed by the Medellin cartel.

The Ochoa-de la Guardia machinations and the subsequent trials, executions, and purges marked the beginning of a watershed in the Cuban government's policies toward illegal drugs. In subsequent years the regime made a visible and mostly successful effort to distance itself from the international drug trade, setting up new and elaborate drug-fighting institutions, establishing narcotics cooperation agreements with European and other Latin American states, and adopting an increasingly prohibitionist approach toward the sale and use of drugs inside Cuba. (This, incidentally, contrasts sharply with the harm-reduction approach being advocated by three former Latin American presidents.)

This policy shift was attributable to three main factors:

1. First, the corruption scandals of the late 1980s brought home to Cuba's leaders the reality that in Cuba – as elsewhere in Latin America – the illegal drug trade could spawn independent centers of power, posing potential challenges to the existing political order. Generally speaking, the Ochoa-de la Guardia conspirators tended to favor the liberalizing tendencies that at the time were occurring elsewhere in the Soviet bloc, and Castro must have wanted to prevent the emergence of a

narco-funded reformist movement that could weaken the totalitarian underpinnings of the Cuban system.

2. Second, the disintegration of the Soviet Union and the socialist bloc eliminated the protective mantle of Soviet patronage that had sustained Cuba for years, and thus forced Cuba to reorient its entire foreign economic posture to seek vastly improved trade, investment, and tourism ties with the West. To do this, Cuba needed to burnish its international image and to project an aura of respectability. This meant taking visible domestic and foreign policy steps to try to erase the drug stigma acquired in earlier years.
3. The third factor was the emergence in the 1990s of a domestic consumer market for cocaine, crack, and marijuana, which was propelled by the increasing inflow of dollars from the tourist economy and by remittances sent from Cuban communities abroad to their relatives on the island. In what appeared to be a replay of the 1950s, drugs circulated freely in Havana's nightclubs, bordellos, streets, and hotels. The internal drug market was never large, at least in relation to what we see here in the United States, but it alarmed Cuban authorities because it pre-supposed the development of a sphere of criminality outside the regime's effective control.

An interesting question is: Where did all of these drugs come from?

The main source, at least according to Cuban official statistics, were so-called "recalos," bulk packages of cocaine and marijuana that are dumped at sea, and then carried by wind and tides to Cuba's shores – the detritus of failed rendezvous between Colombian planes or Jamaican marijuana carriers and go-fast boats based in Florida. Drugs are also brought to the island by foreign tourists, usually for their own use, but sometimes with the intent of introducing them into the Cuban market. A third source is domestic marijuana cultivation, which yields a relatively low-quality leaf, mainly in Cuba's eastern provinces (Granma, Santiago de Cuba). Finally, there was cocaine that leaked into the domestic

Cuban market from the trafficking pipeline that Interior Ministry officials set up through Cuba in the late 1980s. This pipeline, I suspect, carried a lot more than the six tons officially acknowledged by the Cuban regime.

The policies adopted by the Castro regime to counteract the perceived drug threat to Cuban society took several forms. One was to strengthen counter-narcotics legislation. Between 1988 and 1999 maximum penalties for drug dealing in Cuba's criminal code increased from 7-15 years imprisonment to 20 years to death. Money laundering was made a crime punishable by up to 12 years in jail, and Cuban banks were compelled to adopt "know your customer" rules and to maintain records of transactions of more than 10,000 pesos (roughly \$10,000 equivalent) for five years. In 2003, the government tightened the screws further with a decree prescribing the confiscation of business and residential property where drugs were produced, sold, stored, or consumed, a step that precipitated nationwide house-to-house searches to root out evidence of drug crimes.

Drug interdiction efforts were expanded to deny Cuban airspace and territorial waters to traffickers. Much of the emphasis here was on clearing Cuba's coast of recalos of cocaine and marijuana and to this end the regime mobilized various social organizations – youth brigades, Committees for the Defense of the Revolution, fishing collectives, tourism workers, et. al. – to cooperate with the Cuban Border Guard in patrolling the island's shores. Also, to facilitate information-sharing on suspected drug shipments crossing Cuban territory, in 1999 Havana allowed the stationing of a U.S. Coast Guard officer in the U.S. Interests Section in Havana.

On the demand-reduction front Cuba set up a vast network of nearly 200 mental health centers, staffed by psychologists and family physicians, which were charged with preventing the spread of drug abuse within the Cuban population. Some of these facilities provided in-house treatment and rehabilitation for cocaine and marijuana addicts. The regime mounted an extensive education and prevention campaign targeting schools and youth organizations, evidently aiming to insulate the younger generation from the scourge of drugs.

By some indications, the regime's draconian drug policies seem to have worked, at least up to a point. My contacts within the Cuban public health system have told me that the average price of a gram of cocaine increased from about \$15-20 in the 1999-2003 period to \$90 in mid-2008, and the price for a joint of imported marijuana from \$1 to \$10 over the same years. Also, admissions of the numbers of new entrants into drug treatment facilities in the Havana area have dwindled significantly since the 1990s.

Now on the foreign policy front: looking back in time, narcotics-trafficking was a focal point of conflict in U.S.-Cuban relations for most of the pre-1990 years, except for a brief period during the Carter administration. The focus gradually shifted to cooperation in the 1990s, as the Cuban leadership ostensibly severed connections to the international drug trade. Cooperation and information-sharing between the two countries have netted a few high profile seizures, arrests, and extraditions, but all of this has occurred rather episodically, without an umbrella agreement on counter-narcotics cooperation, (although Cuba has concluded such agreements with many other countries inside and outside the hemisphere).

Such an agreed framework could set the stage for a more substantive level of engagement on drugs. For example, we could train and equip Cuban Border Guards and Interior Ministry operatives, we could conduct joint naval patrols with Cuba in the western Caribbean, we could coordinate investigation of regional trafficking networks and suspicious financial transactions through Cuban banks and commercial entities, and we could station DEA and FBI contingents in the U.S. Interests Section in Havana. We could also negotiate a ship-rider agreement with the Cuban authorities, and possibly even the right to pursue drug-laden vessels and aircraft seeking safe haven in Cuban territory.

How far Havana and Washington would be willing to proceed in these directions is unclear, since the political barriers on both sides are formidable. Yet the prospects for more productive collaboration against the hemispheric drug threat seem a lot more promising today than in the past. In any event, failure to exploit Cuba's law enforcement

and intelligence assets to good advantage leaves a major gap in U.S. defenses against drug trafficking through the Caribbean. Interdiction successes in Mexico seem likely to augment this flow down the road, a further reason to closely monitor trafficking trends in a Caribbean country only 90 miles from U.S. shores. The drug threat from Cuba seems destined to increase as the Castro regime's revolutionary order loses its hold and appeal, as the island's economic ties with the outside world continue to expand, and as criminally-inclined Cuban nationals seek alliances with South American and Mexican drug kingpins. Such an outcome is hardly in the best interests of the United States and other countries in the hemisphere.

Mr. TIERNEY. Thank you, Doctor.
Mr. Peters.

STATEMENT OF PHILIP PETERS

Mr. PETERS. Thank you, Mr. Chairman and Mr. Flake. I want to commend you for having this hearing.

I think that our policy toward Cuba has been an extremely ambitious one, but it has also been one that has been very un-examined. So I think it is a very good thing that Congress look piece by piece at this policy, as you are doing here, especially when you consider that, for all the changes President Obama has made, and they are good changes, the policy remains 90 percent that of President Bush. There is a lot to examine.

With regard to the security issues that you bring us here to discuss today, I agree with General McCaffrey that I don't believe that Cuba represents a security threat to us. I think the security issue for us is whether we want to seize the opportunity to address some security issues that are regional in nature by talking with the Cubans and seeing if it's possible to establish or increase our cooperation.

So I think that it would make sense for the United States to talk more intensively with Cuba about migration. We already have migration accords with them. But there may be additional steps we could take to address issues such as alien smuggling, which is a transnational crime. As you know, there are rings of unscrupulous alien smugglers that have put people's lives at risk, that have killed migrants and that also operate through Mexico and complicate our relationship with Mexico and cause the Mexican government a great deal of grief.

We of course should talk more about drug trafficking with Cuba. We have limited cooperation with them. In my statement, which I would ask that you put in the record, I cite at length the assessment of the U.S. State Department that was just put out last month, which basically says that our cooperation with Cuba works reasonably well and that Cuba is in the habit of passing on actionable information when they get it about drug shipments passing through their territory.

We should talk about the environment with Cuba for a very simple reason. Take a map, look at where Cuba is thinking of drilling, look at where the Gulf Stream goes and see that it ends up on the eastern coast of Florida, and take into account that area off Florida's coast is the area of greatest biodiversity in our marine environment anywhere. An accident in Cuba's offshore area where they are going to drill for oil becomes our problem within a matter of days. So it is nuts that the United States is not talking to Cuba about the normal disaster preparedness things that we would do if it were any other country.

Also, I think we should add, or at least explore, military relations with Cuba. It makes no sense whatsoever that our SOUTHCOM commanders know the leadership of the military institutions everywhere in the hemisphere but not that of Cuba. Certainly, if you look at the relationship, the military to military relationship we have with China, it is not a bowl of cherries, it doesn't work perfectly, but it has gone on for about two decades with all the inci-

dents that have occurred and with the broad differences we have because the idea is to establish relationships, to establish an understanding of each side's intentions and to work on things such as crisis prevention. And certainly without exhausting our imaginations too much, it is easy to think of crises that could occur in the straits between the United States and Cuba.

Finally, Mr. Chairman, I was struck by Mr. Issa's opening statement. Even though he has departed the room, I want to address myself a little bit to him, because I believe in all these initiatives I just stated to you, I believe in them in the context of greater engagement. As a Republican, listening to him, I hear him expressing some of the doubts and issues that come to any Republican's mind, or any American's mind, when you think of Cuba. That is a very clear revulsion against the human rights practices of the Cuban government, not in a political science theory way, but because those practices hold down the Cuban people, suppress their creativity and their energy and their ability to make a better life for themselves.

And at the same time, there is a nagging question of whether we should engage on a broader sense, as Mr. Issa referred, as we do with China. As he said, we allow Americans to travel there and we allow Chinese students to come here. But he asked the question, well, what would be the right time to engage. Well, I would just say this: what time is it in Cuba? It is the end of an era in Cuba right now. Our influence is low. We were a superpower and we think we can do a lot of things.

But it is a little hard for us to swallow some times, this country is so close to us, our influence is very low. Our influence is low because our contacts are very low. They are at a time now when this generation of the Castros that won the revolution, the clock is running out and they are going to be leaving. The younger generation, as General McCaffrey referred, is in the wings. They know that the system is not a failed system, but it is not working. Young people don't have hope. The young people that are such a precious resource are emigrating and want to emigrate in very large numbers. There is severe income inequality that they haven't been able to solve, and there is not hope among the younger generation. They don't create enough jobs. This younger generation knows they have to do something to address those issues, because they will be much worse if the current generation doesn't get to them before they leave.

So they have these huge problems hanging, and what is our response? Well, we don't really want to connect with the next generation. Oh, you want to invite Cuban academics here? Well, no, our policy won't allow that. You want to have conferences in Cuba? Well, the Treasury Department is going to stop you because of what you would spend on that. Our universities want to have student exchanges? Well, no, you can't get a license for that if it is a 2-week program, it has to be 10 weeks or more. High school students? No, they can't go to Cuba.

All the people-to-people programs, abolished under the Bush administration. It is no wonder we have no influence in that country, because we don't have contact there. So I would say this is a moment, with all respect to his question, of course it is the right ques-

tion to ask when. I would say the time is now, because this is a time when, of all times, we should be seeking to engage that next generation of Cubans.

Thank you.

[The prepared statement of Mr. Peters follows:]

Diplomacy with Cuba and U.S. National Security

Statement of Philip Peters
Vice President, Lexington Institute

Before the Subcommittee on National Security and Foreign Affairs
Committee on Oversight and Government Reform
U.S. House of Representatives

Hearing on "National Security Implications
of U.S. Policy toward Cuba"

April 29, 2009

Mr. Chairman, members of the Subcommittee:

Thank you for this opportunity to discuss the security aspects of American policy toward Cuba.

I believe that a shift toward a policy of engagement with Cuba would serve U.S. interests at a time when our influence in Cuba is low and Cuba is at a turning point in its history. If the Administration and Congress were to ease or end travel restrictions, greater contact on the part of American citizens and American civil society would increase American influence in Cuba. And while Cuba does not represent a security threat to the United States, there are security issues that affect both countries because we are neighbors – international drug trafficking routes cross both our territories, alien smugglers operate between Cuba and the United States, and the marine environment surrounding both countries is connected. These and other issues could be addressed if the United States and Cuba were to agree to hold diplomatic discussions. They could also be addressed by exploring the establishment of military-to-military contacts with Cuba.

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The Obama Administration has expressed a willingness to engage in dialogue with Cuba and, according to press reports, the Administration is talking with Cuban authorities now in an effort to set an agenda for talks. The Administration is also in the process of ending travel and remittance restrictions as they apply to Cuban Americans only, both as a humanitarian gesture, and to increase communication with Cuba and to raise the standards of living of those Cubans who receive visits and aid.

These initiatives come after eight years of a U.S. policy oriented in the opposite direction. While both Presidents Obama and Bush have strongly expressed American opposition to Cuban human rights practices, the Bush Administration generally shunned dialogue with Cuban authorities, it tightened sanctions across the board, and it framed its policy as one that would change the political order in Cuba, or “hasten the end of the dictatorship,” as Secretary of State Rice put it in 2005.

Clearly, that policy had no such effect. Cuba’s government has remained in office, and Cuba has remained stable in spite of U.S. policy. There were expectations that the illness of Fidel Castro, his departure from public view in 2006, and his departure from office would lead to change in Cuba. Those expectations were not borne out.

I raise this point not to debate the past, but to underscore that in this policy, as in foreign policy or any strategic endeavor, it is important to be realistic about ends and means, about the measures we employ and the results we can expect to achieve.

So if the Obama Administration succeeds in establishing a formal diplomatic track with Cuba, what can and cannot be achieved?

Cuba and the United States have been separated by deep differences over ideology and values for 50 years. Until the early 1990’s, we were on opposite sides of the U.S.-Soviet divide that defined the Cold War. Cuba was an active adversary that advised, trained, and supplied guerrilla forces in this hemisphere, and deployed troops to Africa.

A dialogue with Cuba has zero prospect of erasing that history or resolving the ideological differences that still exist – no more than our engagement with the former Soviet Union, or our engagement with China today, could be viewed as instruments for resolving the fundamental differences in values between the United States and those communist powers.

However, a dialogue with Cuba offers an opportunity – not a guarantee of success – to advance U.S. interests in three areas if Cuba proves to be a willing and constructive partner.

First, the Administration could address interests such as migration, drug interdiction, and environmental protection. The United States and Cuba already have limited cooperation in the first two areas, and could initiate cooperation in the third.

Second, the United States could press its concerns about Cuban human rights practices in a face-to-face setting.

Third, the two sides could suggest additional issues for discussion. The presence in Cuba of fugitives from U.S. justice – some there since the 1970’s, some very recent – is a likely concern for any U.S. Administration. Cuba would surely raise issues of its own if there were an expanded agenda.

The key is not to treat Cuba as we would any country in the Caribbean, but to treat it as Administrations of both parties have long treated other communist countries – standing up for democratic values, seeking to engage in areas of potential mutual benefit, and recognizing that to engage in diplomacy is not to endorse the practices of the government on the other side of the table.

Cooperation in drug interdiction

The State Department reported the following in its 2009 International Narcotics Control Strategy Report:

- “Although Cuba is neither a significant consumer nor a producer of illegal drugs, its ports, territorial waters, and airspace are susceptible to narcotics trafficking from source and transit countries.
- “The GOC [Government of Cuba] regularly detects and monitors suspect vessels and aircraft in its territorial waters and airspace. In cases likely to involve narcotics trafficking, it regularly provides detection information to the USCG [U.S. Coast Guard].
- “The Cuban Government has established an auxiliary force that involves training and educating Cuban citizens regarding counter narcotics policy. All Cuban citizens are required to report to the appropriate authorities regarding the discovery of actual or suspected narcotics that wash-up on their shores. The GOC claims to have trained employees at sea-side resorts and associated businesses, including fishermen, in narcotics recognition and how to communicate the presence of illicit narcotics to the appropriate Cuban Border Guard (CBG) personnel or post. This approach helps address the fact that Cuba’s interdiction capability is limited by a lack of resources.
- “In all, between January and September 2008, the GOC seized 1.7 metric tons (MT) of narcotics (1,675.7 kilograms of marijuana and 46.8 kilograms of cocaine), and trace amounts of crack, hashish, and other forms of psychotropic substances. In comparison, in 2007, 2.6 MT were seized by the GOC as a result of its various interdiction efforts.
- “In April, Cuban authorities assisted Jamaican anti-drug personnel with the disruption of a marijuana trafficking network by providing real-time information, resulting in the detention of the traffickers, and the confiscation of a trafficking aircraft that contained a load of marijuana. In July, information provided by the CBG operations center in Havana led USCG assets to a drug-laden go-fast in the Windward Pass. Upon realizing the USCG had discovered their vessel; the traffickers discarded their contraband into the sea, which led to the wash-up of 172 packets of marijuana along the coasts of four Cuban provinces, totaling 916.49 kilograms.

- “The U.S. has no counternarcotics agreements with Cuba and does not fund any GOC counternarcotics law enforcement initiatives. In the absence of normal bilateral relations, the USCG DIS officer assigned at the USINT [U.S. Interests Section] Havana acts as the main conduit of anti-narcotics cooperation with the host country on a case-by-case basis. Cuban authorities have provided DIS exposure to Cuban counternarcotics efforts, including providing investigative criminal information, such as the names of suspects and vessels; debriefings on drug trafficking cases; visits to the Cuban national canine training center and anti-doping laboratory in Havana; tours of CBG facilities; and access to meet with the Chiefs of Havana’s INTERPOL and Customs offices
- “Cuba’s Drug Czar had raised the idea of greater counternarcotics cooperation with the USG and Commander-in-Chief Raul Castro had called for a bilateral agreement on narcotics, migration, and terrorism. However, these approaches have not been offered with forthright or actionable proposals as to what the USG [U.S. government] should expect from future Cuban cooperation.”

This assessment is similar to those we have seen over the past decade, ever since the United States upgraded communications between the Coast Guard and its Cuban counterpart and sent a Coast Guard liaison officer to work permanently in the U.S. diplomatic mission in Havana. In sum, Cuba does not figure prominently in the production, consumption, or trafficking of illegal drugs in the Caribbean, and the major concern that the United States has regularly expressed is that Cuba’s territory – its airspace and extensive coastline and coastal keys – can be used by traffickers moving drugs northward.

Given this situation, and given that the limited cooperation in place now works reasonably well, I believe the Administration would do well to explore whether some form of increased communication and cooperation might serve U.S. interests.

Allies such as Spain, Britain, and France have provided police training and modest material assistance to help Cuban authorities stem the flow of drugs through Cuba to Europe.

If the United States were to explore this question, it would remain to be seen whether Cuba would offer, as the State Department puts it, “forthright or actionable proposals as to what the U.S. government should expect from future Cuban cooperation.” It would also remain to be seen whether the United States would wish to merely enhance the current communication and liaison functions, or provide material assistance. And if increased cooperation were to be agreed, it would not offer the prospect of a major breakthrough in Caribbean drug interdiction, given that Cuba’s main role is that of a country whose territory is used for transshipment.

Yet if we take seriously the challenge of stopping drug flows in the Caribbean, there is every reason to seek closer cooperation with Cuba.

Cuba's location is of strategic importance for smugglers, and smugglers surely wish that in the future they will be able to find ways to use Cuban territory at low risk. And while the prospect of increased drug activity in Cuba seems remote under current circumstances, one can envision economic scenarios where that would change, for example in a severe economic downturn, or a successful economic scenario where a boom in trade, investment, or tourism would increase the number of vectors in and out of Cuba. If either of those scenarios were to come to pass, enhanced cooperation now would indeed be an ounce of prevention.

Migration

The control and regulation of illegal and legal migration is a second area where the United States and Cuba cooperate actively, and where enhanced communication could potentially lead to results that serve U.S. interests.

Our cooperation is framed by accords reached between the two governments in 1994 and 1995. These accords declared a "common interest in preventing unsafe departures from Cuba." The United States committed to return Cubans intercepted at sea while attempting to reach U.S. shores without a visa, and not to grant parole to those who reached U.S. shores "in irregular ways." Cuba committed to accept returned migrants and not to take reprisals against them. The United States also set a target of allowing 20,000 Cubans to migrate legally each year.

Taken together, these and other measures were designed to provide ample opportunities for Cubans to migrate safely and legally to the United States, and to provide disincentives for illegal migration.

The accords have worked reasonably well, as the United States has met or exceeded the target of 20,000 legal immigrants per year in nearly every year since the accords were reached. It is impossible to measure the number of Cubans who planned illegal departures by sea, but were dissuaded by the prospect of repatriation, yet it's a safe bet that years of interceptions and repatriations have had an impact.

Last year, the United States further expanded legal emigration opportunities when it created a special Cuban Family Reunification Parole Program. This program allows Cubans who seek to emigrate to join family in the United States to be processed within months, rather than waiting years, which is the norm in other countries.

In spite of these factors, there continues to be a flow of illegal immigration from Cuba, the most troubling aspect of which is the organized business of alien smuggling. According to recurrent press reports, smugglers charge fees in the range of \$8,000-\$10,000 to bring Cubans to the United States. They do so directly, or through Mexico's Yucatan peninsula, where the networks house the migrants then bring them to the U.S.-Mexico border. Alien smugglers in general present a security concern because they are capable of smuggling drugs or other contraband; the smugglers on the Cuba route have

engaged in unsafe practices that have cost migrants their lives, and the presence of Florida-based smuggling rings in Mexican territory has been of deep concern to the Mexican government.

While both governments have maintained their commitments to the accords, each has stated grievances with the other side's practices. The United States complains that Cuba has not permitted the U.S. consulate to conduct a visa lottery in Cuba for more than a decade, and a new lottery is needed to generate a fresh pool of applicants for immigrant visas. Cuba has complained that the United States has never upheld its commitment to deny parole to Cubans who reach U.S. territory "in irregular ways," i.e. to end the "dry foot" policy initiated by the Clinton Administration.

The accords provide for semiannual consultations on the functioning of the accords themselves, but these talks were suspended by the Bush Administration.

Considering the importance of the accords and the strong U.S. interest in stemming illegal migration, it would make sense for the Obama Administration to renew these consultations.

Environment

The United States and Cuba have no current environmental cooperation programs, although American academics and conservation groups have maintained contacts with counterparts in Cuba and have conducted research, both individually and in collaboration with Cubans, on diverse scientific and environmental questions. Foreign organizations such as the World Wildlife Fund of Canada collaborate effectively in Cuban environmental planning and protection programs.

Given our proximity and shared environment, it makes sense for Cuba and the United States to explore avenues of environmental cooperation, whether through government programs or openings to greater American private sector activity.

There is one issue that makes this matter particularly urgent: Cuba's interest in deep water oil exploration in its territorial waters off its northwestern coast. A Spanish-led consortium drilled an exploratory well in 2004, and plans have been announced for additional drilling later this year.

The location of Cuba's exploration zone and the Gulf Stream current that links this area to the waters off Florida's eastern coast virtually ensure that an accident in this area would harm Florida's rich coastal environment. Now, before extensive drilling occurs, is the time for U.S. experts to talk with Cuban counterparts about this situation and to determine what kinds of information exchange, planning, and collaboration are possible to prepare for a potential accident.

Military-to-military relations

It would also be wise for the United States to explore the establishment of contacts between the U.S. military and the Cuban armed forces. A model for such contacts is the two decades of contacts that the Pentagon has conducted with the Chinese military.

The United States has had military-to-military relations with China since 1993, maintained by both the Clinton and Bush Administrations in spite of their different approaches to foreign policy in general.

Between 1997 and 2007, there have been nine rounds of Defense Consultative Talks with China; at four rounds our Secretary of Defense was present, and at four our Chairman of the Joint Chiefs of Staff was present. Beyond these talks, there have been many contacts, exchanges, and visits by officials and officers of lower rank.

This military-to-military relationship has continued in spite of considerable difficulties, including those caused by the collision of a Chinese fighter jet with a U.S. surveillance plane in 2001, and the NATO bombing of China's embassy in Belgrade in 1999.

Its purpose has been to allow each side to develop contacts with each other, to develop mutual understanding, to establish means of preventing conflicts, and to discuss nonproliferation, terrorism, POW/MIA, and other issues. In 2002, Under Secretary of Defense for Policy Douglas Feith said:

“...there is the political will on our side to have good military-to-military exchanges with China. We see that if those exchanges are structured properly, they will serve our interests, they will serve our common interests. And the principal interest is in reducing the risks of mistake, miscalculation, misunderstanding. If these military-to-military exchanges actually lead to our gaining insights into Chinese thinking and policies and capabilities and the like, and they can gain insights into ours, then it doesn't mean we'll necessarily agree on everything, but it at least means that as we're making our policies, we're making them on the basis of accurate information. That's inherently a good thing.”

An account of U.S. relations with China's military is in an excellent report from Shirley A. Kan of the Congressional Research Service, “U.S.-China Military Contacts: Issues for Congress.” The report is available at <http://www.fas.org/sgp/crs/natsec/RL32496.pdf>.

To be sure, the differences between the People's Liberation Army and Cuba's Revolutionary Armed Forces are vast, as are the differences between their impact on regional and global security. China is a major power with nuclear weapons capability; it is capable of projecting power beyond its borders; its activities have generated concerns about proliferation of weapons technology; and its military behavior has at times been provocative.

Cuba is not in this category.

Military-to-military relations with Cuba need not occur at the defense minister level, and they would not address some of the global security issues we treat with China. However, it makes no sense that our contact with Cuba's military is limited to monthly discussions of issues surrounding the Guantanamo naval base, and that the regional military commanders for the Western Hemisphere have relationships with the leaders of every military institution in this hemisphere save Cuba's. To establish such relationships, to make clear each side's views and intentions, to work on crisis prevention, and to address other security concerns that each side may have, it would make sense for the United States to explore the possibility of military-to-military relations with Cuba.

Other issues

Given the 50-year standoff between Cuba and the United States and the lack of engagement during the Bush Administration, my guess is that if a diplomatic track is to be established, the most practical place to start would be on the issues described above. These neighborhood issues are of direct interest to both sides, they are not fraught with political difficulty, and modest results could be achieved in the near term if conditions are right.

However, an initial focus on neighborhood matters need not exclude other areas of discussion.

President Obama would surely instruct his representatives to press human rights concerns. In time, law enforcement issues such as the presence of fugitives from U.S. justice could be broached. In addition to fugitives who reached Cuba in the 1970's after perpetrating hijackings and other crimes, there are recent fugitives, most notably a series of individuals who emigrated from Cuba, engaged in Medicare fraud, then returned to Cuba when pursued by U.S. authorities.

Cuba has issues of its own: U.S. economic sanctions, the five Cuban agents serving espionage sentences in U.S. jails, and the presence of individuals in the United States who were involved in terrorist attacks in Cuba. The most prominent of these is Luis Posada Carriles, whom the Bush Justice Department labeled an "admitted mastermind of terrorist plots and attacks," and whom the Obama Justice Department is now preparing to prosecute for, among other offenses, lying about his past involvement in terrorist activities.

There is no easy solution to these issues, but there is surely no solution at all if the two governments fail to explore options in face-to-face, confidential settings. Talks on drugs, migration, and the environment offer an ideal opportunity for this exploration to occur.

The Cuban threat

Finally, Mr. Chairman, in deference to others on this panel I have not provided detailed testimony on the question of Cuba's potential threat to U.S. national security.

However, as I have examined the public record and talked to officials over the years, and as I have watched what our government has and has not done with regard to Cuba, it has seemed very clear to me that Cuba represents no significant threat in military terms. For the record, I would like to submit an article on this question that I wrote for the Miami Herald in 2007. The article follows:

Cuba – How Scared Should We Be?

by Philip Peters

The Miami Herald, March 16, 2007

According to a defector, Cuba has a secret, underground laboratory southeast of Havana called "Labor Uno," where biological agents -- "viruses and bacteria and dangerous sicknesses" -- are being developed for military use.

The administration calls Cuba a "state sponsor of terrorism," so if the defector's story is true, Cuba would represent what President Bush terms one of the worst national security threats of the 21st century: the world's most dangerous weapons in the hands of the world's most dangerous people.

How scared should we be?

Not scared at all, if we judge by the administration's policies and public statements, none of which betray concern, much less certainty, about any threat emanating from Cuba.

The defector, Roberto Ortega, was Cuba's top military doctor. He visited Labor Uno in 1992 while he was escorting a visiting Russian delegation.

Ortega may be entirely truthful, but the Iraq experience teaches that fragments of interesting information do not amount to "slam-dunk" intelligence.

Indeed, the Iraq intelligence failure led U.S. agencies to reassess their views on weapons programs worldwide. The result came in August 2005 when, with Ortega's account in hand, these agencies downgraded their Cuba assessment, concluding unanimously that it was "unclear whether Cuba has an active offensive biological-warfare effort now, or even had one in the past."

But the administration gives us more reasons to sleep easy.

- **Cuba missed the "axis of evil."** With the exception of now-departed John Bolton, senior officials responsible for security matters have been silent about Cuba. In October 2005, Bolton's successor as the State Department's top security official, Robert Joseph, did not mention Cuba in a global survey of weapons of mass destruction issues. Cabinet-level officials

routinely chide Cuba's human rights abuses but mention no security concerns.

- **Ana Montes unchallenged.** After Cuban spy Ana Montes was discovered to be working as the administration's top Cuba defense-intelligence analyst in 2001, Bolton and other officials charged that she had skewed U.S. intelligence, including a famous 1998 report that called Cuba's military capabilities "residual" and "defensive" and its threat "negligible." But in six years, the administration has issued no report offering a less benign assessment, even though it would serve its political interests to do so. Montes' betrayal, we can deduce, involved leaking the identities of agents and other U.S. secrets to Cuba rather than distorting U.S. intelligence.
- **Migration exception.** If the administration had the slightest concern about terrorism coming from Cuba, it would not have a unique, open-door policy toward undocumented Cuban migrants, where we welcome those who reach our shores or Mexican border crossings and release them into the community within hours. This may make humanitarian sense, but it is truly a pre-9/11 policy in a post-9/11 world. It tells Cuba, if indeed it is a terrorist state, to infiltrate operatives not through cloak-and-dagger ruses but mixed in with everyday migrants.
- **No negotiations.** In return for a promise to cap its nuclear program, North Korea will receive fuel oil and direct talks with Washington that could lead to normalized relations. Similarly, Iran has been offered rewards for ending its nuclear ambitions. In the Cuban case, the administration seeks no talks and does not pursue Ortega's recommendation that international inspectors go to Cuba. Apparently, the administration sees nothing to talk about.

What we are left with is that the only visible U.S. action in response to a Cuba-related security issue is a maritime exercise to prepare for a possible migration crisis in the Florida Straits.

Floridians can therefore go back to worrying about hurricanes, tornadoes and inadequate insurance coverage -- until, that is, Raul Castro figures out that a new weapons program might be the ticket to achieve normal relations with the United States.

Mr. TIERNEY. Thank you very much, Mr. Peters.

In response to your comment, all of your statements and all of the other witnesses' statements will be incorporated into the record by unanimous consent.

Mr. Pinon, I noticed that in your written remarks, you asked that a report entitled, "Cuba: A New Policy of Critical and Constructive Engagement," that was just released last week, also be put into the record. If you still wish that to be done, with unanimous consent, that will happen.

[The information referred to follows:]

CUBA: A New Policy of Critical and Constructive Engagement

B | Foreign Policy
of BROOKINGS

APRIL 2009



Report of the
Brookings Project on
U.S. Policy Toward a
Cuba in Transition

CUBA: A New Policy of Critical and Constructive Engagement

B | Foreign Policy
at BROOKINGS

APRIL 2009

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The advisory group is fully independent. Members served in their personal capacity and not under instructions from any organization or government. The report reflects strictly personal views of the members of the group and is in no way an expression of their views in their official capacity nor the views of any government or organization with which they are affiliated.

Report of the
Brookings Project on
U.S. Policy Toward a
Cuba in Transition

FOREWORD

UNDER THE AUSPICES of the Brookings Institution's project "U.S. Policy toward a Cuba in Transition," nineteen distinguished academics, opinion leaders, and international diplomats committed themselves to seeking a strong and effective U.S. policy toward Cuba.

Our advisers are well known experts in the field of U.S.-Cuba relations, and come from diverse backgrounds and political orientations. Half of them are also Cuban American. Over the past eighteen months, project advisers and special guests have carried out a series of simulation exercises and discussions that have served to enhance our understanding of the complex political realities

in Cuba and the United States. By testing the responses of several strategic actors and stakeholders—the Cuban hierarchy, independent civil society, and the international and Cuban American communities—to a variety of scenarios, we have identified potential catalysts and constraints to political change on the island.

We arrived at the same conclusion: the United States should adopt a policy of critical and constructive engagement, phased-in unilaterally. To this end, we have created a roadmap of executive actions that would allow President Barack Obama to align our policy with the region and restore normal bilateral relations over time.

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ACKNOWLEDGEMENTS

WE AT BROOKINGS are grateful to the members of the core group of advisers for contributing their time, depth of expertise and rich experiences to this project. We are delighted to have worked with such a diverse group toward a consensus on a broad range of issues.

In addition to our advisers, we have worked closely with other experts in the field. Our recommendations for policy would not have been made possible without Robert Muse and Richard Popkin, who have helped us navigate the maze of embargo laws and regulations. We are indebted to Hugh Gladwin, Katrin Hansing and Guillermo Grenier for their research and polling work on Cuban American opinion in Florida.

Within Brookings, Dora Beszterczey was instrumental in the writing and editing of this paper, as well as managing the project and its research at large. Amélie Rapp provided invaluable research assistance and led the translation of the paper into Spanish. Other assistance throughout the course of the project was provided by Dan Sullivan, Jason Trentacoste, Michael Bustamante, Danielle Barav, Tiziana Dominguez, and Jessica Despres. We are indebted to the support of Foreign Policy staff, particularly Charlotte Baldwin, Peggy Knudson, Gail Chalef, Ian Livingston, Maggie Humenay and Shawn Dhar. Carol Graham, Ted Piccone,

Diana Negroponete and Raj Desai were a constant source of ideas throughout the project.

The project also benefited from the information and opinions generously shared by a wide range of individuals during the simulation exercises and other project-related events, including Frank Almaguer, Fulton Armstrong, Anders Aslund, Mauricio Cárdenas, Paul Cejas, Alex Correa, Margaret Crahan, Isabel Estrada-Portales, John Ferch, Alan Flanigan, Joe Garcia, Col. Sam Gardiner, Robert Gelbard, Tom Gjeltan, Guillermo Grenier, Orlando Gutierrez Boronat, Peter Hakim, Alcibíades Hidalgo, Caryn Hollis, Jose Miguel Insulza, Kirby Jones, Brian Latell, Bruce Levy, Abe Lowenthal, John McAuliff, Carmelo Mesa-Lago, Capt. Michael Mohn, Carlos Alberto Montaner, Frank Mora, David Mutchler, Despina Manos, José Pascual Marco Martinez, Carlos Ricardo Martins Ceglia, Eusebio Mujal-Leon, Angelos Pangratis, Michael E. Parmly, Phil Peters, Albert Ramdin, Dan Restrepo, Riordan Roett, Arturo Sarukhán Casamitjana, Jack Sheehan, Wayne Smith, Jaime Suchlicki, Julia E. Sweig, Jay Taylor, Octavio Tripp, and Michael Wilson.

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CUBA: A NEW POLICY OF CRITICAL AND CONSTRUCTIVE ENGAGEMENT

U.S. POLICY TOWARD CUBA should advance the democratic aspirations of the Cuban people and strengthen U.S. credibility throughout the hemisphere. Our nearly 50-year old policy toward Cuba has failed on both counts: it has resulted in a downward spiral of U.S. influence on the island and has left the United States isolated in the hemisphere and beyond. Our Cuba policy has become a bellwether, indicating the extent to which the United States will act in partnership with the region or unilaterally—and ineffectually. Inevitably, strategic contact and dialogue with the Cuban government will be necessary if the United States seeks to engage the Cuban people.

This paper proposes a new goal for U.S. policy toward Cuba: to support the emergence of a Cuban state where the Cuban people determine the political and economic future of their country through democratic means. A great lesson of democracy is that it cannot be imposed; it must come from within; the type of government at the helm of the island's future will depend on Cubans. Our policy should therefore encompass the political, economic, and diplomatic tools to enable the Cuban people to engage in and direct the politics of their country. This policy will advance the interests of the United States in seeking stable relationships based on common hemispheric values that promote the well-being of each individual and the growth of civil society. To engage the Cuban government and Cuban people effectively, the United States will need to engage with other governments, the private sector, and non-governmental organizations (NGOs). In so doing, U.S. policy

toward Cuba would reflect the hemisphere's and our own desire to encourage the Cuban government to adopt international standards of democracy, human rights, and transparency.

Engagement does not mean approval of the Cuban government's policies, nor should it indicate a wish to control internal developments in Cuba; legitimate changes in Cuba will only come from the actions of Cubans. If the United States is to play a positive role in Cuba's future, it must not indulge in hostile rhetoric nor obstruct a dialogue on issues that would advance democracy, justice, and human rights as well as our broader national interests. Perversely, the policy of seeking to isolate Cuba, rather than achieving its objective, has contributed to undermining the well-being of the Cuban people and to eroding U.S. influence in Cuba and Latin America. It has reinforced the Cuban government's power over its citizens by increasing their dependence on it for every aspect of their livelihood. By slowing the flow of ideas and information, we have unwittingly helped Cuban state security delay Cuba's political and economic evolution toward a more open and representative government. And, by too tightly embracing Cuba's brave dissidents, we have provided the Cuban authorities with an excuse to denounce their legitimate efforts to build a more open society.

The Cuban Revolution of 1959 is a fact of history that cannot be removed or un-lived, but, over time, Cuba will change. As the Cuban people become inexorably linked to the region and the world, they will themselves come to play a larger

role in the way they are governed. Mortality and time—not U.S. sanctions—have already begun the process of change. A new generation of Cuban leaders will replace the Castro brothers and those who fought in the Sierra Maestra. Although Cuba is already undergoing a process of change, the Bush administration's decision to cling to outmoded tactics of harsh rhetoric and confrontation alienated leaders across the region.

Cuba policy should be a pressing issue for the Obama administration because it offers a unique opportunity for the president to transform our relations with the hemisphere. Even a slight shift away from hostility to engagement will permit the United States to work more closely with the region to effectively advance a common agenda toward Cuba. By announcing a policy of critical and constructive engagement at the April Summit of the Americas in Trinidad and Tobago, the president can prove that he has been listening to the region. He can underline this commitment by removing all restrictions on travel and remittances on Cuban Americans, and engaging in dialogue with the regime, as promised during his campaign. By reciprocally improving our diplomatic relations with Cuba, we will enhance our understanding of the island, its people, and its leaders. However, while these measures will promote understanding, improve the lives of people on the island, and build support for a new relationship between our countries, they are insufficient to ensure the changes needed to result in normal diplomatic relations over time.

If the president is to advance U.S. interests and principles, he will need a new policy and a long-term strategic vision for U.S. relations with Cuba. If he is prepared to discard the failed policy of regime change and adopt one of critical and constructive engagement, he and his administration will lay the foundations for a new approach toward Cuba and the Latin America. Like his predecessors, President Obama has the authority to substantially modify embargo regulations in

order to advance a policy of engagement that would broaden and deepen contacts with the Cuban people and their government. He has the popular support—domestic and international—to engage Cuba, and, by so doing, to staunch our diminishing influence on the island and recapture the high road in our relations with the hemisphere.

Although it will take Cuban cooperation to achieve a real improvement in relations, we should avoid the mistake of predicating our initiatives on the actions of the Cuban government. The United States must evaluate and act in its own interests. We must not tie our every action to those of the Cuban government, because doing so would allow Cuban officials to set U.S. policy, preventing the United States from serving its own interests.

The majority of Cuban Americans now agree with the American public that our half-century-old policy toward Cuba has failed. For the first time since Florida International University (FIU) began polling Cuban American residents in 1991, a December 2008 poll found that a majority of Cuban American voters favor ending current restrictions on travel and remittances to Cuba, and support a bilateral dialogue and normal diplomatic relations with the Cuban regime by substantial margins.

The United States is isolated in its approach to Cuba. In the 2008 United Nations General Assembly, 185 countries voted against the U.S. embargo and only two, Israel and Palau, supported the U.S. position. Although the international community is opposed to the embargo, it remains concerned about Cuba's poor human rights record. At the February 2009 Geneva Human Rights Council, Brazil, Chile, and Mexico asked Cuba to respect the rights of political opponents and give an "effective guarantee" of freedom of expression and the right to travel. The European Union has long maintained a policy of critical and constructive engagement in its Common Position yet continues to engage the Cuban government in an effort

**SURVEY OF CUBAN AMERICAN OPINION:
DECEMBER 2008, CUBA/U.S. TRANSITION**

Ending the U.S. embargo against Cuba:

- 44 percent of registered voters and 53 percent of those not registered to vote oppose continuing the embargo.
- 72 percent of registered voters and 78 percent of those not registered to vote think the embargo has worked not very well or not at all.

Restrictions on travel and remittances:

- 54 percent of registered voters and 69 percent of those not registered to vote favor eliminating current restrictions on Cuban Americans sending remittances to Cuba.
- 56 percent of registered voters and 63 percent of those not registered to vote favor ending current restrictions on travel to Cuba by Cuban Americans.
- 58 percent of registered voters and 63 percent of those not registered to vote support open travel to Cuba for all Americans.

Engagement with Cuba:

- 56 percent of registered voters and 65 percent of those not registered to vote support reestablishing diplomatic relations with Cuba.
- 72 percent of registered voters and 85 percent of those not registered to vote would like to see direct talks between the U.S. and Cuban governments on issues of bilateral concern.

Election results:

- 38 percent of Cuban Americans voted for Barack Obama.
- 51 percent under 45 years old voted for Barack Obama.

The survey was conducted in Miami-Dade County, Florida with 800 randomly selected Cuban-American respondents. Five hundred interviews were completed over land-line phones and 300 to cell phones. The Institute for Public Opinion Research of Florida International University conducted the survey, funded by the Brookings Institution and the Cuba Study Group. Full results are available at: http://www.brookings.edu/events/2008/~media/Files/events/2008/1202_cuba_poll/1202_cuba_poll.pdf

to obtain the release of political prisoners and ensure greater freedoms for civil society, including access to the Internet. If the United States were to align its policies with these governments—with the addition of Canada, it would enhance our united ability to forcefully make shared concerns known to the Cuban government.

The prospect of significant revenues from oil, natural gas, and sugarcane ethanol in the next five

years could further integrate Cuba into global and regional markets. While in the short term Cuba will continue to be heavily dependent on Venezuela for subsidized fuel, in five years offshore oil reserves, developed with Brazil, Spain, Norway, and Malaysia, combined with the potential for ethanol production with Brazil, may increase net annual financial flows to Cuba by \$3.8 billion (at \$50 per barrel of oil and \$2.00 gallon of ethanol). If democratic countries increase their economic

stakes in Cuba, they will simultaneously enhance their political influence with its current and future leaders. To be relevant to Cuba, the Obama administration will need to shape its policies now.

The April 17, 2009 Summit of the Americas in Trinidad and Tobago provides President Obama with an opportunity to enhance U.S. credibility and leadership in the region by signaling a new direction in U.S.-Cuba policy. Rather than continuing to demand preconditions for engaging the Cuban government in the multilateral arena, the president should encourage the Organization of American States and international financial institutions to support Cuba's integration into their organizations as long as it meets their membership criteria of human rights, democracy, and financial transparency. If Cuba's leaders know that Cuba can become a full member upon meeting standard requirements, they could have an incentive to carry out difficult reforms that ultimately benefit the Cuban people.

The United States successfully engaged the Soviet Union and China from 1973 onward. With those governments the policy objective was to further U.S. interests by reducing bilateral tension, expanding areas of cooperation, fostering cultural contacts, and enmeshing the Soviet and Chinese economies in international linkages that created incentives for improved relations with the West. We continued to voice our commitment to democracy and human rights, and enhanced that argument by pressing the Soviet Union to live up to international obligations. By working with the region and the international community, we can do much the same in Cuba. But as the cases of the Soviet Union and China demonstrated, this approach can only be effective if we are prepared to engage bilaterally and multilaterally.

A NEW U.S. POLICY OF CRITICAL AND CONSTRUCTIVE ENGAGEMENT

The advisory group of the Brookings project on "U.S. Policy toward a Cuba in Transition" came to

the unanimous conclusion that President Barack Obama should commit to a long-term process of critical and constructive engagement at all levels, including with the Cuban government. We believe that only through engagement can the president put into place a strategic vision that would permit the United States to protect its interests and advance the desire we share with the hemisphere to help the Cuban people become agents for peaceful change from within the island. A decision by the president to engage the Cuban government would not reflect acceptance of its human rights abuses or approval of its conduct. Instead, it would prove a realistic evaluation and recognition of the extent to which the Cuban government controls Cuba—essential to the implementation of a new policy that would permit us to work with the region, enhance our influence with the Cuban government, and seek to help Cuba's citizens expand the political space they need to influence their future.

Engagement should serve to enhance personal contacts between Cuban and U.S. citizens and permanent residents, diminish Cuba's attraction as a rallying point for anti-American sentiment, and burnish our standing in the region and the wider international community. If we engage, the Cuban government will no longer be able to use the U.S. threat as a credible excuse for human rights abuses and restrictions on free speech, assembly, travel, and economic opportunity. This in turn would encourage the international community to hold the Cuban government to the same standards of democracy, rights and freedoms that it expects from other governments around the world.

The Cuban hierarchy will not undertake openings or respond to pressure from the international community or the United States if it considers that doing so would jeopardize its continued existence. The key to a new dynamic in our relationship is to embark on a course of a series of strategic actions that aim to establish a bilateral relationship and put the United States on the playing field—to

counter our hitherto self-imposed role of critical observer. Our priority should be to serve U.S. interests and values in the confidence that if we do so wisely and effectively, Cubans in the long run will gain as well.

THE WAY FORWARD

It should be understood that engagement—while having as a goal evolution to a peaceful and democratic Cuba—does not promise an overnight metamorphosis. Rather, it is a process, a pathway with various detours and obstacles, that over time arrives at its destination.

The roadmap for critical and constructive engagement is a long-term strategic vision made up of baskets of short-, medium-, and long-term initiatives; all are within the authority of the Executive Branch to enact. Each of the initiatives we suggest would advance one or more of the objectives listed in the box below.

The conduct and timing of foreign policy remains the prerogative of the president. In order to create a new dynamic in our bilateral relationship, we prefer that all the initiatives in the short-term basket be carried out this year. We acknowledge that it is likely that prior to moving on to the medium- and long-term baskets, the president and his advisers will assess the impact of the new policy on the United States, Cuba, and the international community. Based on their assessment, they will determine how quickly to proceed with the medium- and long-term baskets of initiatives. If the Cuban response is not encouraging, they might carry out only a few of the suggested initiatives or lengthen the time frame. However, it is important that they continue to move toward a full normalization of relations, because doing so would most effectively create conditions for a democratic evolution in Cuba. Equally important to the process is garnering the support of Cuban Americans and Congressional leaders.

U.S. POLICY OBJECTIVES

- Facilitate contact and the flow of information between the United States and Cuban governments to enhance the U.S. response to internal developments that directly impact the well-being of the Cuban people and the interests of the United States.
- Promote a constructive working relationship with the Cuban government to build confidence and trust in order to resolve disputes, with the longer-term objective of fostering a better relationship that serves United States interests and values.
- Support the well-being of the Cuban people and civil society by promoting enhanced people-to-people contact and grassroots economic activity.
- Support human rights activists, independent journalists, and the development of Cuban civil society and grass-roots democracy.
- Engage Cuba through multilateral initiatives in a process that will lead to its reinstatement in multilateral and regional organizations if it meets the criteria for reinstatement and/or membership.

Given the strong sentiments and expectations that Cuba engenders, it would be preferable for the Executive Branch to proceed discreetly. The president might first announce the principles he hopes to achieve in Cuba through a policy of engagement that promotes human rights, the well-being of the Cuban people, and the growth of civil society. To carry out the president's vision, the Secretary of the Treasury will then have the responsibility to write and publish the changes to the Cuban Assets Control Regulations by licensing activities designed to achieve these ends. The Secretary of State can quietly accomplish many diplomatic initiatives on a reciprocal basis without any need to publicize them. This quiet diplomacy might be complemented by a refusal to engage in what some refer to as megaphone diplomacy, in which our governments trade insults across the Straits of Florida, and which only contributes to making the United States appear to be a bully.

The president's leadership in carrying out a new Cuba policy is essential because by law and practice it is his responsibility to determine the overall conduct of U.S. foreign policy. In the case of Cuba, he has ample executive authority to put in place a policy of engagement. If he wishes, he can expand bilateral diplomatic relations, remove Cuba from the list of terrorist countries, and rescind the current policy that grants immediate legal residency to Cubans who enter the United States without visas. Should bilateral relations improve, he could choose to negotiate the unresolved expropriated property claims of U.S. citizens and review the status of Guantanamo Bay Naval Base.

Despite the myth that Congress must legislate to change U.S. policy toward Cuba, history has shown that presidents routinely take actions to strengthen or loosen the embargo as they see fit. Thus, like his predecessors, President Obama can

change regulations in order to modify the Cuban embargo without the need for an act of Congress. He will, however, ultimately require Congress to legislate in order to remove the embargo and lift all restrictions on travel.

The Helms-Burton Act (H-B) of 1996 defines conditions Cuba must meet for the United States to end the embargo. The Act codified embargo regulations, including the provision that states that all transactions are prohibited except as specifically authorized by the Secretary of the Treasury. Accordingly, the Secretary of the Treasury may use his licensing authorities to extend, revise, or modify the same regulations. President Clinton did so by instructing Treasury to issue licenses for various categories of travel, regulations that were subsequently codified by the Trade Sanctions Reform and Export Enhancement Act (TSRA) of 2000. In view of the fact that, unlike Helms-Burton, the TSRA did not provide the Secretary of the Treasury with the authority to modify its content, legislation is required to remove or expand travel beyond the provisions of the TSRA. Nevertheless, the president can significantly expand travel to Cuba by reinstating provisions authorized by law but rescinded under the Bush administration, and interpreting more broadly all categories of travel codified in the TSRA. The Cuban Democracy Act (CDA) of 1992 also legislated certain prohibitions, most notably on U.S. foreign subsidiary trade with Cuba, which, too, can only be revoked by an act of Congress.

In sum, the president does not have the authority to end the embargo or lift the travel ban, but can effectively dismantle the current commercial embargo by using his licensing authority to permit U.S. exports of certain goods and services, two-way trade in a wide variety of goods and services, and/or allow broad categories of travel to Cuba.

THE ENGAGEMENT ROADMAP

Short-Term Initiatives

During the campaign, President Barack Obama made clear that the Cuban government must release all political prisoners if the United States is to move toward normal relations. The initiatives in this first basket would permit greater interaction between the two governments and their citizens, thereby setting the stage for improved understanding and bilateral relations and the potential for enhanced U.S. influence on the island.

The more open travel and remittance measures put in place by the Clinton administration in 1998 and continued by the Bush administration until 2003 contributed to creating the conditions that brought about a more open political atmosphere. During the period now known as the “Cuban Spring,” Oswaldo Payá, leader of the Varela Project, worked with Cuba’s human rights activists to collect 11,000 signatures on a petition that requested a referendum on the Cuban constitution. Former President Jimmy Carter gave a speech at the University of Havana in Spanish in which he asked Fidel Castro—who was sitting in the front row—to permit the vote; the speech was broadcast live throughout the island. Martha Beatriz Roque, an important dissident leader, held a national assembly to advocate reforms to the Cuban government. Religious groups, with help from their American counterparts, provided equipment, food, and medicines to sister organizations that bolstered outreach to their communities. Students from colleges throughout the United States studying in Cuba were engaged in a lively discussion with students, academics, and people across the island.

The presence of licensed American and Cuban American visitors provided moral support, advice, and assistance to diverse civil society

institutions, allowing them to expand and more effectively assist their membership. And, interventions by U.S. government and private sector personalities with high-level Cuban officials resulted in reducing repression against dissidents, human rights activists, independent journalists, and librarians. This more fluid and open atmosphere was essential to the growth of civil society and to the freedoms and creation of spaces in which human rights activists and dissidents could operate.

President Obama should replicate these conditions through unilateral and unconditional actions that promote enhanced human contact by generously licensing all categories of travel permitted in the TSRA. He should, first, follow his campaign promise to grant Cuban Americans unrestricted rights to family travel and to send remittances to the island, since Cuban American connections to family are our best tool for helping to foster the beginnings of grass-roots democracy on the island. Further, the president should expand travel for all American citizens and permanent residents by instructing the Office of Foreign Assets Control (OFAC) to license people-to-people travel for educational, cultural, and humanitarian purposes.

Cuban citizens should also be permitted to travel to the United States for a variety of purposes—including family, academic and cultural visits—in order to enhance their understanding of our open and democratic society. The Secretary of State should instruct the Department of State and the United States Interests Section (USINT) in Havana to use standard criteria applied around the world for awarding non-immigrant visas to Cubans. This more tolerant approach would strengthen the bonds of family and culture, while helping the Cuban people improve their lives and grow the social organizations necessary for a democratic civil society.

Diplomatic travel and interaction must be reciprocally expanded so that our diplomats in Havana have the knowledge, access, and expertise needed to predict, evaluate, and deal with any eventualities in Cuba. This requires permitting comparable opportunities to Cuban diplomats posted in Washington. There is little the United States has to fear by allowing Cuban diplomats to see for themselves the realities of American life. To reduce illegal migration, enhance our security, and conserve our fisheries, the State Department should resume migration talks at the Deputy Assistant Secretary level and begin a dialogue between the respective heads of the Interests Sections on other issues of mutual concern, including the environment, health, and counter-narcotics.

The devastation caused by hurricanes that struck Cuba in 2008 generated considerable concern among Cubans in the United States and among the broader American public. Unfortunately, disagreements and distrust between our governments prevented the United States from assisting with relief efforts. In order to avoid a recurrence of this impasse, the Department of State should seek an understanding or agreement with the Cuban government that would permit U.S. assistance to Cuba for natural disasters.

Measures are now in place to ensure that public resources that provide support to the Cuban people are well used by USAID grantees. However, large contracts concluded in the final months of the Bush administration with non-profit organizations and private companies that are said to promote or manage a transition in Cuba may not reflect the current administration's objectives. A review should be conducted to determine whether these contracts should be continued, modified, or canceled.

Additionally, although OFAC has always had the authority to license the importation of lifesaving medicines developed in Cuba for testing by

the Food and Drug Administration (FDA), it has made the process cumbersome and lengthy. The sad conclusion is that OFAC has been more concerned with the financial benefits that might accrue to Cuba than with the potential of these medicines to treat children with brain tumors and adults with lung cancer or meningitis. To reduce bureaucratic hurdles and permit the speedy entry of life-saving medications into the United States, OFAC regulations should be modified or reinterpreted so that the only barrier to the entry of Cuban manufactured medicines is that they meet FDA standards—the same criteria that apply to all medical imports.

The president should also seek to promote the free flow of ideas and information, including the creation of music, films, and other works of art as embodied in Representative Howard Berman's 1988 Free Trade in Ideas Act. Despite the prohibition against the U.S. government restricting the importation of all informational materials, successive administrations have narrowly interpreted the Berman Act in order to prohibit Americans from creating music, films, and other artistic works with Cubans. These prohibitions were not intended by the statutes and should be removed.

The aforementioned initiatives are non-controversial and widely supported by the American public. More controversial—although still enjoying widespread public support—would be licensing the sale and donation of all communications equipment, including radios, televisions, and computers. The CDA recognized the importance of expanding access to ideas, knowledge, and information by authorizing the licensing of telecommunications goods and services. U.S. government financing of books and radios that are distributed to Cubans throughout the island demonstrates a belief that breaking down the barriers to the flow of information is critical to promoting change in Cuba. The president should therefore instruct the Department of Commerce and OFAC to internally change their

respective licensing policies with regard to Cuba from a “presumption of denial” to a “presumption of approval” with respect to items deemed to be in the U.S. national interest for Cuba to receive, including laptops, cell phones and other telecommunications equipment, computer peripherals, internet connection equipment, as well as access to satellite and broadband communications networks.

The following initiatives that would provide assistance for civil society and for activities that help the Cuban people become agents for change would require, in some cases, a formal understanding with the Cuban government, and, in others, at least a willingness to permit the activity. We believe that if these activities were permitted by the United States and the Cuban governments, they would help to prepare the Cuban people for assuming a greater role in their governance.

The U.S. government should act to enhance the flow of resources to the Cuban people. It should license U.S. non-governmental organizations and private individuals to transfer funds to individuals and civil society organizations in Cuba that work to foster a more open society. The United States should also encourage the creation of multilateral funds that promote the same objective. Such assistance should not be subject to an ideological test but rather be available to Cuban civic entities in the form of microcredit for small businesses and for salaries of persons engaged by civil society to provide community services, among others.

Although the U.S. government currently manages an assistance program for Cuba, it is limited by

sanctions regulations and is narrowly focused. Much of the assistance—amounting principally to in-kind goods—is difficult to deliver due to the opposition of the Cuban government either to the type of assistance or to the groups or individuals receiving it. In order to better serve the needs of civil society in Cuba, the U.S. government should seek to obtain the approval of the Cuban government for an assistance program that would provide financial and in-kind assistance for activities that advance human rights and the rule of law, encourage microenterprise, and promote educational, and professional exchanges.

The issue of whether Cuba should be classified by the U.S. government as a terrorist state has many supporters and detractors. However, the reasons listed for Cuba’s inclusion on the list appear to be insufficient, thus leading to charges that the list is a political tool for appeasing domestic constituencies. In order to ensure that this important vehicle in U.S. policy is used appropriately, a review of the evidence should be conducted. If Cuba is legitimately found to be a terrorist state based on the evidence over the last five years, it should remain on the list; if not, it should be removed.

Finally, it is in our interest to see Cuba reintegrated into the Organization of American States (OAS) if it meets membership standards of democracy, human rights, and transparency. To this end, and in order to provide incentives for reform, the United States should not object to the OAS Secretary General discussing with Cuba the requirements for reinstatement as a full member. In addition, the United States should not object to Cuba’s participation in OAS specialized and technical agencies.

SHORT-TERM INITIATIVES

- Remove all restrictions on family and humanitarian travel to Cuba.
- Permit and expand specific licenses for people-to-people travel for educational, cultural and humanitarian purposes.
- Reinstate remittances for individuals and independent civil society in Cuba.
- Allow all Cubans who meet requirements of U.S. immigration law to travel to the United States.
- Promote normal diplomatic activities on a reciprocal basis, including in-country travel, official meetings, exchange of attachés, and sponsorship of cultural and educational exchanges.
- Open a dialogue between the United States and Cuba, particularly on issues of mutual concern, including migration, counter-narcotics, environment, health, and security.
- Develop agreements and assistance with the Cuban government for disaster relief and environmental stewardship.
- Conduct a review of the purpose, content and implementation capacity of the new contracts awarded to private companies and non-governmental organizations during the last months of the Bush administration.
- Modify current licensing regulations so that tradable medicines developed in Cuba are only subject to FDA approval without separate OFAC authorization.
- Permit the free exchange of ideas, including the creation of art, cinema, and music by amending OFAC regulations to allow the "Free Trade in Ideas Act" ("the Berman Act") to reflect its original intention which forbade any U.S. law from restricting the creation and free flow of informational materials and ideas.
- Modify internal licensing policies at Department of Commerce and OFAC and/or regulations as necessary to permit the donation and sale of communications equipment under a general license, and license the provision of telecommunications services as provided in the Cuban Democracy Act.
- License Cuban state and non-state entities to access satellite and broadband communications networks.
- Establish an assistance program for civil society and license the transfer of funds for activities that focus on human rights, rule of law, micro-enterprise, and professional training.
- Provide licensing for providers of U.S. government and private assistance in order to advance the goals of U.S. policy identified in this paper.
- Do not object to an OAS dialogue with Cuba on the status of its membership. Permit Cuba to participate in OAS specialized and technical agencies and in knowledge-building seminars at multilateral institutions.
- Review the evidence to determine whether Cuba should continue to be listed as a state sponsor of terrorism.

Medium-Term Initiatives

The second basket of initiatives is distinct from the first because it moves beyond enhancing the ability of Cubans to take a more proactive and informed

part in their society and government. The initiatives in the second basket seek to build a foundation for reconciliation by beginning a process of resolving long-standing differences. A number of these initiatives could serve as incentives or

rewards for improved human rights, the release of political prisoners, and greater freedom of assembly, speech and rights for opposition groups and labor unions. Initiatives that fall within this category include allowing Cuba access to normal commercial instruments for the purchase of goods from the United States.

None of the initiatives, however, should be publicly or privately tied to specific Cuban actions. As the Cuban government is on record as rejecting any type of carrot-and-stick tactic, it would be counterproductive to do so. Rather, the United States should decide the actions that it wishes to take and when to carry them out. Doing so will give the president maximum flexibility in determining how and when to engage.

The first two initiatives simply encourage a broadening of U.S. government public and private participation in activities that assist the growth of Cuban civil society and should be carried out regardless of Cuba's conduct. The U.S. government should expand the assistance envisioned in the first basket by encouraging other governments, multilateral institutions, organizations, and individuals to support educational exchanges as well as the improvement of human rights and the growth of civil society. In addition, in order to enhance access to knowledge, the U.S. government should allow private individuals, groups, and the Cuban government access to normal commercial credit for the sale of communications equipment and connections to satellite and broadband networks.

Licensing U.S. companies to provide services for the development of Cuban offshore oil and gas would provide benefits to the United States and Cuba. (At this point it should be noted that the Secretary of Treasury has always had and continues to have the authority—as embodied in OFAC regulations—to license any transaction found to be in the U.S. national interest. This power has

been used over the past fifteen years by various Republican and Democratic administrations to license a variety of commercial transactions between the United States and Cuba). The following are some of the reasons we might wish to become engaged in developing Cuba's offshore oil and gas. First, if U.S. and other reputable companies are involved in Cuba's offshore oil development it would reduce Cuba's dependence on Venezuela for two-thirds of its oil imports. Second, it is preferable that U.S. oil companies with high standards of transparency develop these resources rather than, for example, Russia's notoriously corrupt oligarchy. Third, U.S. influence in Cuba is likely to increase if U.S. companies have an economic relationship on the ground. Fourth, U.S. companies have the technology and expertise to develop Cuba's offshore oil and gas.

As we have pointed out, U.S. actions should not be constrained by linking them to specific Cuban responses. Nevertheless, the following initiatives will depend on a significant change in bilateral and multilateral relations. Membership in regional and multilateral organizations ultimately depends on Cuba meeting membership criteria and gaining approval. Therefore, if Cuba meets the membership criteria of the OAS, it should be reinstated. The same should be the case if Cuba meets the standards of international financial institutions. However, Helms-Burton instructs the U.S. government to oppose Cuba's membership—even if it has complied with institutional standards—if it has not met specific criteria relating to our bilateral relationship. We believe that the authority for the U.S. government to determine how it will vote in international institutions should be returned to the Executive Branch of government. The Helms-Burton language on OAS reinstatement is slightly more permissive than that regarding the international financial institutions—"The president should instruct the United States Permanent Representative to the Organization of American States..."—in contrast to—"The Secretary of the

Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba." In both cases it would be preferable if Congress would return these prerogatives to the president.

Since this paper deals solely with initiatives within the realm of Executive Authority, lifting the travel ban was beyond its scope. Nevertheless, the majority of the advisers felt that the ban had been counter-productive and should be lifted. In an effort to reach consensus and also maintain our initiatives within the realm of Executive Authority, we have recommended that the president seek to regain the authority to determine what if any travel restrictions should apply to U.S. citizens and permanent residents who wish to visit Cuba. In doing so, the Executive Branch would decide the timing and degree to which to expand licensing for additional categories of travel or to lift the travel ban altogether.

As for bilateral relations, if the conditions are right, we would prefer the exchange of ambassadors and the establishment of embassies. A stronger presence in Cuba would strengthen our capacity to assess political and power relationships, make local contacts, advocate directly with the Cuban government over issues that are in our interest, understand opportunities for Cuban entrepreneurship, and explore areas where the international community can engage to promote reform. However, since we have limited this paper to actions that the Executive Branch can take unilaterally, we have not suggested the exchange of ambassadors because confirmation is required from the Senate. It is our hope that, at the appropriate time, the president and the Senate would agree to move forward in this area. However, should this not be the case or should the president desire a different approach, he can improve and upgrade our relations by sending a more senior envoy to lead the United States Interests Section or by naming a special envoy for Cuban relations.

MEDIUM-TERM INITIATIVES

- Encourage and fund a wide variety of educational exchanges and scholarships that promote understanding and provide training in diverse fields such as arts, economics, and journalism.
- Permit commercial credit terms without government guarantees for the sale of communications equipment.
- Allow licenses for U.S. companies to participate in the development of Cuban offshore oil, gas, and renewable energy resources.
- Encourage and participate in multilateral organizations that further human rights and the growth of civil society in Cuba.
- Do not object to Cuba's reinstatement to the Organization of American States if the General Assembly consents.
- Seek to recover Executive Authority to permit Cuba's participation in international financial institutions.
- Work with Congress to restore Executive Branch authority over travel to Cuba.
- Upgrade United States diplomatic relations with Cuba.
- Open bilateral discussions for the resolution of the claims of United States citizens relating to expropriated property.
- Open bilateral discussions for a framework to satisfy mutual concerns over Guantanamo Bay Naval Base.

Finally, the U.S. cannot ignore indefinitely the issues that have bedeviled U.S.-Cuban relationship. Within this framework, the U.S. should open discussions on the claims of United States citizens for expropriated property. Equally difficult but just as compelling will be to initiate dialogue on the issue of sovereignty and use of the territory currently occupied by the U.S. Guantanamo Bay Naval Base. The administration should begin discussions to provide a broad framework for resolution of these issues.

Long-Term Initiatives

This last basket of initiatives may be taken by the president but it would be preferable if our bilateral relationship were such that Congress had already taken steps to remove the final barriers to a normal diplomatic relationship. This would include removing Cuba from the Trading with the Enemy Act (TWEA) and rescinding or modifying Helms-Burton, the TSRA, and the CDA. If Congress were receptive to a review of the aforementioned laws but not yet prepared to move forward, the president should continue to deepen our engagement by expanding our diplomatic presence and by permitting the reciprocal opening of consular offices in major cities. Foreign assistance to the Cuban government is restricted by the

Foreign Assistance Act of 1961, with the exception of the provision of assistance to any government for internal disaster relief, rehabilitation, and health. The president could also license further categories of goods and services for export and the importation of certain Cuban goods in addition to medicines approved by the FDA.

President Obama has stated that full normalization of relations will depend on improved human rights and progress toward democracy in Cuba. A truly successful and mutually beneficial relationship between our countries will also be determined by the degree of reconciliation between Cubans in exile and Cubans on the island. Concerns about illegal acts and human rights abuses on both sides must be reviewed and solutions must be found. This is also true in the case of expropriated property, made more complex by Cuban claims of damages for injuries allegedly caused by the embargo. Leaving these issues unresolved would not only stunt trade and investment, it would deprive the Cuban people of fully utilizing their talents and improving their lives. Resolution of claims for expropriated property, as well as the restoration of Cuban sovereignty over the territory of Guantanamo Bay, is essential to a prosperous and democratic Cuba and to the achievement of a healthy and normal relationship between our two countries.

LONG-TERM INITIATIVES

- Open reciprocal consular offices in major cities in the United States and Cuba.
- Provide disaster relief, rehabilitation, and health assistance to the Cuban government.
- Provide general licenses for the exportation of additional categories of goods and services such as products that enhance the environment, conserve energy, and provide improved quality of life.
- Permit the importation of additional categories of Cuban goods.
- Support Cuban and Cuban-American efforts to promote the reconciliation of the Cuban nation.
- Reach a mutually acceptable settlement on claims for expropriated property.
- Reach a mutually acceptable solution for restoring Cuban sovereignty over the territory of Guantanamo Bay.
- Achieve full diplomatic relations between the United States and Cuba.

MATRIX OF INITIATIVES

This matrix provides a thematic breakdown of the roadmap of initiatives by framing each initiative within one of the five policy objectives proposed in this paper:

U.S. POLICY OBJECTIVES

- Facilitate contact and the flow of information between the United States and Cuban governments to enhance the U.S. response to internal developments that directly impact the well-being of the Cuban people and the interests of the United States.
- Promote a constructive working relationship with the Cuban government to build confidence and trust in order to resolve disputes, with the longer-term objective of fostering a better relationship that serves United States interests and values.
- Support the well-being of the Cuban people and civil society through:
 - Facilitating contact between Cuban and U.S. citizens and permanent residents.
 - Enhancing grassroots economic participation.
 - Enhancing the civic participation of Cuban individuals and civil society through increased access to information and communications equipment.
- Support human rights activists, independent journalists and the development of Cuban civil society and grass-roots democracy.
- Engage Cuba through multilateral initiatives in a process that will lead to its reinstatement in multilateral and regional organizations if it meets the criteria for reinstatement and/or membership.

POLICY OBJECTIVE	SHORT-TERM	MEDIUM-TERM	LONG-TERM
<p>Facilitate contact and the flow of information between the United States and Cuban governments to enhance the U.S. response to internal developments that directly impact the well-being of the Cuban people and the interests of the United States.</p>	<p>Promote normal diplomatic activities on a reciprocal basis, including in-country travel, official meetings, exchange of attaches, and sponsorship of cultural and educational exchanges.</p> <p>Open a dialogue between the United States and Cuba, particularly on issues of mutual concern, including migration, counter-narcotics, environment, health, and security.</p> <p>Develop agreements and assistance with the Cuban government for disaster relief and environmental stewardship.</p>	<p>Upgrade United States diplomatic relations with Cuba.</p>	<p>Open reciprocal consular offices in major cities in the United States and Cuba.</p>
<p>Promote a constructive working relationship with the Cuban government to build confidence and trust in order to resolve disputes, with the long-term objective of fostering a better relationship that serves U.S. interests and values.</p>	<p>Review the evidence to determine whether Cuba should continue to be listed as a state sponsor of terrorism.</p> <p>Modify current licensing regulations so that tradable medicines developed in Cuba are only subject to FDA approval without separate OFAC authorization.</p>	<p>Allow licenses for U.S. companies to participate in the development of Cuban offshore oil, gas and renewable energy resources.</p> <p>Open bilateral discussions for the resolution of the claims of United States citizens relating to expropriated property.</p> <p>Open bilateral discussions for a framework to satisfy mutual concerns over Guantanamo Bay Naval Base.</p>	<p>Provide disaster relief, rehabilitation, and health assistance to the Cuban government.</p> <p>Provide general licenses for the exportation of additional categories of goods and services such as products that enhance the environment, conserve energy, and provide improved quality of life.</p> <p>Permit the importation of additional categories of Cuban goods.</p> <p>Support Cuban and Cuban-American efforts to promote the reconciliation of the Cuban nation.</p> <p>Reach a mutually acceptable settlement on claims for expropriated property.</p> <p>Reach a mutually acceptable solution for restoring Cuban sovereignty over the territory of Guantanamo Bay.</p> <p>Achieve full diplomatic relations between the United States and Cuba.</p>
<p>Support the well-being of the Cuban people and civil society through:</p> <p>i) Facilitating contact between Cuban and U.S. citizens and permanent residents.</p>	<p>Remove all restrictions on family and humanitarian travel to Cuba.</p> <p>Permit and expand specific licenses for people-to-people travel for educational, cultural and humanitarian purposes.</p> <p>Allow all Cubans who meet requirements of U.S. immigration law to travel to the United States.</p>	<p>Encourage and fund a wide variety of educational exchanges and scholarships that promote understanding and provide training in diverse fields such as arts, economics, and journalism.</p> <p>Work with Congress to restore Executive Branch authority over travel to Cuba.</p>	

<p>ii) Enhancing grass-roots economic participation.</p> <p>iii) Enhancing the civic participation of Cuban individuals and civil society through increased access to information and communications equipment.</p>	<p>Reinstate remittances for individuals and independent civil society in Cuba.</p> <p>Modify internal licensing policies at Department of Commerce and OFAC, and/or regulations as necessary to permit the donation and sale of communications equipment under a general license, and license the provision of telecommunications services as provided in the Cuban Democracy Act.</p> <p>License Cuban state and non-state entities to access satellite and broadband communications networks.</p> <p>Permit the free exchange of ideas including the creation of art, cinema, and music by amending OFAC regulations to allow the "Free Trade in Ideas Act" ("the Berman Act") to reflect its original intention of which forbade any U.S. law from restricting the creation and free flow of informational materials and ideas.</p>	<p>Permit commercial credit terms without government guarantees for the sale of communications equipment.</p>	
<p>Support human rights activists, independent journalists, and the development of Cuban civil society and grass-roots democracy.</p>	<p>Establish an assistance program for civil society and license the transfer of funds for activities that focus on human rights, rule of law, micro-enterprise, and professional training.</p> <p>Conduct a review of the purpose, content and implementation capacity of the new contract awarded to private companies and non-governmental organizations during the last months of the Bush administration.</p> <p>Provide licensing for providers of U.S. government and private assistance in order to advance the goals of U.S. policy identified in this report.</p> <p>Do not object to an OAS dialogue with Cuba on the status of its membership. Permit Cuba to participate in OAS specialized and technical agencies and in knowledge-building seminars at multilateral institutions.</p>	<p>Encourage and participate in multilateral organizations that further human rights and the growth of civil society in Cuba.</p>	
<p>Engage Cuba through multilateral initiatives in a process that will lead to its reinstatement in multilateral and regional organizations if it meets the criteria for reinstatement and/or membership.</p>	<p>Do not object to an OAS dialogue with Cuba on the status of its membership. Permit Cuba to participate in OAS specialized and technical agencies and in knowledge-building seminars at multilateral institutions.</p>	<p>Do not object to Cuba's reinstatement to the Organization of American States if the General Assembly consents.</p> <p>Seek to recover Executive Authority to permit Cuba's participation in international financial institutions.</p>	

Mr. TIERNEY. Ms. Stephens, please.

STATEMENT OF SARAH STEPHENS

Ms. STEPHENS. Thank you, Chairman Tierney, Ranking Member Flake and the members of the subcommittee for the opportunity to appear before you today.

I serve as the executive director for the Center for Democracy in the Americas. It is a non-profit, non-governmental, independent organization. Our freedom to travel campaign has taken bipartisan delegations with over 60 Members of the House and Senate and their professional staffs to Cuba since 2001.

With the prospects for talks between the United States and Cuban governments increasing, having a discussion now about how engagement can best serve our Nation's security and broader interests could not be more timely. Earlier this year, our organization published this report, "The Nine Ways for Us to Talk to Cuba and for Cuba to Talk to Us." Mr. Chairman, I would appreciate having this submitted for the record as well.

Mr. TIERNEY. Without objection.

[The information referred to follows:]

9 WAYS

FOR US TO TALK TO CUBA & FOR CUBA TO TALK TO US

With essays by:
Robert Bach
Randy Beardsworth
Peter G. Bourne
Alberto R. Coll
Jake Colvin
General James T. Hill
Amy Myers Jaffe
Franklin W. Knight
Louis A. Pérez, Jr.
Ronald Soligo
Ivor van Heerden
Alan M. Webber

Edited by:
Sarah Stephens
Alice Dunscomb



The Center for Democracy in the Americas

PRAISE FOR 9 WAYS

"Cuba ceased being a security threat to the United States over a decade ago. The rest of the world has changed during that decade. Yet, U.S. policymakers remain wedded to a series of dated policies that cry out for a fresh approach. This report offers concrete ideas which could yield benefits to both sides of the Florida Straits and help bring a close to sixty years of distrust and animosity."

John J. "Jack" Sheehan is a retired United States Marine Corps general. He was Supreme Allied Commander Atlantic for NATO and Commander-in-Chief for the U.S. Atlantic Command (1994-1997)

"As a rafter who left Cuba many years ago, as a citizen soldier who fought in Iraq, as a Cuban-American who loves our country, I urge President Obama to read this report and follow its advice. If he would close Guantanamo and open up Cuba to all Americans, he can change history and help our country live up to its highest ideals."

*Sgt. Carlos Lozo
Bronze Star winner, Operation Iraqi Freedom*

"This 9 Ways report is a road map for not just ending the embargo but also for engaging the Cuban people, sending a hopeful signal to Latin America, and showing the world that this White House is under new management. This is exactly the kind of change we elected Barack Obama to make."

*Donna Brazile
Political strategist, adjunct professor, author, and syndicated columnist*



democracyinamericas.org

The Center for Democracy in the Americas

Preface

Sarah Stephens

When 2008 ended, and leaders from thirty-three Caribbean and Latin American nations met in Brazil and called for an end to our embargo against Cuba, this report took on a special urgency.

The nations of the Americas have never challenged our Cuba policy with such clarity or unanimity. And they are not alone. Our allies in Europe, Asia, and Africa condemn the embargo every year. Growing majorities of Americans — even in Miami, Florida — want the policy changed. There are great expectations, here and around the world, that President Obama will make history by ending this failed and futile policy once and for all.

But even if the case for normalizing relations is overpowering, the obstacle that has always stopped progress still seems overwhelming. These two governments don't trust each other. And how could they? Washington and Havana have been shouting at each other, talking past each other, and, most of all, threatening each other, for fifty years.

If our politicians and diplomats can't even conduct a simple dialogue that builds trust between them, real progress — and, ultimately, reconciliation — will be impossible.

We know how to get that conversation started. The Center for Democracy in the Americas has spent most of the last decade bringing Cuban and American politicians together.

Our Freedom to Travel campaign has led more than thirty delegations to Cuba, enabling Republicans and Democrats, five Senators and twenty-eight Representatives, and thirty Congressional staff to visit the island, many for the first time.

Some were harsh critics of Cuba, communism, and the Castros. Others knew our policy failed and had sullied America's image in the region. But nearly all were astounded by the openness of the Cuban people, and the increasing willingness of Cuban officials to talk frankly — often aggressively — about the most divisive issues that separate our systems and societies.

Every delegation we've taken to Cuba has returned to the United States believing in direct engagement. They only ask: How can this process be formalized?

That is the aim of this report. We recruited an exceptional team of experts to identify problems in their fields especially where Washington and Havana have mutual interests in finding solutions for them.

In their essays, our authors tell remarkable stories about a rich fabric of shared concerns and a long history of collaboration — such as joint medical research that predates the Spanish-American war; fence talks between Cuban and American soldiers on Guantanamo; overflights by U.S. hurricane hunters to predict extreme weather; piecemeal partnerships between our Coast Guards. They also show how often politics intruded and stopped real progress in its tracks.

Our writers then offer a succession of proposals for cooperation in military affairs and law enforcement, health research and hurricane preparedness, energy development and migration policy, commerce and academic exchange, and for reuniting Cuban families — to build trust back into the U.S.-Cuba relationship. Most of these ideas require nothing more than political will to implement them.

We're not recommending talk for its own sake. Cooperation in these fields will give political leaders in both countries the confi-

dence they need to close this fifty-year chasm of mistrust, so we can finally engage in the difficult negotiations that will bring this conflict to an end.

This is how President Obama can break the diplomatic deadlock with Cuba.

Of course, the last defenders of the embargo will try and stop him. They'll disparage the very idea of talking to Cuba. They'll call it capitulation to communism. They'll warn Obama: "If you talk to the Castros today, they will deceive you or embarrass you tomorrow."

For them, Cuba is a problem without a solution. But they're wrong.

For more than a generation, American soldiers and scientists, academics and activists, never stopped trying to keep the conversation going, and they overcame the resistance of American policy and domestic politics to build productive relationships with their Cuban counterparts.

Now is the time for their government to join them. It is time for us to talk to Cuba.

This is the course that President Obama should follow. Set aside the Cold War hatreds and the rhetoric; and step by step, let a free exchange of ideas lead to normalized travel and trade, and then offer the United States and Cuba the chance to live together as neighbors.

Were he to take this step, the impact would be dramatic, and not just on the island. Ending the embargo would be an unmistakable signal to Latin America that the United States will no longer view the region through the Cuba lens, and it will also send a powerful message that our nation is ready to embrace this world not as we found it in 1959 but as it exists today.

Introduction: The Case for Changing U.S. Policy

Alan M. Webber

United States-Cuba policy, after enduring fifty years as an unresolved standoff, has finally and formally reached the end of its usefulness. Now at this defining moment, a new American administration has the opportunity to devise a new policy toward Cuba, one that elevates authentic U.S. interests and emerging global realities over obsolete ideology.

After the Cuban Missile Crisis, the U.S. committed itself to a “no use of force” policy, agreeing not to invade Cuba militarily. U.S. strategy has instead used a strict and unyielding economic embargo — the only policy tool available aside from covert operations — to create conditions that would lead people within Cuba to rise up and overthrow the government of Fidel and Raúl Castro, and replace it with a democratically-elected government.

The U.S. regime change goal toward Cuba persists, but any objective observer would have to conclude that the strategy has failed.

Ten U.S. presidents have come and gone and the revolutionary government of Cuba is still in command. It is hard to think of an instance in U.S. political history when economic sanctions alone have precipitated regime change, particularly from within a hostile country. Sudden, radical political change from within Cuba is, at best, highly unlikely.¹

U.S. economic sanctions have, however, exacted a considerable cost on Cubans and on us. A report from Cuba's government to the United Nations estimates that the U.S. embargo since its inception has cost Cuba more than \$93 billion.² As detailed extensively in this report, the embargo takes food off the table in Cuban homes and makes access to certain medical care significantly more difficult for the Cuban people. For these reasons and others connected to them, our nation has paid a dear price for the embargo in the form of a diminished global image and reduced moral standing in the eyes of the world. We have been denounced by resolutions voted in the United Nations General Assembly for seventeen consecutive years; most recently, the vote was 185-3 against the U.S. embargo.³

For its part, the Cuban government has pursued an equally single-minded strategy for the past fifty years. Fidel Castro's focus has been on asserting Cuba's autonomy and ending foreign domination. Against a changing context of world affairs, his goal has been to safeguard the revolutionary government he founded, consolidate Cuban security, and maintain the integrity of the Cuban political system while improving health care and education for ordinary Cubans. His methods — and now his brother's — have changed over time from embracing the assistance of the Soviet Union, to accepting other lines of economic and political assistance, most recently from China and Venezuela.

Their aims have yielded an adult literacy rate of almost 100 percent, an infant mortality rate that is the lowest in Latin America and a Cuban life expectancy of 77.7 years.⁴ However, these improvements have come at a high and increasingly unsustainable cost. Even Cuba's current president Raúl Castro admits⁵ the balance of reduced living standards and liberties in exchange for social gains is a trade-off that is not sustainable. For the older generation of Cubans, sacrificing for the good of the Revolution may have been a rallying cry, particularly when reinforced by the constant threat — real or politically amplified — of U.S. domination, but it is not sufficient for the younger generation of Cubans. The island's population is shrinking by a migration of

young people to opportunities elsewhere.⁶ The current Cuban “business model” isn’t up to the challenge of its people’s desire for a better life. A country that imports more than 80 percent of its food, leaves 50 percent of its arable land fallow, and depends on Venezuela for 90 million barrels of oil per day needs a serious business model re-think.⁷

At the same time, America’s policy toward Cuba deserves no less a thorough re-think. A closer look at the embargo leads to the conclusion that its design and application make little to no sense.

Consider this anomaly. For an embargo to be effective, logically it seems, it would have to be enforced by a large and unified number of nations; otherwise, it’s not an embargo — it’s a sieve. While the U.S. economic embargo of Cuba is arguably the most restrictive set of sanctions applied by the U.S. to any nation in the world, America is the only nation applying this embargo to Cuba. The U.S. does not engage in diplomatic relations with Cuba, but more than 180 nations do. Tourism on the island from other nations has grown substantially as an industry. The number of tourists grew from 340,000 in 1990 to more than 2,300,000 in 2005,⁸ with the majority coming from Canada, Italy, the United Kingdom, Spain and Mexico.⁹ Recovering from the departure of the Russians at the end of the Cold War, Cuba was able to fashion an economy that grew as fast as any in Latin America. Allies and adversaries alike do business with Cuba, selling everything from telecommunications equipment to agricultural products.

Furthermore, the embargo is designed to “punish” Cuba; in fact, it appears to punish the United States in a number of significant ways injurious to the larger national interest. One of the most significant is energy policy, an issue that cuts across both economic and national security concerns. Cuba has staggering offshore reserves of oil and gas. In order to explore and recover these energy resources, Cuba has signed concessions with several foreign oil companies, including Repsol (Spain), Norsk Hydro (Norway), ONGC (India), PdVSA (Venezuela), Petronas (Malaysia), PetroVietnam (Vietnam), and Petrobras (Brazil). China has focused on onshore oil extraction in the Pinar del Rio province.¹⁰ But at a time when the U.S. Congress has evidenced a new

willingness to reverse a long-standing ban on offshore drilling, *9 Ways* authors Amy Myers Jaffe and Ronald Soligo point out that our sanctions ensure that we are the odd man out in this obvious opportunity for exploring new energy resources.

Also, while the embargo is designed to inflict pain on the Cuban government, U.S. companies and ports which stand ready to do business with Cuba are also victims. Markets and economic opportunities are being left for companies in other countries eager and ready to fill the void left by U.S. policy. One estimate, included in Jake Colvin's essay on commerce, suggests that ending the embargo could mean \$1 billion in U.S. sales of manufactured goods, agriculture, and services supplied to Cuba.¹¹

To the extent that the U.S. strategy toward Cuba has an operating theory, it is the two-part approach of punishing the Cuban government through the embargo while appealing to the Cuban people through communications efforts to peel the public and government apart. In fact, the U.S. strategy has proved counterproductive. Throughout history, the Cuban people have resisted all attempts by outsiders to dictate to them their own best interests. While the Cuban people may wish for the freedoms they associate with the United States, at the same time they do not accept outsiders forging opinions for them on Cuban political affairs.¹² The U.S. embargo has furthermore provided the Cuban government with a convenient excuse for its own failures: economic shortcomings on the part of the Cuban government and its system can be laid at the door of America's policy. America is the excuse on which the Cuban government can always rely.

The current global economic and political context is marked by enormous uncertainty, turbulence, and unpredictability. We live in a dangerous and unstable world. New economic competitors from the BRIC nations (Brazil, Russia, India, and China) are challenging the United States, changing both the global economic equation and the global balance of security. How does the U.S. policy toward Cuba fit into this larger game? Surprisingly, the United States has continued to pursue a strategy that pushes Cuba closer to nations that America

regards as either unfriendly (Venezuela) or increasingly competitive (China). The U.S. embargo has, understandably, forced Cuba to diversify trading partners, and expand its participation in the international economy. Meanwhile, the U.S. seems insistent on playing a smaller game in its embargo of Cuba, rather than a larger game in international, economic and security matters.

Most remarkable is the inconsistency of the American embargo of Cuba as it has been implemented. The embargo against Cuba is the strictest applied by the United States anywhere in the world. It has been in place the longest. It is the principal policy tool the United States has to produce regime change in Cuba. But here is the stunning reality: since 2001 Cuba has purchased more than \$2 billion in agricultural products from the United States.¹³ The United States ranks fourth behind Venezuela, Spain, and China as a main source of imports for Cuba, accounting for 6.2 percent of imports in 2005, after going as high as 8.5 percent in 2003.¹⁴

The U.S. policy toward Cuba has been driven by history and habit; it is sadly out of touch with the context of the times and equally out of touch with reality; it is internally inconsistent and flawed in its intent and application. The embargo stands uniquely crafted as bad economics, bad business, bad national security strategy, and bad global politics. There is no credible argument that defends this policy as serving any definition of U.S. national interests.

The question also arises whether America's aims for Cuba, however unattainable, even make sense in the context of today's new reali-

The U.S. policy toward Cuba has been driven by history and habit; it is sadly out of touch with the context of the times and equally out of touch with reality; it is internally inconsistent and flawed in its intent and application. The embargo stands uniquely crafted as bad economics, bad business, bad national security strategy, and bad global politics. There is no credible argument that defends this policy as serving any definition of U.S. national interests.

ties. To ask the question this way is to change a sober discussion of U.S. policy conducted in traditional diplomatic terms into a realization that our policy toward Cuba is a head-shaking, “lost in the fun house,” hall-of-mirrors set of practices that make little or no sense. They are inconsistent in theory and erratic in application.

For instance, Cuba is considered a terrorist threat whereas North Korea, despite sporadic pursuit of nuclear weapons and threatening behavior toward its Asian neighbors, today is no longer deemed a terrorist state.

The U.S. is willing to operate normal, conventional economic relationships with Libya, Venezuela and a host of other nations around the world whose political motives are suspect and whose practices are often incompatible with U.S. democratic values.

Even better are the examples of China and Vietnam. We have ambassadors in both capitals. We promote tourism to both countries. In the case of China, we depend on their financial strength to finance the U.S. national debt. Although the people of China and Vietnam live under governments in communist systems, and China has engaged in objectionable human rights violations, neither their systems nor their methods have prevented the U.S. from a normal exchange with both nations. But under our policy, we consider both Cuba’s communist government and economy unacceptable systems. They are so much worse than other communist countries that they alone are worthy of our continued, but futile system of sanctions.

The U.S. operates a substantial diplomatic Interests Section in Havana with a large staff and representation. However, its members cannot travel inside Cuba, meet with Cubans, engage in fact-finding activities, or operate as normal U.S. “eyes and ears” in Cuba. The U.S. has people on the ground — but they are prevented by U.S. policy from doing their jobs.

Our Cuba experience reminds us that embargoes and sanctions are dull instruments — a reality that both liberals and conservatives in the American political landscape have recognized in nations where the U.S. sought to exert pressure. The U.S. is left with no

credible explanation for how an economic embargo would actually lead to regime change. We simply cling to it as if history left us no other option.

For a variety of reasons, the U.S.-Cuba relationship appears to have arrived at a strategic inflection point. A strategic inflection point is the time when companies — or countries — have a chance to rethink the needs of the moment and the demands of the future. They come infrequently and once gone cannot be recaptured. The time for America to re-aim its goal, strategy, and policies toward Cuba is now. The last such opportunity came when the Soviet Union left Cuba — but the U.S. chose not to take advantage of that moment. There is no way to predict when the next opportunity will come.

The Obama administration enters office unburdened by the baggage of history. President Obama speaks eloquently to Americans of balanced principle and pragmatism. His election owes no debt to the hard-core anti-Castro Cuban community that has driven so much of U.S. policy in the past — a community that is undergoing its own demographic changes, with a younger generation who have different attitudes toward what is possible and even desirable in terms of U.S. policy toward Cuba.

On Cuba's side of the equation, there is considerable evidence of evolved thinking. Cuba is saddled with a twin dilemma: a rapidly graying group more than sixty years old represents a big demographic slice of the population — more than 20 percent — and places more demands on the country's social and economic system. At the same time, young people make increasingly loud and public calls for a better quality of life. Generational change is bringing new demands and new perspectives. Younger Cubans have a different outlook as to what constitutes the good life.

To respond to these competing demands, Raúl Castro, since assuming power as Cuba's president, has given a succession of speeches calling for structural changes in the Cuban economy to increase efficiency and production, and has taken steps to make the government smaller and more efficient.

Agricultural reforms have been instituted to increase domestic production and begin the process of substituting imported foodstuffs for Cuban agricultural products. In 2008, Raúl Castro announced both agricultural reforms and the relaxation of regulations on the importation of DVD players, VCRs, game consoles, auto parts, and TVs.¹⁵

None of this constitutes a dramatic repudiation of the past or even the promise of dramatic political and economic change; the government of Raúl Castro is firmly in control of the work and lives of the Cuban people.

However, this fifty-year cycle may have run its course. Each country has its own singular goal and strategy, but at this defining moment, as the context changes, we need to ask, how will those strategies change as well?

Change within Cuba will certainly come within the existing system.¹⁶ The United States therefore needs to adopt a strategy and policies that amplify and support the change within Cuba toward greater freedom and respect for human rights, and that serve and support larger American economic and political interests.

To do that thoroughly, coherently, and correctly will require the U.S. to untangle an incoherent thicket of legal and regulatory sanctions that do not fit the current context and do not serve U.S. interests. Because much of the current intellectual and political mess has been enacted by the Congress into law, it will take corrective action by the Congress to fix it, action that should start by repealing the ban on legal travel to Cuba by all Americans.

That said, there are a number of immediate actions that can be taken by the President to set the country on a humane, sensible course to advance U.S. interests, promote social, economic and political change within Cuba, and make sense in the context of larger global issues.

This collection of essays identifies immediate steps that the Obama administration can promote to build confidence and cooperation between the two countries, including: remove Cuba from the list of state sponsors of terrorism; cooperate on military affairs and law

enforcement; loosen terms for agricultural sales to Cuba by American producers; exchange knowledge in health, science, weather forecasting, and civil preparedness; re-open avenues for people-to-people contacts; increase the monetary amount Americans can send family in Cuba; advance cultural and academic exchanges for greater mutual understanding; and develop a new diplomacy without preconditions.

These confidence-building measures represent positive steps in themselves — but they can do a lot more. Cooperation with Cuba in these practical areas will make it easier for us to engage in the larger, more existential discussions that can never and will never take place while the regime change agenda so dominates our diplomacy. We have to take an entirely different course.

One model for such a revised policy exists in the approach to Cuba taken by the European Union; it consists of a three-part policy: encourage improvement in human rights standards; support a transition to a market economy; improve the standard of living of the Cuban people through economic engagement.

While the United States would never adopt as its own the policies of the European Union, this approach, which combines the pragmatism of the present with optimism for the possibility of change in the future, strikes a realistic note that fits the context of the moment.

The last time a United States Senator was sworn in as President, in the midst of the Cold War, he said let us never negotiate out of fear, but let us never fear to negotiate. As true as John Kennedy's words about Russia were in 1961, they speak with even greater truth about Cuba in 2009. This is Barack Obama's chance to make them live and work for the United States today.

1

A Time to Normalize Relations Between the U.S. and Cuban Militaries

General James T. Hill

A scant ninety miles off our shore lies Cuba, a relic of the past, a reminder of the Cold War, mired in “old think.”

Cuba is not alone in old think.

United States policy toward Cuba resembles all those fifties-era Chevys and Fords that continue to drive the streets of Havana. Much like those vintage cars, our policy needs spare parts and a tune-up to continue running. Today Cuba is in transition, moving toward a post-Fidel world. A U.S.-led infusion of new thought, policy and retrofitted “spare parts” can help Cuba become a friend (maybe not a good one, but a friend nonetheless) vice continuing its role of antagonist.

One of those reworked parts must be a dialogue between the Cuban armed forces, Fuerzas Armadas Revolucionarias (FAR), and the U.S. Southern Command (SOUTHCOM) division of the U.S. military based in Miami. Building on the marginal relationships our respective militaries are now permitted will enhance confidence and cooperation between the two governments. From the perspective of national security and national interest, we profoundly need that accordance, for three related reasons.

Cuba needs an alternative to Venezuelan or Russian influence. The reemergence of a bullying Russia, expanding its reach into the Western Hemisphere through its relationship with Venezuela and its volatile president, Hugo Chávez, gives notice that we must swiftly reexamine and alter our policy toward Cuba.

Second, Hurricanes Gustav, Ike, and Paloma devastated Cuba during the 2008 hurricane season. The small island is one major hurricane away from a natural disaster of epic proportions that would drive a flood of refugees toward the United States. Today, we are ill-prepared to deal with the migration or with the humanitarian relief required. The U.S. government and our charitable sector supported relief efforts in the Asian-Pacific in 2004. Could we turn our backs and do nothing in Cuba if they suffered the same level of devastation we saw in the Pacific's Tsunami disaster?

Finally, a friendly Cuba could be a very productive participant in combating twenty-first century security threats including international terrorism, narco-terrorism, natural disasters and mass migration.

Two of my predecessors at SOUTHCOM, retired Generals Charles Wilhelm and Barry McCaffrey, visited Cuba post-retirement, met with Fidel, and left saying a fresh approach in our security policy was needed. Both saw no signs of weapons of mass destruction and believe the Cuban military is not a threat to the United States.

I agree.

We have ignored Cuba far too long. General Wilhelm once called the island a "47,000 square mile blind spot in our security rearview mirror."¹ Our national policy toward Cuba, to encourage democracy and the overthrow of Fidel's communist government through sanctions, has failed miserably.

As my good friend Ambassador Charlene Barshefsky once said, Fidel outlived ten U.S. presidents and until he became ill, he looked better than all of them as they left office.

An improved and enlightened Cuba policy begins with dialogue at every level of our government, including the military. A small group of Miami-based Cuban-Americans would call such a dialogue "appease-

ment." But the politically charged appeasement canard simply doesn't wash. Confrontation and sanctions don't work. Talking, working out differences, and coming to some common ground benefits both sides.

A fresh beginning starts with repealing Helms-Burton, otherwise known as The Cuban Liberty and Democratic Solidarity (LIBERTAD) Act. The Council on Foreign Relations also calls for the repeal of Helms-Burton.² The 1996 legislation prohibits relaxation of the U.S. embargo and related restrictions unless or until a democratically elected government is in power or a transition government without Fidel or Raúl Castro is established. Helms-Burton disallows SOUTHCOM from opening any form of dialogue or communications with FAR or the Cuban government. Helms-Burton simply must go away before we can have any form of meaningful, advanced military-to-military relationship with Cuba.

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A notable exception is the monthly face-to-face, across the fence discussions with FAR at Guantanamo. In the near term, we should expand on the exceptions and use them as the foundation of our military-to-military dialogue, learning more about FAR capabilities and teaching them about ours. We should also expand U.S. Coast Guard presence and communications with the Cuban Border Guard in our mission in Havana. The more we learn about each other, the quicker we will begin to overcome the Cuban perception that we seek to invade or overthrow the regime. We should also conduct joint training exercises to improve Search and Rescue (SAR) and other operational capabilities. These and other confidence-building measures will serve to grow our military-to-military relationship.

Cuba has long understood the relationship between drug transit nations and drug use in those countries. Simply put, drug transit nations become drug using nations. Cuba wants neither drug use nor the lawlessness that comes with the drug trade. For that reason they have worked with us to interdict drugs bound for the U.S. We should look for every avenue to build on this cooperation. We should work out protocols for greater intelligence sharing about narco-trafficking. The agency responsible for drug interdiction is Joint Inter-Agency Task Force, South (JIATF-S). Located in Key West, Florida, JIATF-S collects, fuses, and analyzes intelligence to conduct drug interdiction operations against a tireless, determined narco-enemy. All of our law enforcement, intelligence and military agencies are part of JIATF-S, including many representatives from Caribbean and Latin American allies. These partners are fire-walled from sensitive U.S. intelligence, and there is no reason a Cuban FAR or Border Guard representative could not also be a part of this drug fighting team. As confidence building improves and procedures are established, Cuba could be a proactive and very useful interdiction ally in the war against narco-trafficking.

Once normalized relations begin again with Cuba, the issue of sovereignty over Guantanamo will require negotiation. In an improving relationship with Cuba, the subject of Guantanamo is unavoidable. With the demise of the Vieques bombing range in Puerto Rico, the military justification for continued U.S. presence in Guantanamo fades. We have long ago lost the rationale for its naval use as a coaling station. We can begin that discussion in the near term by conducting more frequent, substantive, and higher level fence meetings. This would serve as one more assurance to the Cubans that we are serious about building a meaningful relationship beneficial to both sides.

I would like to highlight three areas of potential substantive U.S.-Cuba cooperation to start, that I also believe can take place with either a fully democratic Cuba or one moving away from repression and toward more democratic processes. After all, we participate with

China — hardly a poster child for Jeffersonian democracy — on a myriad of fronts.

First, SOUTHCOM conducts an annual exercise, PANAMEX, with participating allies focusing on the defense of the Panama Canal. Begun in 2002 with only the U.S., Panama, and Chile, PANAMEX has grown into a robust exercise of some fifteen to twenty participants and broadened its scope beyond merely canal defense. The inclusion of Cuba in PANAMEX would both demonstrate Cuba's desire to be a productive partner in the region and increase operational capabilities with the Cuban military across a wide set of military missions.

Second, SOUTHCOM sponsors an annual exercise focused on humanitarian relief called Fuerzas Aliadas Humanitarias (FA-HUM). The 2008 FA-HUM exercise was in Comasagua, El Salvador. The command post exercise is designed to build cooperation in disaster response between allies and includes military and non-military participants. FAR has great experience and capability in this vital operational area that could assist others in improving their skills. In addition, working with them would greatly improve our interoperability so that we can be of immediate assistance should a major natural disaster strike Cuba. Until now, the Cubans have spurned our offers of assistance, but there will come a day when they will want and require our help. We need to be prepared to respond.

Last, SOUTHCOM has sponsored Human Rights Initiative (HRI) since 1997 to gain consensus among military allies in the area of human rights. HRI is a perfect mechanism for improved U.S.-Cuba relations. SOUTHCOM is the only U.S. Unified Command with an office dedicated to building and perpetuating human rights among allied militaries. SOUTHCOM has been influential in assisting several Latin American militaries move from propping up dictatorships to supporting democratically elected governments. As Cuba moves toward a more open and freer society, their military will have to evolve. SOUTHCOM will be a vital, irreplaceable partner in this evolution.

My successor at SOUTHCOM, General John Craddock, along with Major Barbara Fick, authored a much needed, thoughtful, and candid

discussion of U.S.-Cuban security cooperation. Written for *Cuban Affairs Electronic Journal* and entitled "Security Cooperation with a Democratic and Free Cuba: What Would It Look Like?" it is a must read for anyone interested in the transformation of our moribund Cuba policy.³ Heavily caveated so as not to be seen as going against accepted U.S. policy, General Craddock's paper discusses the points I make here and many more as a way ahead for our U.S.-Cuban military relations. Though General Craddock suggests that nothing can occur until Cuba is free and democratic, I believe in beginning a dialogue now. Working on mechanisms that benefit both sides, we can assist in the transformation of Cuba that began with the governmental transition.

SOUTHCOM's annual budget is less than one-quarter of one percent of Defense Department annual revenues, yet the Command plays a major role throughout the Caribbean and Central and South America assisting militaries in support of their democratically elected leaders. We get a lot of bang for our buck out of SOUTHCOM, and given new direction it can be of invaluable assistance in moving U.S.-Cuba policy forward.

After traveling to the island post-retirement, USMC General Charles Wilhelm's and Army General Barry McCaffrey's discussions and writings have furthered our understanding of the need to alter and improve our government's policy vis-à-vis Cuba. They began an informal dialogue that needs continuation. Through the auspices of the Council on Foreign Relations, I have offered to begin a dialogue along similar lines with Raúl Castro. My bags are packed. It is time to replace old think and overhaul the engine of our relationship with Cuba and the Cuban people.

2

U.S.-Cuba Functional Relationships: A Security Imperative

Randy Beardsworth

The U.S. coast and the island of Cuba are geographically only ninety miles apart, sharing the narrow Straits of Florida. Both nations are vulnerable to the scourge of illegal drugs and to global criminal networks; both have a stake in maintaining a healthy environment; both have to respond to natural disasters. In addition, the U.S. has a strong national interest in countering global financial crimes, especially those that may contribute to terrorist activities.

One could reasonably expect, given these common interests, the U.S. and Cuba would have a robust dialogue in these seemingly neutral, apolitical areas of interest. But this is not the case, and the lack of functional relationships that would permit dialogue puts our national interests at risk.

Rather, interaction between U.S. and Cuban government entities has been strictly circumscribed by the two governments with diplomats posted at the respective Interests Sections tightly managing the few functional relationships that have existed. Only rarely have government agencies maintained “bureaucrat-to-bureaucrat” or “operator-to-operator” relationships. Notable among these exceptions are the Federal Aviation Administration, the National Weather Service, the

U.S. Coast Guard, and the monthly military Guantanamo fence line talks.

Historically, during some of the darkest times of the Cold War, the U.S. saw a national interest in building practical relationships with our adversaries in certain fields. Those contacts gave us insight and understanding about our adversaries, and allowed the U.S. to pursue a number of commonly held objectives. When the Soviet Union subsequently fell, the exposure of communist bureaucrats to their capitalist counterparts offered an alternative model of governance to look to. Preparations for a transition in the way the U.S. and Cuba deal with each other are required now. Our mutual interests and close regional association demand it. The U.S. will need to develop mature and meaningful relationships, and those begin with confidence-building measures.

The functional relationships between the National Weather Service and the Federal Aviation Administration with their counterpart agencies are limited to very specific interchanges regarding routine air traffic control and hurricane tracking. The military-to-military fence line discussions in Guantanamo, though limited to common local issues, do decrease local tensions and misunderstandings.

The most well established functional relationship between the two governments exists between the U.S. Coast Guard and the Cuban Border Guard, which maintain operational contact at varying levels.

In the early years of the Castro regime these communications were generally limited to the exchange of information concerning Search and Rescue (SAR) cases. The original mechanism to communicate was an old Teletype machine. However, between the late 1970s and 2000, there have been at least four meetings between the U.S. government and the Cuban government to iron out protocols for communication, with one of the early meetings establishing fax as the preferred method. This made communication much easier, but the U.S. Department of State still required that any non-routine fax be pre-approved by the Department before it was sent. As drug smuggling became more prevalent and sophisticated, the U.S. Coast Guard pushed for

operational communications that included exchanging information on suspected smuggling operations in or near Cuban waters. In the early 1990s, the U.S. Coast Guard finally received permission to communicate with Cuba concerning a suspected smuggling vessel, the "Thief of Hearts."

For many years, a Miami-based group of Cuban-Americans, "Brothers to the Rescue," had routinely flown private planes on missions over the waters to look for and help guide rafters and other maritime travelers to Florida from Cuba. In 1996, Cuba shot down two "Brothers to the Rescue" airplanes in the Straits of Florida for allegedly violating Cuban airspace. As a consequence of the shootdown, Cuban-American groups organized "freedom flotillas" of private boats to sail to the edge of the Cuban territorial sea and scatter flowers, shoot flares, or engage in other similar activities. The Cuban government, understandably sensitive about sovereignty, dispatched patrol boats to the same vicinity as the flotillas.

Both governments were worried about the local matter escalating into an international incident. The U.S. Coast Guard spearheaded the U.S. government's efforts to ensure that this did not happen by meeting with flotilla organizers, coordinating other U.S. resources to monitor events, and dispatching a U.S. Coast Guard officer to the U.S. Interests Section in Havana to coordinate with the Cuban Border Guard. In the process, the professional relationships between the two operational organizations, the U.S. Coast Guard and the Cuban Border Guard, was strengthened.

With smuggling, flotillas, and maritime migration as a backdrop, the U.S. Coast Guard proposed that the U.S. Department of State meet with the Cuban government on measures that would ease the operational entities' coordination and communication. In 1999, at meetings held in Havana, the U.S. and Cuban governments agreed to permit telephone calls between the U.S. Coast Guard and the Cuban Border Guard, to establish protocols for the two agencies' vessels to communicate by radio at sea, and for the U.S. to assist the Border Guard in certain drug cases. The agreement called for a U.S. Coast

Guard Liaison Officer (CGLO) to be posted at the U.S. Interests Section in Havana.

To date, there have been five consecutive CGLOs posted to the U.S. Interests Section — all of whom had and have remarkable access to visit facilities and experience good relationships with their Cuban Border Guard counterparts. CGLOs have even been able to facilitate the resolution of certain other law enforcement issues. By all accounts, this particular operational relationship is fulfilling expectations and meeting both countries' national interests.

Those few current functional relationships are born of necessity. Outside of a handful of diplomats, military officers, and the five U.S. Coast Guard officers that have been posted in Havana, U.S. government employees have no idea who their Cuban counterparts are or how to contact them. To even initiate contact between a U.S. agency and its Cuban counterpart would require facilitation by the respective Interests Sections, a cumbersome, ineffective process discouraging any long-term relationship. Though Cuban envoys might have an advantage in identifying key persons in the U.S. government, American and Cuban bureaucrats have no personal histories to build on should an international political crisis require contact.

The most practical approach is a selective exchange of liaison officers and expanding contact at international meetings by inviting Cuban bureaucrats and operators to select U.S. meetings and allowing U.S. experts to attend conferences hosted by Cuba. The U.S. and Cuba have common concerns and mutual national interests in the following focus areas:

- **Law Enforcement.** While the CGLO at the U.S. Interests Section has been able to expand his portfolio in some cases to include facilitating interaction between U.S. law enforcement agencies and their Cuban counterparts, more could be done by formalizing the CGLO's role in facilitating law enforcement cooperation and perhaps expand the "law enforcement liaison section" at the U.S. Interests Section appropriately. Potential areas of low controversy

would include facilitating contacts for agents of the U.S. Bureau of Alcohol, Tobacco, and Firearms, the Drug Enforcement Administration, the U.S. Marshals Service, and the Immigration and Customs Enforcement. (Note: While direct U.S.-Cuban interaction with the FBI may be difficult to achieve at first; perhaps some counterterrorism issues could be addressed through trusted CGLOs.) The U.S. certainly has a national interest in establishing global standards for financial transactions and should actively try to build functional relationships with Cuban counterparts in this area. The U.S. could accept a Cuban liaison officer in one or more of these areas, starting with the U.S. Coast Guard.

- **Crisis Management.** Against the backdrop of 9/11 and Hurricane Katrina, the U.S. has learned a lot about crisis and response management. It is possible that the U.S. and Cuba may have to respond to a future catastrophe together. As each country understands how the other operates and the more closely respective procedures align, the more effective a common response will be. In addition to allowing crisis management experts from Cuba to attend selected U.S. conferences, it would be beneficial to include Cuba in regional or national terrorism preparedness exercises such as "Top Official" (TOPOFF), which already includes representatives from the international community.
- **Environment.** Over the years, there have been a number of academic relationships established in various areas of environmental research. These joint research efforts should be encouraged and

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expanded to include functional relationships as well. The Environmental Protection Agency should seek out areas of common concern and focus on multinational conferences to begin to build these functional relationships. The U.S. Coast Guard could also broaden its interests to “marine environmental protection” and establish with Cuban environmentalists a bilateral response protocol for major spills in the Straits of Florida — especially as Cuba develops offshore oil fields. The same is true concerning fisheries management and protection of the marine environment. Issues such as water quality, reducing air pollution, and disposal of toxic waste are also politically neutral areas where the countries can build relationships.

- **Port and Transportation Security.** While the two countries are a long way from open trade and travel now, when normal commercial trade is re-established between them, the U.S. will have a particular national interest in ensuring that Cuban ports shipping or transshipping goods to the U.S. have adequate security measures. The U.S. currently does not have contact with or even know the identities of members of the Cuban government responsible for those matters. Again, the U.S. Coast Guard is in the right position to begin the dialogue on port security and safety, and could potentially facilitate its sister Homeland Security agency, the Transportation Safety Administration, in initiating an exchange of ideas on aviation security.

The current low level of trust and high level of friction between the U.S. and Cuba is counter to our collective national interests. U.S.-Cuba relations may evolve glacially but inevitably. At some point, a crisis event will occur that will require intense dialogue between the two nations, during which the U.S. will need to understand as much as possible about Cuba's bureaucracy. Building functional relationships between individuals and agencies with shared interests is essential to be ready for that day.

3

Missteps and Next Steps in U.S.-Cuba Migration Policies

Robert Bach

“Instability” is the focal point that drives nearly all debates on U.S.-Cuban migration. Senior U.S. officials watch for it — the U.S. Director of National Intelligence monitors Cuba closely for upheavals that may lead to a migration crisis — while Cuban officials, concerned that U.S. actions will cause turmoil, accuse U.S. officials of violating migration accords to create instability on the island.[†]

Instability, however, is not something that has to be watched for, worried over, or surreptitiously created. It already exists. Instability defines, structures, and drives the U.S.-Cuban relationship — one that is beset by rumors, propaganda, and manipulation. The current challenge for U.S. policymakers is to forge stability and avoid unwise steps that spiral into a crisis. Historically, cooperation between the two governments has usually followed migration crises rather than preceded them. After fifty years of tragic consequences, it is time to reverse this trend; the sole course of action to do so is for the U.S. and Cuba to cooperate to prevent migration crises.

[†] Raúl Castro has claimed Cuba has surprised those “who were wishing for chaos to entrench and for Cuban socialism to collapse.” See: Manuel Roig-Franzia, “Cuba’s Call for Economic Détente; Raúl Castro Hits Capitalist Notes While Placating Hard-Line Party Loyalists,” *Washington Post*, July 27, 2007.

Stabilizing migration between Cuba and the United States calls for changes in the way Cubans are treated under the Cuban Adjustment Act of 1966. Along with the economic embargo, the 1966 Act is one of the longest running sources of antagonism. At its inception, the 1966 Act made more sense. It responded to the presumption of persecution in Cuba at the height of revolutionary change and granted Cubans, unlike other nationalities, legal permanent residency (a “green card”) after only one year’s presence in the United States. The special treatment encouraged Cuban refugees to adjust quickly to the United States, supporting the U.S. government’s efforts through extensive programs to cushion South Florida from the financial burden of resettling waves of new refugees. Today, however, the Act has the effect of encouraging illegal departures and disorderly migration.

Current U.S. policy works within a larger regional backdrop in which Cuba shares economic pressures similar to its Caribbean neighbors: it struggles to maintain long-term growth, and against poverty, limited consumption, and, increasingly, the visible inequality between wealthy tourists and the local populace. Such disparity results in steady illegal departures throughout the region, but this disorderly and often dangerous outflow does not necessarily signal political upheaval. One of the most common migration mistakes over Cuba is the U.S. failure to anticipate a level of “normal” flow, apart from bilateral relations. That misconception and perhaps purposeful misunderstanding can cause policy missteps. The U.S. and Cuba must build a stabilizing legal framework to head off a crisis, recognizing that any misunderstanding of each other’s intentions is a serious menace. U.S. policies that have regime change as their first priority prevent cooperation on essential issues and cause harm to desired transitions in Cuba.¹ Preventing crises will depend on the willingness of both governments to understand what to expect and participate with each other in activities that serve both countries.

The Cuban Adjustment Act fosters this misunderstanding and serves as an incentive for Cubans to take great risks — by crossing the Florida Straits by raft or small boat, or risking money and life via human smug-

gling routes. According to U.S. investigators, smugglers typically are not paid until they deliver their Cuban passengers to dry land, after which the Cuban Adjustment Act guarantees their legal status. In short, the U.S. government encourages migrants to take unnecessary risk by offering a unique and exceptional reward unavailable to any other nationality. For many families trying to reunite with their relatives, it also makes the potential dangers of smuggling a little more acceptable.²

Unfortunately, cooperation in anti-smuggling operations, which had been one of the few areas of joint action, stalled and succumbed to suspicions between the two governments. Only in the last year or so have U.S. federal authorities increased enforcement against smugglers who bring Cubans into South Florida. These efforts reveal how a cooperative strategy could make a critical difference. Investigations show that many smugglers themselves are Cuban migrants who recently crossed the Florida Straits. The smuggling industry is loosely fragmented and poorly organized, but driven by lucrative profits — up to \$60,000 a trip. Joint U.S.-Cuba law enforcement actions could save lives and significantly check what is still a nascent rather than sophisticated underground industry.

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Recent statistics show that human smuggling from Cuba increased during the last five or six years, following similar trends throughout the Caribbean.³ The Cuban flow expanded into new routes through Mexico's Yucatán Peninsula, which mixed Cubans with Central American migrants heading by land to the Texas border. Smugglers also turned to "go-fast" boats that, until recently, could outrun most Coast Guard vessels. Increased enforcement off the coast of Mexico has Cuban migrants showing up in places in the Eastern Caribbean where they have not been seen before.

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A recent agreement between Mexico and Cuba offers a constructive start for the region. It calls for increased cooperation between the Mexican Navy and the Cuban Border Guard on smuggling and illegal migration, and establishes terms for which Cuban citizens in Mexico without proper legal status would be returned to Cuba. With the U.S. Coast Guard also cooperating with the Mexican Navy in the Yucatán Channel, a broader regional agreement would help all countries prepare and participate in heading off smugglers adapting and searching for new routes and means.

Paradoxically, one of the most significant potential missteps that could trigger a U.S.-Cuban crisis could result from U.S. efforts to prepare for exactly such an event.

The nightmare scenario that U.S. planners use today to prepare for a migration crisis recalls the events of the 1980 boatlift from Cuba's Mariel harbor. The chaotic, spontaneous boatlift across the Florida Straits brought 125,000 Cuban citizens without screening into the United States in only a few months. The episode nearly provoked a U.S. military response and caused such domestic turmoil that President Carter attributed his reelection defeat in part to the public's reaction to the migration crisis.

Both governments made significant policy missteps in the midst of the crisis. The roots of the crisis in Cuba involved an excessively harsh halt to several years of free market experimentation. Domestic protest spilled into the streets in Cuba in ways rarely seen since the Revolution. But it was only after the U.S. stepped in to comment on the unrest and invite Cuban citizens to leave the island that the Cuban government took full advantage, turning the problem northward. Opening the border to families from Miami sending boats to pick up relatives, Cuba's government released tens of thousands of prisoners and hundreds of mental patients who also took the ninety mile trip to Florida.

U.S. officials believe another boatlift could result from political instability in Cuba, and have developed a migration emergency plan, Operation Vigilant Sentry, to pre-empt the presumed central lesson of Mariel: uncontrolled outflow. The plan's premise, as one U.S. official reports, is

“[I]f there are signs of a mass migration ... the Coast Guard plans to set up a perimeter around Cuba”⁴ to intercept migrants and immediately return them to Cuba, in hopes of discouraging more departures.

The plan calls for a massive operational deployment and an unprecedented public relations campaign designed to convince Cubans to stay onshore. But the U.S. strategy leaves the Cuban regime with few policy options to avoid escalation of a crisis. Bottling up the flow of refugees in the streets of Havana leaves the average Cuban citizen in the middle of a dangerous standoff, and does little to resolve whatever upheaval inside Cuba gave rise to a Mariel-style exodus. Strategically, Operation Vigilant Sentry does not solve key underlying problems and could even stand in the way of preemptive cooperation.[†]

The 1994 Migration Agreement, a step taken only after a migration crisis,[‡] set the stage for developing a more stable understanding of the Cuban outflow and led to more appropriate U.S. responses. In particular, the Agreement recognized officially a normal non-political level of emigration from Cuba that resembled the family and economic-induced migration from countries throughout the region. Negotiators agreed to an expected, normal number of annual departures. The Agreement also promoted binational parallel and joint cooperative activities to reduce disorderly movements from spinning out of control and becoming mass events. The Cuban government agreed, for instance, to patrol its borders and notify the U.S. Coast Guard about illicit departures from the island. The two governments agreed to a process of returning those intercepted at sea back to Cuba without repercussions.

[†] As an emergency response plan, Operation Vigilant Sentry has several admirable features: an interagency command structure, asset mobilization, and forward-thinking preparation of the Guantanamo base.

[‡] The balsero — or rafter — crisis was spurred by the collapse of Soviet sponsorship of Cuba, and its subsequent scarcity of food and other staples. Early attempts to thwart escapees and blame the U.S. was followed by the Castro government threatening to unleash another mass exodus (similar to the Mariel crisis in 1980). See: Daniel de Vise and Elane de Valle, “Cuban Balsaeros Helped Change the Political Flavor of Florida,” *Miami Herald*, August 3, 2004.

But rather than building on a gradually stabilizing legal framework in advance of a new crisis, in 2004 the U.S. government under President George W. Bush reversed course.

It imposed stricter limits on family visits, cash remittance flows, travel, and professional exchanges to the island. The rationale was to withhold from Cuba's communist regime valuable financial assets taken through taxes or local expenditures of U.S. dollars.

Ironically, family remittances are one of the only sources of support for Cuban households that confer semi-independence economically and socially from Cuban authorities. In this limited space of personal independence rests the seeds of liberty. Though relatively small, remittances allow family members a greater range of choice about their daily activities. By restricting remittances, U.S. authorities undermine their own goals, depriving families of simple survival benefits and the support they need to be less dependent on the Cuban state.

In the same vein, suppressing family visits heightens the likelihood of a migration crisis. In today's transnational world, migration is a normal social endeavor. If there were no sanctions, Cuba would resemble countries such as Mexico and the Dominican Republic with a substantial share of its population dependent on family members earning wages in the United States. Even under current constraints in Cuba, rare visits with parents and relatives are more than personal — they also provide income vital to household survival. Absent these stabilizing and predictable resources, Cuban families need to find alternate means of support. Migrating northward, if and when they can, is one of those alternatives.

In the U.S., migration out of Cuba is often projected through the prism of politics. For example, the head of the U.S. Interests Section in Havana interpreted an increase in migration as popular reaction to Raúl Castro's succession to power: "The numbers continue to rise — that's the response of the Cuban people. Why do so many people want to leave the country?"⁵ Rather than political confrontation through aggressive plans and warnings, however, the strategic challenge is to find alternatives to Cuba's internal problems becoming U.S.

problems. The U.S. goal should be to prevent decisions that raise the migration issue to a high level national security concern.

Specific migration policy reforms would be a start. Greater opportunities for family visits and remittance flows, reform of the Cuban Adjustment Act, joint anti-smuggling operations, and a reinvigorated exchange of professionals would help reduce the systemic instability that drives out-migration. Perhaps more importantly, reforms would expand information flow between the countries. Increased transparency and mutual understanding would reduce the extent to which migration remains a central impasse between the U.S. and Cuba.

A first step: reinstitute temporary visits across the Florida Straits in both directions. Temporary visits could be organized through various visa regimes. If abuses exist with academic and professional exchanges, as the Bush administration alleged, alternate exchange activities organized through respected institutions could be easily arranged. Undoubtedly, temporary visas would help to depoliticize migration processing.

Next, the U.S. needs to work with its regional partners to incorporate Cuba into the broad framework for addressing migration problems. The arguments for and against visa and travel restrictions have been played out repeatedly since the Kennedy and Johnson administrations. Charges and countercharges of process manipulation cause recurring tensions between the governments and must be corrected.

As part of these regional changes, the United States also needs to reform the Cuban Adjustment Act. The United States now has better ways to assist asylum seekers and humanitarian cases than the blanket procedures of 1966, including principles and procedures that apply to all nationalities. A modern U.S. asylum system provides protection from persecution through case-by-case review, and contains mechanisms for returning, if appropriate, those interdicted on land or sea to their country of origin.

Repeal of the Cuban Adjustment Act would also put an end to the so-called wet foot/dry foot policy. The policy emerged in the early 1990s as a way to respond to the rafter crisis without repealing the

Cuban Adjustment Act.⁶ The compromise developed new rules on whether a person could be returned to Cuba or not depending on whether their interdiction occurred at sea or on land. Interdiction at sea (wet foot) meant that the Cuban migrant was not yet covered by the Cuban Adjustment Act. Once on land, the outdated law prevailed. At the time, the compromise introduced a system of return to Cuba for those who were interdicted at sea and helped to bring the Cuban government a step closer toward a normal legal framework by decriminalizing out-migration. It also moved U.S. policy toward treating all nationalities equivalently. Today, as part of a common, cooperative regional migration framework, both Cuba and the United States could complete these earlier moves.

Still, while bilateral and multilateral reforms will be enormously helpful, they will not be enough. The time has arrived for a new vision of U.S.-Cuban relations. U.S. intelligence officials have put their finger on the force that will propel future change. The key is “going to be the fourth generation in Cuba” who are “thinking new thoughts” and “asking hard questions.”[†] Of course, generational change is not unique to Cuba. Generations of Cubans resettled in the United States are also waiting and watching them, hopeful of change but not clear on what it will bring. As both sides wait, opportunities are being lost. Behind current preparations for a migration crisis is a failure to imagine a new, stable Caribbean region. Both states will have to make serious reforms, internal and external, that recognize a normal migration policy reflecting realities of poverty, family interdependence, and regional vulnerabilities.

Despite a degree of “instability,” migration flows are part of normal, healthy international relations. They fuel economic cooperation, stimulate vibrant exchange of business skills, and inspire citizens of the region through exchanges, visits, and educational partnerships.

[†] National Intelligence Director Mike McConnell added, “And what my concern is, there's going to be some instability in that process.” See: Pablo Bachelet, “U.S. Alerted to Cuba Migration, Chávez Weapons,” February 27, 2008.

Region-wide migration can become an instrument of innovation and change. Regional engagement will replace decades of stalemate and provide a new generation of Cubans with reasons to work constructively with the United States, and lend new generations of Americans more insight into Cuba. A safe — and more stable — movement of peoples throughout the region gives hope for an end to fifty years of tragic consequences.

4

U.S.-Cuba Health Care Relations

Peter G. Bourne, M.D., M.A.

A close working relationship in the field of medicine existed with the United States and Cuba for over a hundred years, until the mid-twentieth century. The top twenty medical graduates of the University of Havana, for example, routinely attended residency programs at U.S. hospitals in the fifty years before the Revolution. In 1924, Cuba and the United States were among the twenty-one nations that founded the Pan American Health Organization. There was also modest research collaboration between U.S. medical schools and Cuban counterparts, especially on tropical diseases. The first half of the twentieth century saw close medical collaboration between the two countries with medical organizations in Cuba maintaining close ties to comparable groups in the U.S.

U.S. actions after Cuba's Revolution in 1959 caused that collaboration to degenerate severely, however, particularly over the last two decades.

Cuba's sophisticated medical leadership, unique in the developing world, dates back several centuries. The University of Havana, established in 1734, had one of the first medical schools in the hemisphere. Cuban physician, scientist and social reformer Tomas Romay y Chacon, a public health advocate, secularized medical education, strengthening its scientific basis, and introduced widespread vaccination against

smallpox. A century later, Carlos Finlay, the son of European émigrés, who received his medical degree in Philadelphia, led the fight against yellow fever, the major health affliction of Cuba and Central America, by advocating his belief that mosquitoes spread the disease. Finlay worked with the U.S. occupation forces in Cuba following the war of independence with Spain and subsequently launched a campaign that in two years virtually eradicated the disease in Cuba.

After Cuba won independence, politically powerful cultural associations were established there to promote the interests of immigrants from the different Spanish regions such as Asturias, Galicia or Catalonia. Each region's association provided its members a pre-paid health care system with private hospitals and clinics. By 1934, roughly 36 percent of Havana's population was enrolled in one of these programs, called "*mutualismos*." By the mid-1950s, high quality medical care from largely U.S.-trained physicians was available to Havana's wealthy elite and another million individuals enjoyed health care of varying quality from the *mutualismos*, but roughly 83 percent of mostly urban poor and rural Cuban citizens had essentially no access to medical care.

From his earliest public statements, Fidel Castro promised health care as a central way in which his Revolution would change the lives of Cuban people. Castro wanted social equity in the health care system and particularly to provide basic medical services to those in rural areas. But during and after the Revolution, 3,000 of Cuba's 6,000 doctors left the country.

Over time, the government added twenty-one new medical schools to just one that existed prior to the Revolution, added dozens of rural hospitals, and subsequently 450 community health centers, called "polyclinics," were established throughout the country. By the early 1980s, 30,000 family doctors worked with the polyclinics, bringing primary health care to every citizen. Today, there are over 60,000 physicians in Cuba and around the world.

Cuba managed these changes in the face of unprecedented sanctions by the United States. Though already restrictive, the U.S. added

food and medicine to its embargo against Cuba in 1964 — violating the Geneva Conventions and the United Nations Universal Declaration on Human Rights. In no other instance has the U.S. included food and medicine in its embargoes against other nations and it inflicted considerable suffering on ordinary Cubans. Among its many impacts: it prevented access to medical equipment such as pacemakers and certain cutting-edge antibiotics and anti-cancer drugs still under U.S. patent.

The embargo, in fact, spurred Cuba over time to develop its own thriving pharmaceutical industry with a large domestic market and significant export sales to the developing world. Cuba also made a major investment in critical biotechnology medical research following a visit in 1980 from Dr. R. Lee Clark of the M.D. Anderson Hospital of Dallas, Texas. Cuban researchers trained with Dr. Clark and counterparts in Finland, Japan and Britain. Today, these Cuban scientists are among the world leaders in this field.

In 1988, vital legislation sponsored by U.S. Representative Howard Berman exempted from the embargo the exchange of textbooks, medical journals, printed materials and other intellectual properties. The amendment allowed Cubans to obtain and publish in U.S. medical journals, and granted full access to the National Library of Medicine. It also facilitated U.S. non-governmental organizations to provide the latest textbooks and journals to Cuban medical schools and other institutions.

Up until the early 1990s, direct interaction and collaboration between the health and medical communities in Cuba and the U.S., although informal and poorly organized, operated largely unrestricted despite the embargo. Although the regulations varied over different U.S. political administrations, Cuban medical experts were allowed visas to attend scientific meetings in the U.S. and American academics could typically travel to Cuba and work with Cuban colleagues. Cubans were periodically able to spend extended periods in the U.S. for post-graduate study.

But in the 1990s, after the collapse of the Soviet Union, the Cuban Democracy Act of 1992 (also known as the Torricelli Act) and the

Cuban Liberty and Democratic Solidarity Act of 1996 (commonly referred to as Helms-Burton) were passed by Congress. Both contained provisions that placed extraordinary pressure on Cuba's health care system; these included more forceful U.S. sanctions against pharmaceutical companies, especially U.S. subsidiaries in Europe; licensing provisions that further prohibited the sale of drugs to Cuba; restrictions on ships visiting Cuban ports, affecting delivery of heavy medical equipment such as X-ray machines and food for which air-freight costs are prohibitive; and other restrictions that targeted Cuba's scientifically and financially successful biotechnology sector.

Because these actions on medicine and food were a violation of international law, policymakers wanted to understand the embargo's impact on ordinary Cuban citizens. In 1997, an extensive and highly detailed study under the auspices of the American Association for World Health (AAWH), "Denial of Food and Medicine: The Impact of the U.S. Embargo on Health and Nutrition in Cuba," drew worldwide attention reporting the ban led to malnutrition, poor water quality, lack of medicines and equipment and limited access to medical information.

Deprivations persist to this day. Cuba is unable to get film for mass-screening mammography machines, and cannot offer patients American-made cardiac pacemakers, nor an essential drug for treatment of a form of infant heart defect, or certain HIV/AIDS drugs.

The North American health experts who participated in the AAWH study held the unanimous view, however, that Cuba had developed a remarkable primary health care system, and exposure to it would be a valuable experience for U.S. medical students.

In 1997, Havana-based journalist and Cuba health expert Gail Reed and I founded the not-for-profit organization, Medical Education Cooperation with Cuba (MEDICC), in order to build a health bridge to Cuba by providing opportunities for U.S. medical students to spend a six-week elective working with family physicians in Cuba.

Between 1997 and 2004, 1,500 American students from 114 medical schools and schools of public health made this journey. Some

public health students, nurses, and physicians in residency programs were also able to go. Delegations of policy makers and senior medical specialists and educators visited the country on a regular basis. In addition to the MEDICC program, some U.S. medical schools also maintained independent relations with Cuban health institutions. A number of philanthropic non-governmental organizations arranged for shipment of medical supplies to Cuba. Groups interested in seeing and learning about the Cuban health care system also visited. MEDICC publishes the only English-language, peer-reviewed journal dealing with Cuban medicine and health care, *MEDICC Review*.

Following the devastation in Central America caused by Hurricane Mitch in 1998, Cuba opened the Latin American School of Medicine (ELAM) which provided free medical education for students from nations throughout Latin America and the Caribbean. In return for a free education, students agree to practice in deprived or medically under-served areas of their countries. Then-President Fidel Castro also offered 500 tuition-free scholarships to African-American and Hispanic-American students from poor backgrounds in the U.S. At present, there are more than one hundred U.S. students getting their medical degrees at ELAM and several who have graduated are now in residency training programs back home. This offer by the Cuban government represented a \$100 million subsidy of the U.S. medical education system.

After the attacks on September 11, 2001, however, Cuba's presence on the U.S. State Department's "State Sponsors of Terrorism" list again restricted health collaboration. It became impossible for Cuban medical experts to obtain visas to visit the U.S. for any reason. Then, during the run-up to the reelection campaign of President George W. Bush in 2004, U.S. Treasury Department regulations were tightened even more making it impossible to send U.S. medical students to Cuba for elective courses of limited duration.

Besides imposing hardships on the delivery of health care in Cuba, U.S. sanctions isolate us from the benefits that we could otherwise

obtain. Cuba's first-rate medical research and primary health care sector have developed important drug innovations and produced positive outcomes in life expectancy and infant mortality.

While the U.S. tends to target its international health efforts toward specific disease conditions such as HIV/AIDS, polio, TB or malaria, Cuba's Institute for Bioengineering and Biotechnology is one of the world's leading centers for the study of recombinant DNA. The

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Institute produces significant quantities of interferon at relatively cheap cost for the treatment of viruses and certain cancers. The facility also makes streptokinase, a vital treatment for heart attacks, at a fraction of the cost in the U.S. and sells it cheaply to developing countries with limited health budgets.

Cuba has further developed a vaccine for hepatitis B and makes the world's only vaccine for meningitis B. While 300 Americans die of the disease each year, a licensing arrangement has been stalled by onerous and difficult to implement conditions, even after a hard-won Bush administration capitulation allowed the Cuban vaccine in the U.S. Several anti-cancer products have been developed at Cuba's

Center for Molecular Immunology including nimotuzumab, for use against a form of brain cancer in children, as well as a vaccine that appears effective against a form of lung cancer. Treasury Department licenses have been issued to allow two U.S. companies to collaborate with Cuba in further research on these products but again, with severe restrictions.

Cuba is the world's largest producer of epidermal growth factor, a key tool in the treatment of burns and ulcerative colitis. Cuba has collaborative research projects using the product on patients in

Japan, Scandinavia, and Britain with scientists of those countries. Only one American researcher has been allowed to obtain epidermal growth factor from Cuba and his use of it has been restricted to research on animals.

More than 30,000 Cuban health professionals currently work in sixty-two countries on public health matters and stand as the largest state contributor to the global health effort. Cuba's doctors work in remote, under-served rural areas. They helped start nine medical schools and two nursing schools in Equatorial Guinea, Guyana and other nations suffering serious health personnel shortages. Cuba advocates making available primary health care for all people.

There have been instances in recent years in disaster situations where Cuban and U.S. health personnel worked together spontaneously on the ground for the good of the victims regardless of their governments' policies. A collaborative program between the U.S. and Cuba in developing countries could have a dramatic impact globally in improving the health of millions of people.

Cuba has a well-deserved reputation around the world for its disaster relief program. Any time there is a natural disaster anywhere in the world, Cuba is among the first nations to respond and is often among the most generous: 2,000 health personnel to Pakistan after the earthquake of February 2004; 500 doctors to Indonesia following the tsunami of January 2005. By working together, Cuba and the U.S. could strengthen and transform the world's ability to respond to disasters.

In recent years, Cuba's medical and health care systems have moved forward dramatically, creating a range of exciting opportunities for expanded collaboration. Three important steps, however, need to be taken.

One, remove Cuba from the State Department's "terrorism list." The designation exists for domestic political reasons, undermines our efforts to deal with real terrorist threats, and obstructs legitimate professional interchanges with Cuba.

Two, lift 2004 politically-timed restrictions on educational trips to Cuba specifically aimed at preventing U.S. medical students from

studying there. Re-establish collaborative health education opportunities for U.S. medical students and other health professionals. Allow Cuban health professionals to visit the U.S. for professional meetings, consultations with colleagues, and educational opportunities.

Three, suspend trade restrictions on food, medicine, and medical equipment sales to Cuba to bring the U.S. in compliance with its international treaty obligations, and be consistent with its traditional humanitarian values. While it has been legal to sell food to Cuba since 2001, the process is beset with unnecessary and unwieldy restrictions.

No benefit is derived from restricting health and medical collaboration between the U.S. and Cuba. Removing restrictions would directly help the people of both countries and send a strong message to Latin America and the rest of the world that the U.S. has returned to its fundamental ideals.

5

U.S.-Cuba: The Case for Business

Jake Colvin

Cuba is at an economic crossroads. It is recovering from a series of hurricanes and tropical storms that according to the Cuban government inflicted upwards of \$9 billion worth of damage to its homes, crops, infrastructure, industry, and investments. At the same time, Cuba's President Raúl Castro is gingerly moving to implement economic restructuring. These dual tasks of recovery and reform are keys to Cuba's future.

Thanks to the U.S. trade embargo, American businesses are largely precluded from participating in Cuba's multi-year, multi-billion dollar plan for revitalization and reinvestment, and are excluded from positively impacting Cuba's economic reforms. Beyond the benefit to American business, greater economic engagement would also help the Cuban people and improve our image in Cuba and throughout Latin America.

Prior to the Cuban Revolution, the United States and Cuba had strong economic links. In 1942, the U.S. Department of Agriculture noted "with no other country does the U.S. have as close economic ties as with Cuba." In 1958, the United States was responsible for nearly seventy percent of Cuba's exports and about the same percentage of its imports. Cuba was the seventh largest market for U.S.

exporters, particularly for American farm producers. Bilateral trade deteriorated rapidly after President Eisenhower ended diplomatic relations with Cuba in 1961, and vanished after President Kennedy expanded the embargo on the island in 1962.

Nearly forty years later, in 2000, the U.S. Congress passed the Trade Sanctions Reform and Export Enhancement Act (TSRA), the first significant exception to the embargo. The Act exempts from the embargo commercial sales of agricultural and medical products to Cuba, permitting U.S. farmers to sell food to Cuba's government within certain parameters. Though the Bush administration made payment terms governing these sales more restrictive, U.S. exports have grown to nearly \$500 million per year.¹

TSRA has provided important opportunities for American farmers. The United States is now Cuba's largest source of foreign agricultural imports, and was the thirty-third largest export market for America's farmers in 2006.² Cuba is America's twelfth largest market for wheat, the eighth largest market for chicken, and the third largest market for rice. American farmers believe that Cuba eventually could become the number one foreign market for U.S. rice.

Beyond agricultural exports, however, American businesses are largely absent from Cuba. Sanctions put American businesses and agriculture exporters at a global disadvantage in a nearby and natural market for U.S. goods and services.

While the United States remains on the sidelines, other countries are increasingly active in Cuba. China, which has embarked on a worldwide policy of securing natural resources in exchange for economic aid, has signed accords with Cuba that will likely dramatically increase trade. Trade with China more than doubled in 2006 to \$1.8 billion. Trade with Venezuela rose to \$2.6 billion in 2006 from \$2 billion in 2005.³ Together, the two countries account for 35 percent of all of Cuba's trade.⁴ Cuba imports transit, intercity and urban buses from China. Cuba has also inked a deal with China for 4,500 pickup trucks — a market the U.S. auto industry might like to pursue right about now.

Cuba is diversifying its international commerce and expanding business relations with nations across the globe, including Brazil, Vietnam, Turkey, South Africa, Canada, Spain and Mexico. In October 2008, Cuba signed an agreement to renew ties with the European Union, which had formally lifted its diplomatic sanctions against Cuba in June.

On the investment side, as part of a national economic strategy, Cuba's government is encouraging foreign participation in the energy, minerals and tourism sectors. Already, Cuba produces around half of its domestic petroleum needs and is looking to become increasingly self-reliant to reduce its dependence on Venezuela's energy supplies.

Foreign energy companies including Spain's Repsol and Malaysia's Petronas have received concessions to develop Cuba's oil fields. Cuban officials have said they welcome foreign participation in the energy sector, including from the United States. They note the proximity of American firms and their vast experience and expertise in deep-sea offshore oil production. While American oil companies are frozen out of exploration, they are watching carefully.

In addition, as Cuba continues to develop its energy sector and allows nations like China and Venezuela increasingly broad access to its economy and natural resources, the United States should consider the implications for American business as well as U.S. national security. Discussions with China's oil firm Sinopec could lead to exploration and drilling close to the Florida coast. Failure to engage Cuba economically will hand over the field entirely to our competitors.

American businesses will not be sitting on the sidelines forever. As U.S. companies and entrepreneurs begin to size up the Cuban market, one thing immediately evident is the difference between trade and investment opportunities with Cuba.

Increasing trade with Cuba would be a relatively straightforward prospect for the United States. The two countries have already proven they can trade together with American farmers leading the way. U.S. agricultural exports to Cuba reached nearly \$500 million in 2007 — a remarkable achievement given restrictions on travel to and from

Cuba, the absence of diplomatic relations between the two countries, and the strict payment and delivery terms for U.S. farm products. (Cuba can only buy U.S. farm goods if they pay cash in advance before receipt, or with a letter of credit from a third country's financial institution.) American producers, meanwhile, need time, and sometimes legal help, to obtain authorization from the U.S. government to sell to Cuba. These practices slow the trade process, as well as place extra costs on American exports to Cuba.

Expanding and facilitating trade would benefit the United States economically, particularly in sectors like agricultural machinery, construction equipment and chemicals where Cuban import demand is high. American technology could also ensure that Cuba's efforts to develop offshore oil patches in the Gulf of Mexico are done in an environmentally-sustainable way. With human rights groups looking over their shoulders, U.S. businesses in Cuba would guarantee proper wage, labor and environmental standards. Trade also provides additional opportunities to engage the Cuban government and Cuban people on economic development and reform, resulting in deeper levels of contacts and, potentially, to a political rapprochement.

It is important to note that President Obama has the authority to alter these trade rules via the licensing authority contained in the Cuban Assets Control Regulations, which state that the President may authorize transactions with Cuba "by means of regulations, rulings, instructions, licenses, or otherwise." Liberalizing trade and related transactions — whether to allow imports of some Cuban products like agricultural goods or more exports of American — would not require an Act of Congress.

Expanding American investment in Cuba is another story. Outstanding settlement claims going back to Cuba's Revolution are roadblocks to U.S. companies which are unlikely to invest in the face of legal uncertainty. Cuban foreign investment laws would also deter American investment even if claims were to be settled. Cuba's current approach to joint ventures and other foreign participation agreements would likely discourage American investors, who value trans-

parency, rule of law and more favorable investment terms than the Cuban government is likely to offer. That said, a member of the younger generation, a Cuban official with the Ministry of Foreign Affairs, told me, "If there was normalization, it would have a serious impact on how Cuba manages its economy. There are a number of factors that could change."

U.S. policy toward Cuba may be "ridiculous," as George Shultz told PBS's Charlie Rose last year,⁵ but it is not high enough on the list of priorities for U.S. policymakers to commit the kind of time and energy required for full and immediate normalization of ties. But signals are important, and there are a number of initial steps that could lay the groundwork for future trade relations.

First, help Cuba rebuild from the storms. While the Cuban government seems congenitally opposed to American aid, the President and Congress could help Cuba rebuild by changing the terms of the U.S. embargo. The United States could exempt agricultural machinery, heavy equipment and construction materials via a simple federal register notice establishing new exceptions to the Cuba sanctions program. The United States could also authorize direct U.S. banking services with Cuba, which are currently prohibited, in order to facilitate these sales.

Second, loosen travel restrictions. Immediate repeal of the restrictions on travel and people-to-people exchanges would be a welcome step. Complete repeal of travel restrictions would allow U.S. citizens — including American business executives and entrepreneurs — to get to know the Cuban people and the Cuban market. (Repeal would also take a burden off of the Treasury and Homeland Security Departments, which could redirect the resources that currently go to administer and enforce prohibitions on travel by American citizens, to investigating more urgent threats like al-Qaeda and Iran.) Since repeal of the travel ban would likely require an Act of Congress, the President should enlist the help of key members, including chairs of the relevant committees and House and Senate leadership. The White House should work with American business organizations and mod-

erate Cuban-American groups to make a strong case for repeal. Dialogue with Congress and action on the travel ban could pave the way for a broader discussion about the bilateral relationship.

Allowing Americans to visit Cuba freely by ending the travel ban would also be a boon for U.S. businesses. One report, sponsored by the Freedom to Travel campaign, predicted that an end to the travel

One report, sponsored by the Freedom to Travel campaign, predicted that an end to the travel ban could increase U.S. economic output by more than \$1 billion and could create tens of thousands of new jobs in the U.S. tourism industry.

ban could increase U.S. economic output by more than \$1 billion and could create tens of thousands of new jobs in the U.S. tourism industry.⁶ U.S. consumer product companies would also benefit from an end to travel restrictions as demand by American tourists in Cuba for familiar products like toothpaste and soda would increase. And, according to a study by the U.S. International Trade Commission in 2007, overall farm sales could increase by more than \$300 million per year if travel and trade restrictions are lifted.⁷

Third, address legislative impediments to normal commercial relations. In particular, the United States should resolve a longstanding trade dispute with Cuba that targets one of the island's best known brands, Havana Club rum. Congress passed a special interest provision in the dead of night in 1998 known as "Section 211" (named after the section of the appropriations bill to which it was attached). The provision interferes with the renewal of the Havana Club trademark in the United States. It has been found to violate U.S. trade commitments and exposes the trademarks of hundreds of American businesses to the prospect of discrimination and retaliation by Cuba and other foreign governments. Section 211 is fundamentally at odds with the interests of the U.S. government and American companies in protecting intellectual property abroad. It is also a serious stumbling block to a better relationship. While Congress should consider repealing Section 211 in its entirety, the Obama administration could issue a

license that would allow the Havana Club mark to be renewed in the United States, and would demonstrate the U.S. commitment to intellectual property protection and a new relationship with Cuba.

Other important legislative initiatives, including the Cuban Liberty and Democratic Solidarity Act (otherwise known as Helms-Burton), the Cuban Adjustment Act, and the Cuban Democracy Act will also need to be addressed. In particular, repeal of Helms-Burton could have an important symbolic effect on the relationship with Cuba and U.S. allies.

Fourth, encourage greater U.S. private sector engagement with Cuba. The United States should support the establishment of a regular dialogue between Cuban economic officials and American businesses. Facilitating sector-specific briefings — even in the face of continued trade restrictions — would establish important new channels of communication. The United Kingdom provides an excellent model for this type of interaction through a public-private partnership known as the Cuba Initiative. The Initiative was founded in 1994 at the request of the Cuban and British governments. The group facilitates meetings between British businesses and Cuban ministers in the United Kingdom, which has in the past led to opportunities for “chance” meetings with U.K. government officials. The administration should license and facilitate these activities and encourage the American business community to maintain lines of communication with Cuba.

Fifth, engage the Cuban government through principled diplomacy. American diplomats should engage frequently through already established channels to deal with illegal narcotics, migration and military issues. Reinvigorating dialogue through these regular, low-level channels would set the stage for higher level discussions. Even if breakthroughs are not possible immediately, re-establishing regular channels of communication will make gradual improvement more likely down the road. Although the Cuban government may be reluctant to embrace sweeping efforts to change its relationship with the United States, the President should attempt to advance America's interests and values through direct diplomacy.

Sixth, reevaluate Cuba's inclusion on the State Department's list of "State Sponsors of Terrorism." As with other countries, Cuba's place on the list may be negotiated in the context of other issues. (North Korea was taken off the list because of its cooperation on its nuclear program, not for lessening support for acts of terrorism.) Cuba should be removed from the list, assuming that U.S. intelligence information supports it, although such a move is likely to happen only in the context of improved bilateral relations.

It is time for a new strategy that recognizes the utility of engaging Cuba instead of continuing the counterproductive policies of isolation. Even incremental steps to loosen travel and trade restrictions would be positive. Dismantling the policies that prohibit trade and investment could benefit American businesses and workers, who are looking overseas for new growth. American economic engagement also provides a larger opportunity to export ideas, values and standards as well and would also send a signal to the Cuban people that the United States wants to help rebuild.

Cuba's government may not react quickly or favorably at the outset to relaxation of U.S. economic constraints. After initially rejecting U.S. food sales, Fidel Castro eventually was forced to change course in the wake of Hurricane Michelle in 2001. "Process in Cuba is slow," a former British diplomat told me, "There is a huge depth of suspicion about everything."

Although Havana may not be in a rush to engage vigorously with U.S. business, the quality and proximity of America's goods and technology may change the calculus for Raúl Castro. Castro is already giving more control over land and crop production to farmers in the agriculture sector. Recovery and economic reform appear to be high priorities for Cuba's president, and U.S. businesses may factor into his calculations.

Engaging Cuba through trade and travel would be an easy way for the administration to signal a new approach to foreign policy. Former Assistant Secretary of State for Western Hemisphere Affairs Peter Romero told me, "The administration needs to have an early win."

Romero, who was a key player in the Clinton administration's second term efforts to increase people-to-people exchanges to Cuba, said the United States has been on a losing streak for so long, something that "breaks the paradigm and shows bold strokes would have an enormous impact." He added, "I think you can do that with Cuba."

I think so too. Engaging Cuba is an easy way to send the message that change has arrived in American foreign policy.

6

The U.S., Cuba Sanctions, and the Potential for Energy Trade

Amy Myers Jaffe and Ronald Soligo

Given the recent political transition in Cuba and the change in administration in the United States, it is an ideal time to reevaluate U.S.-Cuba policy. Relations between the United States and Cuba have been frozen for almost fifty years.

During the Cold War, when Cuba was allied with the Soviet Union, a principled U.S. sanctions approach toward Cuba may have made sense. But with the end of the Soviet Union almost twenty years ago, the usefulness of our sanctions needs to be reassessed.

Sanctions have failed to dislodge the Castro government or prompt a reversal in Cuba's social and economic policies. Indeed, the U.S. embargo may have unintentionally fostered the continuation of the current regime by providing an external villain for the failure of the Cuban government to improve their public's standard of living.

U.S. sanctions have contributed to a stunting of Cuba's economic development, but it is unclear what value they have to the United States, or to its Cuban émigrés living mostly in Florida. U.S. policy has had little or no affect on the return of property or payment of reparations by Cuba's government to exiles or investors whose property was nationalized in the early days of the Revolution.

Despite having had little visible return for the U.S., the sanctions have real costs — not only humanitarian costs to the Cuban people, but also to the United States. One less publicized area where sanctions impact the U.S. is in regional energy development and trade.

Cuba, only ninety miles from our shores, has the potential to be an important supplier of oil, gas and ethanol. Increasing energy trade with Cuba would contribute to U.S. energy security, and could have geopolitical benefits. It would create a competitive counterpressure to the “export-oriented” populist agenda of Venezuelan leader Hugo Chávez, and Venezuela’s efforts to strengthen its regional presence through visible aid to Cuba. U.S. energy trade would also limit the attractiveness to Cuba of Russia — which appears to be shifting toward a more assertive foreign policy — and of China, with its increasing presence in Latin America and investment in Cuba’s energy sector.

Cuba is potentially well-endowed with reserves of oil and natural gas. The U.S. Geological Survey (USGS) has estimated that Cuba has “undiscovered” reserves of 4.6 billion to 9.3 billion barrels of conventional oil and 9.8 to 21.8 trillion cubic feet of gas in the North Cuba basin.¹ Cubapetroleo, the Cuban state oil company, claims the country has 20 billion barrels of recoverable oil in its offshore waters, saying the higher estimate is based on new and better information about Cuba’s geology than the U.S. government has.² Repsol-YPF, a Spanish firm, leading a consortium of other companies, has already drilled test wells — encouraged by an earlier oil find in Cuban waters. In July 2004, Repsol identified five “high quality” fields in the deep water of the Florida Straights twenty miles northeast of Havana. Cuba has offered fifty-nine new exploration blocks in the area for foreign participation. Repsol, India’s Oil and Natural Gas Corp., and Norway’s StatoilHydro are among the companies that are seeking exploration acreage in Cuba.³ Contrary to rumors circulated in the United States, Chinese oil firms do not currently control any offshore exploration acreage in Cuba,⁴ but have expressed interest. Cuba’s government says several more offshore wells could be started by 2010. Cuba hopes new exploration activity will help it raise its energy production

from 65,000 barrels per day (b/d) of oil and 3.45 million cubic meters a day of natural gas to 100,000 b/d of oil equivalent.

According to Jorge Piñon of Florida International University, Cuba could be producing as much as 525,000 b/d of oil once development of these resources is underway,⁵ much of which could be exported to the United States were sanctions to be eased.

Cuba's pursuit of deepwater oil and natural gas resources is complicated by the ban on U.S. firms and patented U.S. technology to be used in Cuba's energy development. Although U.S.-patented technologies or equipment cannot be used, recently, other companies such as Brazil's Petrobras and Statoil have their own comparable technologies and are willing to invest in Cuba.

Current constraints to oil exploration and development in Cuba are related to the scarcity of drilling rigs and other equipment as well as experienced labor. Much of the capacity to build platforms and other drilling equipment as well as the cadre of geologists and skilled blue-collar workers atrophied during the relatively low oil prices in the 1990s and especially in the late 1990s as prices collapsed to \$10/barrel. In response to high oil prices, the pace of exploration and development accelerated and the costs of drilling soared.

In the case of natural gas, the benefits of a successful Cuban offshore sector to the U.S. are many, given Havana's proximity to Florida markets. If a significant level of natural gas could be made available from Cuban waters by pipeline into Florida, the Cuban supply would enhance competition in the Florida market and lower average prices paid by Floridians. The economic costs for Cuban natural gas sup-

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plies aren't likely to be all that different from natural gas from Texas and Alabama. Drilling and other finding costs will likely be similar to deepwater plays along the U.S. Gulf of Mexico, and could even be lower if Cuba offers more attractive fiscal and royalty terms. Pipeline costs to Florida are likely to be similar to those for existing pipeline infrastructure from the natural gas trading hub and storage area at Henry Hub in Louisiana. While Florida is the natural market for Cuban gas, simulations of the world gas model at Rice University indicate that Cuba's gas could also be transported to Mexico on a commercial basis if our sanctions continue to block the Florida option.⁶

In addition to being a producer and exporter of oil and natural gas, Cuba's geographic position near expanding markets in the United States and Mexico would make it an interesting *entrepôt* for energy project development. Were U.S. restrictions lifted, Cuba would be an ideal location for energy trading in refined oil products, natural gas processing and distribution facilities and crude oil storage for shipments to the United States or Mexico. Several Caribbean islands already play this transshipment role. With domestic U.S. refining close to capacity, high U.S. oil demand, and environmental restrictions making construction of new U.S. domestic facilities unlikely, Caribbean refining and transshipment ventures are a promising option to meet future U.S. refined products demand.

The United States also has an increasing need for ethanol as a gasoline additive and supplemental fuel. The U.S. Energy Bill of 2005 required 7.5 billion gallons of renewable fuel to be produced annually in the United States by 2012. The Energy Independence and Security Act of 2007 increased the Renewable Fuels Standard (RFS) to require 9 billion gallons of renewable fuels to be consumed annually by 2008, and progressively increased to a 36-billion gallon renewable fuels annual target by 2022 (of which 16 billion is slated to come from cellulosic ethanol). Imported ethanol, which totaled only 450 million gallons in 2007, can play an increasing role in meeting these targets.

Cuba could become a major regional ethanol producer — potentially producing up to 2 billion gallons a year for possible export,

making Cuba one of the largest ethanol exporters in the region, second only to Brazil.

Cuban ethanol, because it would be based on sugarcane, has an energy output/input ratio that is at least four times that of U.S. corn-based ethanol. In part this is because corn is a starch that must be converted into sugar before being converted into ethanol. Sugarcane-based ethanol omits this first energy-using stage. However, Cuba's industry is thwarted by the current state of Cuban agriculture, as well as Cuba's lack of access to the growing U.S. ethanol market.

Throughout most of the twentieth century, Cuba was a major sugar producer and exporter to the U.S. before the Cuban Revolution, and to the Soviet Union in the 1970s and 1980s. However, after the collapse of the Soviet Union, Cuba's sugar economy went into retreat. Sugar production, which reached 8.1 million tons in 1988, fell to 1.2 million tons in 2007. Sugarcane harvested acreage fell from 1.45 million hectares (approximately 3.6 million acres) in 1991 and 1992 to only 400,000 in 2007, and sugarcane yields fell from 60 to 50 tons per hectare in the 1970s and 1980s to only 28 tons in 2007.⁷ Sugar mills have been closed and large numbers of sugar workers have been retrained and moved off the land.

The land itself has been neglected and much of it has suffered from compaction by the use of heavy Soviet build harvesting machinery. For the land to be tilled and newly planted with sugarcane, much of Cuba's worn-out harvesting machinery will have to be replaced. Many sugar mills that remain have not been maintained. Cuba would have to undertake significant investments in distilleries and transport, storage and distribution infrastructure if it is to produce substantial levels of ethanol. Investment costs for the bio-refineries alone will come to billions of dollars.

There are also questions of how much land could be devoted to sugarcane. Cuba currently promotes greater land use for food production. During the period 1970 to 1990, the average area harvested was 1.3 million hectares. Some of the land that has been idled since the decline of the sugar industry has been converted to food crops to

reduce food imports. Other land is earmarked for forest development, and there have been recent discussions of investing in soybeans. However, given that Cuba has had a traditional comparative advantage in the production of sugar, the diversion of land to other uses may reflect the effects of economic sanctions that tend to encourage autarky where possible and of necessity, export markets other than the U.S. With the removal of our sanctions, Cuba would be free to rediscover its comparative advantage and the pressure to be self-sufficient in food production would ease. Thus, some of the acreage diverted to other uses could come back to sugarcane cultivation.

Cuba need not go back to the 1.45 million hectare harvest it last had in 1992 to produce 2 billion gallons of ethanol a year. Agricultural productivity is continually improving as new plant varieties or new cultivation practices are developed through research and innovation. Cuba could attain sugarcane and distillery yields comparable to those currently being achieved in Nicaragua and Brazil where growers have been getting agricultural yields of 75 to 80 tons of sugarcane per hectare and distillery yields of 70 to 80 liters of ethanol per ton. (In the Center-South region of Brazil, yields of 84 tons per hectare and 82 liters per ton of cane — 6,888 liters per hectare — have been achieved.)⁸ If these yields were reached in Cuba, ethanol production could produce 2 billion gallons per year using only 1.1 million hectares of land. Even at a more conservative 75 tons per hectare and 75 liters per ton (5,625 liters per hectare), Cuba would need only 1.33 million hectares to produce 2 billion gallons of ethanol.

These production targets are ambitious and cannot be attained in a short period of time. Moreover, the use of sugarcane to produce ethanol for transportation is controversial in Cuba. Former President Fidel Castro has been sharply critical of U.S. policy of using corn-based ethanol for cars, arguing that it would drive up food prices and contribute to world hunger. However, in editorials credited to Castro and repeatedly read on Cuban state radio and television, a distinction has been made between the cane ethanol Cuba produces and the corn-based ethanol manufactured in the United States.⁹ Also, as the

commercial opportunities for ethanol sales have expanded, support has emerged in Cuba for increasing ethanol production. A member of the Cuban Academy of Sciences, Conrado Moreno, indicated at a renewable energy conference that there are plans to upgrade eleven of the seventeen Cuban bio-refineries to produce as much as 47 million gallons of ethanol per year.¹⁰ The Cuban bio-refineries currently produce alcohol for use in rum and other spirits, as well as medications and cooking fuel.

Additionally, Cuba has opened the door to foreign investment in the ethanol sector and Brazil has expressed interest in sharing its expertise in order to promote the development of an active and liquid ethanol market. There are also indications that Havana is considering opening access to Cuban land to foreign companies. With flexible policies and ideally a tariff-free access to the U.S. market, Cuba would have no difficulty finding the foreign investment needed to finance the rapid development of an ethanol industry.

Currently, Cuba represents an important and potentially growing market for U.S. agricultural goods. The U.S. Congress has since 2000 permitted agricultural products to be exported to Cuba for payment in cash. In 2007, U.S. companies exported \$437 million in food and agricultural products to Cuba.¹¹ If the U.S. in turn lifted sanctions on imports from Cuba, and bought Cuban ethanol, Cuba could use its comparative advantage in producing highly profitable sugarcane-based ethanol instead of other foods, which would be more gainfully purchased from abroad — including more from us.

Being relatively more labor-intensive than the more capital-intensive oil and gas sector, a developed ethanol industry would create employment and put more income into the hands of ordinary Cubans. However modestly, the Cuban leadership now under Raúl Castro has opened the door to some economic reform, such as permitting individuals to own certain consumer goods, modifying the policy of equality of pay by permitting wage differentials based on productivity, and lifting restrictions on private farming. If the Cuban initiatives to encourage private and collective farming are fully implemented, the

effect on incomes would be even stronger. Extended reforms would be in line with the longer term U.S. goal of political liberalization in Cuba.

The U.S. facilitating Cuban cultivation of sugarcane would also likely be easier to justify in our political arena than lifting U.S. restrictions on investment in Cuba's nascent oil and natural gas sectors. Loud and forceful U.S. voices oppose any policy that appears to strengthen Cuba's government. Unlike agricultural-based business which is more dispersed, oil and natural gas revenues accrue directly to the Cuban government treasury. Still, an easing of restrictions on Cuban oil and gas should be considered, as it would benefit the U.S., an energy consuming nation, and give America more say on environmental practices in U.S.-Cuban border areas that might become open to drilling.

Developing Cuban ethanol will provide the growing quantity of ethanol that current U.S. mandates require at a place close to U.S. markets. Allowing Cuba into the hemispheric network of energy trade would likely reduce the geopolitical influence of Venezuela, as well as reduce the need for Cuba to seek distant trade partners such as Russia and China — thereby preventing them from using Cuba to get a stronger foothold in the U.S. backyard.

Perhaps most importantly, a more privatized ethanol industry that would add jobs for the Cuban people and create an opening for U.S. business participation can possibly promote the economic and political reforms in Cuba that our frozen sanctions policy has for fifty years been unable to do.

7

Avenues of Potential Cooperation Between the U.S. and Cuba on Hurricane Preparedness and Disaster Management

Ivor van Heerden

It is finally time for the United States and Cuba to end their fifty years of mutual hostility and confront a serious mutual threat: Atlantic tropical cyclones. This young century has already borne witness to some of the worst storms in U.S. and Cuban recorded histories. These storms don't respect boundaries and aren't restrained by politics.

Take Hurricane Ike in September 2008. The swath of destruction caused to both countries by this one monster storm is at least \$7 billion¹ in damages to Cuba and \$15 billion to Texas.² Other American states were also walloped. The hurricane is considered the third costliest in U.S. history,³ and — coupled with Hurricane Gustav a few days earlier — the most devastating ever to hit Cuba.⁴

The trend, of course, won't peak with Ike. As global warming continues, each season will see similar ferocious storms rip into nations that lie in their paths.

Exchanging information on hurricanes is one of the few areas where the U.S. and Cuba actually do talk to each other. The U.S. and Cuba for years have enjoyed a very good working relationship, sharing meteorological data⁵ between the U.S. National Hurricane Center (NHC) and Cuba's Instituto de Meteorología and Centro Nacional de

Prognósticos. Hurricane hunters based in the U.S. regularly cross Cuba's air space with its government's permission. But a foreign policy that allows for the exchange of useful knowledge and transfer of technologies could significantly increase the benefit to both the U.S. and Cuba in dealing with these storms.

Each nation has a lot to offer in emergency preparedness techniques and management experience. NHC's web pages, for example, are invaluable. They display the latest predictions as to track, size, and intensity of a particular storm and update every few hours. The data is based on the latest science and technology available from the U.S., Canada and the U.K., and is the result of one hundred years of progress.

In 1900, a hurricane stormed along the length of Cuba's island, entered the Gulf of Mexico and headed northwest toward Texas. Cuba's hurricane researchers, fostered in the local Jesuit community's tradition of excellence, monitored this hurricane and predicted its track into the Gulf while American forecasters insisted the hurricane was 150 miles northeast of Key West, and headed for the Atlantic Seaboard. U.S. forecasters warned fishermen in *New Jersey* to stay in port, but the storm struck Galveston, Texas, flattening that beach resort and port and killing at least 8,000 people: the deadliest storm tragedy in U.S. history.⁶

Even before Castro, U.S. forecasters did not respect the Cuban team, but their ignorance also reflected the state of hurricane forecasting at the time.⁷ If a storm didn't leave a trail of firsthand reports and actual destruction while crossing the islands of the Caribbean or the Bahamas, forecasters had no way of tracking whether it even existed.

This shortage of reliable information improved dramatically over the next century with the introduction of maritime radio, reconnaissance aircraft, radar, satellite images of remote tropical areas and geostationary satellites to beam them every 30 minutes.

Today, we measure or estimate air pressure, temperature, humidity, and wind speed throughout a storm and the surrounding atmosphere. Forecasters now have very good clues about a storm's destination and numerical prediction models to make reasonable determinations of storm surges.⁸

NHC's abilities have been aided by ongoing research at universities and governmental agencies contributing to the many global and tropical weather models to predict tracks and intensities of storms, such as the "spaghetti track plots" commonly seen on television news when a storm threatens the U.S.

The NHC's famous "projection cone" grows larger in width as the distance (and time) from the storm center increases. It is an excellent visual depiction of the range of error in the prediction. Introduced in the mid-1990s, the cone has become narrower and narrower, as the forecasts have become more accurate and confident.

All of these models depend on ground measurements, atmospheric column sampling (via weather balloon, aircraft dropsondes and satellite data). The better the data and the denser the sampling net, the more enhanced the product.

Cuba's island is 725 miles long, with an east-west orientation across the southern boundary of the Gulf of Mexico, separating that body of water from the Caribbean Sea. Given its meteorologically strategic location, to build up and be privy to critical scientific contributions from its neighbor would indisputably be in the national interest of the United States.

The warm Loop Current entering from the Caribbean Sea is one of the heat engines that makes hurricanes intensify once they enter the Gulf. Were Cuba to maintain oceanographic and weather data buoys in the Yucatán Channel between Mexico and Cuba, their data would prove invaluable. Knowing more about a storm's 3-D structure would aid our understanding of air-sea interactions and benefit hurricane scientists and prediction modelers infinitely. Unfortunately, such participation by Cuba is beyond their technological capability and the U.S.-imposed embargo forbids our supplying the necessary equipment.

Cuba does have several weather stations, but the embargo hinders them from upgrading or building more. Cuba relies on the European Union and other countries (principally China) for equipment and parts. American-made weather stations, Doppler radar systems and

other equipment would be more reliable and could be supplied at a better cost resulting in more and better meteorological data to improve U.S. hurricane prediction ability.

While tropical cyclone tracking is a very important part of disaster management, it's only one facet. Cooperation with Cuba in other hurricane response activities is nearly non-existent.

Consider this astounding contrast: More than 1,600 Americans died during Hurricane Katrina in 2005, and the U.S. death toll from Hurricane Ike in 2008 could exceed one hundred. Cuba's death rate from storms over this same period was about three persons per year; its loss of life due to Ike was comparatively minimal compared to losses in the U.S. Only seven Cubans died from Ike.

Although monetary costs from storms devastate and demoralize — human lives also hang in the balance. The saving of lives is of paramount importance in disaster management. Consider this astounding contrast: More than 1,600 Americans died during Hurricane Katrina in 2005, and the U.S. death toll from Hurricane Ike in 2008 could exceed one hundred. Cuba's death rate from storms over this same period was about three persons per year; its loss of life due to Ike was comparatively minimal compared to losses in the U.S. Only seven Cubans died from Ike.⁹

This difference in death rates between the so-called "third world country" and the United States is striking. Cuba has better evacuation plans, superior post disaster

medical support, and more advanced citizen disaster preparedness education programs. Their strengths point to a host of potential pathways for future cooperation with the U.S. While there are distinct cultural differences between the U.S. and Cuba, with so much at stake, a free-flowing exchange of ideas could allow both sides to learn from each other.

Although Cuba is less densely populated than the U.S., the main reason for Cuba's extraordinary survival record is the high priority Cubans place on saving lives and thus planning evacuations. The

Cuban evacuation process starts at the local community level, where suburban or subdivision "block captains," who are paid by the government, go from house to house to determine everyone's needs. All Cubans know that if they evacuate, their medical needs will be met. Medicines are free and stockpiled before an emergency. The local block captains have an inventory of medical needs. This information is supplied to authorities before each storm.

Recent research from the Louisiana State University Hurricane Center¹⁰ has shown that about half the 1,600 people who died during Katrina succumbed because the failed response included a lack of access to important medicines. Duplicating the block captain approach should be doable in the U.S. If Cuban scientists and emergency managers were free to travel to the U.S. to meet with their U.S. counterparts, they could provide instruction and advice on these measures.

During hurricane season, the average Cuban citizen has impressive knowledge about hurricane impacts and what to do during an evacuation. The dissemination of knowledge comes through disaster awareness education programs that start in primary school and continue through adulthood. Since the devastating Hurricane Flora in 1963, Cubans have perfected an education program that discourages panic in the population and abates undue fear in small children, while providing a fundamental understanding of hurricanes and their impact from an early age. While evacuations are sometimes mandatory in Cuba, even when Cubans have the option to, very few stay in harm's way.

Research has shown that one way to educate adults is by teaching their children. The U.S. could benefit enormously by adapting this system that works so well. At a recent meeting in Gulfport, Mississippi, organized by the Center for International Policy, emergency managers from the U.S. who had recently toured Cuba all came to the same conclusion: We need to duplicate Cuba's disaster preparedness education system here at home.¹¹

During Hurricane Ike, Cuban disaster officials evacuated 2 million persons. U.S. scientists and emergency managers could benefit

enormously observing a Cuban storm evacuation in real time. The U.S. has never achieved this level of success. Images of those stranded at the New Orleans Superdome during Hurricane Katrina are forever etched in American minds. Huge traffic snarl-ups occurred in Texas when Hurricane Rita threatened the greater Houston area in 2005 and nearly 100 people died,¹² from a failed process that left thousands stranded on the interstate without food, water, fuel and medical support for hours.

Although we've made some progress in improving evacuations — using both lanes of an interstate (contraflow), upgrading interstate intersections and staging coastal withdrawals — we've got a long way to go. Poor, elderly, and infirm people stay under duress while others willingly choose to stay behind, despite information and warnings on American TV and radio. Death is an inevitable outcome.

While the current sanctions allow scientific visits to Cuba under certain circumstances, they are hampered by an onerous licensing process under the auspices of the U.S. Treasury Department. The rules that restrict scientists — and Americans in general — from traveling to Cuba must be lifted. They are impeding the free flow of ideas that could benefit both countries in emergency management. No matter how much our government may decry the Cuban regime, it is a fact that they are very successful in orchestrating evacuations and meeting the public health and medical needs of their population during disasters.

An exchange of ideas always benefits those involved. We have a rapidly growing Spanish speaking immigrant population — many of whom are drawn to coastal cities such as New Orleans. To lift travel restrictions and encourage two-way dialogue will improve the well-being of both populations. In this day of high speed digital data transfer, U.S.-Cuban cooperation could be well-developed, but collaboration has been hindered by the myopic view of mostly U.S. administrators and politicians.

The past fifty years of U.S. policy of shunning and demonizing the Cuban regime and its people has not brought about significant political change in Cuba. However, open dialogue, freedom to travel and

lifting technology bans could better achieve U.S. government goals. U.S.-Cuban cooperation could lead to saving more lives from hurricane threats. Our Cuba policy is endangering millions of Americans. We need to change it. We should cooperate more closely on all aspects of disaster management. And the time to do so — to confront this mutual threat together — is now.

8

Academic Exchanges Between the U.S. and Cuba

Franklin W. Knight

A distressing instrument of United States policy toward Cuba, especially over the last decade, has been the imposition of increasingly stringent limits on academic exchange. No truly democratic society restricts the free flow and exchange of ideas, or subjects academic relationships to overt political or foreign policy considerations, yet this has been the paradoxical consequence of our strategy.

The near ban on academic exchange has both practical and existential costs. As the essays in this report argue, in areas as diverse as public health, biotechnology, general education, mass mobilization against natural disasters, and environmental conservation, thwarting meaningful dialogue denies our country the fruits of meaningful cooperation. Perhaps more importantly, we cut ourselves off from history and a better understanding of what makes us who we are and what we hope to be.

Reenergizing academic exchange must become an element of a new U.S.-Cuba policy.

Our history with Cuba precedes Castro's Revolution by more than 400 years. The United States and Cuba had close but complex links long before either became independent political entities.

Juan Ponce de Leon, who established the European presence in Florida, died in Cuba in 1521. For centuries, geography and maritime necessities made Cuba an extremely important location in transatlantic navigation and commerce. Cuba was an important ally and invaluable supplier of coffee, sugar, leather goods, munitions and alcohol to the revolutionary forces in the British North American wars for independence between 1776 and 1783.¹ The number of ships sailing annually between Havana and the colonies increased from four to 368 between 1766 and 1782.²

Acquisition of Louisiana from France in 1803 and Florida from Spain in 1819 brought the frontiers of the United States and Cuba within ninety miles of each other.³

John Quincy Adams reflected the growing obsession the United States held for Cuba, when he wrote in 1823: "Cuba, almost within sight of our shores, from a multitude of considerations, has become an object of transcendent importance to the political and commercial interests of our Union."⁴

By 1850, the United States eclipsed England and Spain as the principal trading partner of Cuba. Strong sentiments for annexation developed both in Cuba and the U.S. throughout the century and would fuel the destructive Cuban-Spanish-North American war of 1895-1898.⁵

Having inserted itself into the Cuban war of independence, the United States admitted a moral responsibility for guiding the new state. In his third annual address to the Congress on December 5, 1899, President William McKinley emphatically outlined the position:

The new Cuba yet to arise from the ashes of the past must needs be bound to us by ties of singular intimacy and strength if its enduring welfare is to be assured. Whether those ties shall be organic or conventional, the destinies of Cuba are in some rightful form and manner irrevocably linked with our own, but how and how far is for the future to determine in the ripeness of events. Whatever be the outcome, we must see to it that free Cuba be a reality, not a name, a

perfect entity, not a hasty experiment bearing within itself the elements of failure.⁶

Under the hegemonial control of the United States, between 1902 and 1959, Cuban freedom became less a reality than a name. That changed drastically with the Revolution of 1959. In January 1961, the United States unilaterally broke diplomatic relations with Cuba, prohibiting citizens from traveling to the island, and rupturing academic exchange that was an integral dimension of relations between the two countries.

The domestic policies of the Cuban Revolution in the 1960s, however, exercised a magnetic attraction to scholars and scientists around the world. Cubans were making extraordinary strides in medicine, the natural sciences, education and aspects of industrial technology. A wide range of international journalists and scholars from political science, economics, history, sociology, music, botany, literature, filmmaking and the dramatic and performing arts traveled to Cuba to study, research, and exchange ideas and techniques. The high interest generated formal programs of study at think tanks and colleges in both Cuba and the U.S., despite irregular political intervention from both sides.

In the United States, the formation under the auspices of several foundations and the federal government of the Latin American Studies Association (LASA) in 1965 reflected broadening academic interest. Cuba created an Institute of History within the Academy of Sciences and in 1972 established a program of study focused on the United States.⁷ Major U.S. universities highlighted their emphasis on Cuba in Latin studies programs. Cuba's exile community — mostly out of Miami — republished several classical studies on Cuban history, literature and culture. The University of Pittsburgh established the journal *Boletín de Estudios sobre Cuba/Cuban Studies Newsletter* in 1970[†] and the Library of Congress held a conference regarding

[†] In January 1970, the University of Pittsburgh started an occasional publication series with the reprint of Carmelo Mesa Lago's *Availability and Reliability of Statistics in Socialist Cuba*, previously published the year before in the *Latin American Research Review*, V. 4, No. 1 (Spring, 1969); and No. 2 (Summer, 1969).

Cuban acquisitions and bibliography.[†] Starting in the 1970s, formal and informal travel and communications between the United States and Cuba increased noticeably, but fluctuated unpredictably under successive U.S. presidents. In the early 1970s, the Nixon administration loosened the general restrictions on travel to Cuba in response to a ruling of the Supreme Court invalidating a requirement that U.S. passports be specifically endorsed for travel to Cuba. The Center for Cuban Studies in New York organized regular study trips for North Americans to Cuba. In 1974 and early 1975, journalists Frank Mankiewicz, Kirby Jones, and Saul Landau made three trips to Cuba and interviewed Fidel Castro for a series of television programs aired in the United States.⁸

Beginning in 1977, the Carter administration brought together growing parallel interests when the United States and Cuba opened Interests Sections in Havana and Washington. Encouraged by the State Department, a committee of scholars from Johns Hopkins, Yale and Lehman College invited several Cuban counterparts to the United States. This represented the first formal academic conference hosting Cuban scholars held in the U.S. since the Revolution. Soon LASA, Johns Hopkins, the University of Pittsburgh, the University of North Carolina at Chapel Hill, and the University of Arizona participated in graduate and faculty level academic exchanges with Cuba. Cuban representation at LASA congresses was mostly unimpeded until the Bush administration in 2004.

Gradually, the Ford Foundation and other philanthropic foundations lent their support to research projects relevant to academics in Cuba and the U.S. Conferences involving Cuban scholars were sometimes held in third countries to bypass erratic visa restrictions by the U.S. Department of State.

In November 1995, the departments of history at Johns Hopkins University and the University of Havana agreed to conduct joint

[†] This resulted in the publication by Earl J. Pariseau, ed., *Cuban Acquisitions and Bibliography: Proceedings and Working Papers of an International Congress Held at the Library of Congress* (Library of Congress, 1970).

research on Caribbean economic development and national identity and its basic cultural manifestations.[†] Johns Hopkins continued organizing international conferences involving Cuban participants through the decade. Other universities also convened conferences and conducted long-term research programs in Cuba.

At first, the Cuban government accepted the academic expansion enthusiastically. But toward the end of the 1990s, they became concerned about the impact of binational programs, especially those addressing Cuban domestic politics. Certain Cuban organizations such as the Institute for Higher International Relations (ISRI) came under closer domestic scrutiny. Exit visas for Cuban scholars became harder to obtain.

At the same time, academic exchange fell victim to domestic political concerns in the U.S. The first Bush administration had increased the obstacles for academic exchange with Cuba by inhibiting travel by North American scholars, and reduced significantly the number of visas issued Cuban scholars invited to the United States while extending their waiting periods.

The increasingly close linkage between domestic policy concerns and Cuban academic exchange has undermined many potentially useful educational programs in the United States. Although U.S. Senator William J. Fulbright once said, "if large numbers of people know and understand the people from nations other than their own, they might develop a capacity for empathy, distaste for killing other men, and an inclination to peace," the J. William Fulbright Educational Exchange Program, funded by the U.S. Department of State, decided not to pursue a Fulbright program with Cuba.⁹ Fulbright exchanges have never included Cuban students or academics, or provided funding for U.S. academics to work or study in Cuba.¹⁰

In the 1980s, the United States began to tie academic exchange to foreign policy initiatives aimed at isolating Cuba and undermining its

[†] The document was signed by Professor Franklin W. Knight of Johns Hopkins, Dr. Alberto Prieto of the Grupo Interdisciplinario para América Latina, el Caribe y Cuba (CIPALC), and Dr. Juan Triana of the Centro de Estudios de la Economía Cubana (CEAC) on November 8, 1995.

government. In 1985, President Reagan restricted entry by Cuban government employees and prohibited the visit of an entire delegation of scholars invited to a LASA meeting in New Mexico. Invitations of Cuban scholars to later LASA meetings became a matter of prolonged negotiations, often with uncertain results.

The Cuban Democracy Act of 1992 signed into law by President George H. W. Bush attempted to initiate political change in Cuba by supporting non-governmental "civil society" associations on the island but again loosened bureaucratic restrictions on research. President Clinton broadened the applications of the Cuban Democracy Act but also exempted a range of activities such as educational and religious activities, news gathering, cultural exchange and human rights activities. By 2000, hundreds of American colleges and universities were licensed to conduct study and research activities in Cuba.

After September 11, 2001, however, academic exchange with Cuba became buffeted by the increased stringency associated with national security concerns. In June 2004, the U.S. Treasury Department's Office of Foreign Assets Control (OFAC), based on recommendations made by the Bush administration's Report of the Commission for Assistance to a Free Cuba, sharply amended the rules for U.S. study programs in Cuba. New procedures restricted or eliminated categories of academic travel such as non-credit courses, intensive study, and travel by high school students to Cuba. License periods were shortened, meaning that universities had to reapply more frequently.

By 2005, a large number of U.S. universities and colleges were forced to terminate their programs. Johns Hopkins had to withdraw because their programs failed to meet the requirement of ten continuous weeks in Cuba, and Butler University, because its programs included students from other colleges. The number of colleges offering study abroad programs in Cuba dropped from several hundred to twelve. The number of U.S. students studying in Cuba dropped from thousands annually to only 140 in 2005-06.¹¹

Cuban scholars' struggles to attend LASA congresses track the effects of these new rules. Despite disruptions during the Reagan

administration and tense relations with prior administrations, Cubans had been generally allowed to participate since 1977. Beginning in March 2003, however, U.S. authorities began to take on a domestic political tone in preventing Cuban scholars from entering, by applying a provision of the Immigration and Nationality Act that prohibits aliens the President “deems would be detrimental to U.S. interests”¹² or citing a near-dormant Reagan era presidential proclamation (5377) barring entry to communists.

In 2003, only about half of the 105 invited Cuban academics were granted visas to attend LASA’s Dallas conference. Just ten days before the 2004 Las Vegas conference, the sixty-five Cubans planning to attend were denied visas, and in 2006, fifty-five Cubans were denied visas for the Puerto Rico conference.¹³ Finally, LASA moved the 2007 Congress from Boston to Montreal, to ensure the participation of a large Cuban delegation.¹⁴ Democratic America had nearly extinguished the exchange with Cuba of academic scholarship and free thoughts.

Proclamation 5377, issued by President Reagan in 1985, prohibiting the entry of employees and officials of the Cuban government or members of the Cuban Communist Party should be immediately rescinded and Cuban academics, analysts and scientists should not be denied visitor visas based on that decree, or Section 212(f) of the Immigration and Nationality Act that classifies aliens ineligible for receiving visas or being admitted to the U.S.

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Rules that restrict U.S. academic institutions from offering study abroad programs in Cuba should end.

The United States government should stay out of curriculum decisions for academic institutions. Accredited institutions should be capable of supervising their programs and conforming to all legal requirements.

Cuban Assets Controls Regulations, as they relate to educational exchanges, should return to pre-2004 openness. The Office of Foreign Assets Control (OFAC) should grant non-discriminatory general licenses for all academic travel without specific license. No regulations should be placed on the duration, content or personnel of any program as long as it is academic in nature.

International Fulbright educational exchange courses and similar programs should include Cuba. The status of diplomatic relations need not prevent Cuba's inclusion in publicly funded educational exchange programs including the Hubert Humphrey Fellowship Program, the International Visitors Program, the Benjamin A. Gilman International Scholarship Program, the Education USA Program and the USIA Office of Citizen Exchanges' professional, cultural, and youth programs.

Finally, Congress should allocate specific funds in future Foreign Relations Authorization Acts for educational exchange with Cuba, directing the Department of State's Bureau of Educational and Cultural Affairs to assist educational exchange with Cuba.

9

The Cuban-American Community: Policy Recommendations for President Obama

Alberto R. Coll

For too many years, the grip of Cuban-American hardliners on U.S. policy toward Cuba has been the chief cause of that policy's rigidity and its catastrophic failure. In the future, however, the Cuban-American community, especially the majority of it which no longer associates itself with hard-line positions on Cuba, could become a vital element of an improved, more creative American policy that actually helps to facilitate a peaceful economic and political opening on the island. Several changes in current American policy could pave the way for this shift.

1. Eliminate restrictions on travel and remittances by Cuban-Americans to the island. In 2004, the Bush administration imposed draconian restrictions on the ability of Cuban-Americans subject to U.S. jurisdiction to travel to Cuba or send money (financial assistance often called "remittances") to their families. The restrictions were justified then as a way to reduce Cuba's foreign exchange earnings and pressure its economy to reform. The advocates of the new tougher sanctions were the three South Florida Republican Cuban-American congressional representatives and a small group of the most recalcitrant anti-Castro organiza-

tions in Miami. They argued that the tightened restrictions would deprive the Cuban government of up to \$500 million a year. The restrictions were opposed as counterproductive not only by the more liberal elements of the Cuban-American community, but even by moderate-conservative Cuban-Americans such as Carlos Saladrigas, Joe Garcia,[†] and some of the leaders of the Cuban-American National Foundation (CANF).[‡]

After four years in place, the restrictions have turned out to be a spectacular failure. As Phil Peters, a Cuba scholar and expert on the island's economy has pointed out, the restrictions did not have the anticipated effect on the Cuban economy. Cuba has more than made up by several times the losses from reduced Cuban-American travel and remittances through increased trade and investment links with Venezuela and China, larger volumes of nickel exports, and growth in its tourism industry.

The essence of the travel restrictions is as follows. The 2004 regulations allow Cuban-Americans to visit only immediate family members, that is, spouses, children, siblings, parents or grandparents. No

[†] Saladrigas is a Cuban-American businessman who founded the influential Cuba Study Group, following what he believed were damaging media portrayals of Florida's exile community as uniform, narrow-minded and uncompromising during the Elián González affair. Saladrigas' group espouses a more moderate, anti-isolationist stance toward Cuba, but one that facilitates change leading to democracy on the island.

Democratic activist Joe Garcia was unsuccessful in his attempt to unseat Republican Rep. Mario Diaz-Balart, brother of Lincoln, in the 2008 election. Garcia is a former executive director of CANF, after that organization took a centrist turn following an exodus of hard-liners in 2001. Garcia argues the embargo hurts the Cuban people, and particularly Cuba's dissidents, more than the Cuban government.

Both Garcia and Saladrigas advocate for sanctions to be relaxed but not entirely lifted. In fact, on December 10, 2008, Saladrigas' Cuba Study Group released a report calling for an end to restrictions on travel and remittances to Cuba for all Americans.

[‡] CANF is usually credited as having been the most influential lobby group responsible for shaping U.S. policy toward Cuba for many years. Its anti-Castro, pro-embargo, isolationist agenda dominated the exile community and U.S. policymakers throughout the 1980s and 1990s. The traditionally bipartisan but hawkish CANF lost traction after the election of George W. Bush in 2000, when hard-line members formed more insular groups with better access to the Bush White House.

other kind of family relation, such as an aunt or uncle, qualifies, much less a friend, no matter how close the ties may be. Moreover, even with regard to qualified family, visits are allowed only for a two-week period once every three years. No exceptions of any kind are granted. This means that in many cases, Cuban-Americans have been unable to visit a dying parent or sibling because they had visited them a year or two earlier, and hence, had to wait for the three-year period to run before being allowed to visit again. With regard to remittances, a maximum of \$300 every three months may be sent, but only to immediate family members as defined above. Again, no exceptions are made, regardless of family emergencies or other special circumstances.

The 2004 restrictions are bad policy on several grounds. First, Cuban-American travel and remittances are economically, socially, and politically beneficial to the long-term goal of promoting a more open Cuban society. Cuban-Americans who travel to the island often give money to family members and friends who have small businesses in Cuba such as family restaurants, repair shops, and home businesses offering services from hair salons to house repairs and construction. In cases this author knows personally, Cuban-American travelers have provided to their relatives and friends books, DVD movies, laptop computers, video cameras, and parts with which to assemble satellite TV dishes; money to start a small business, repair an aging automobile used for taxi runs, and to buy textiles for costumes used in an independent arts company.

The bulk of remittances sent from the United States or carried personally by Cuban-American travelers support small but vital centers of independent economic activity throughout the island. It is an informal but extensive and powerful mechanism for promoting private enterprise and civil society far more effectively than any U.S. government program funded by American taxpayers. Even if the Cuban government wanted to stop the impact of Cuban-American travel and money, it would be hard put to do so, for political and practical reasons. Politically, the Cuban government would not want to be seen as

the obstacle to family reunification or stand in the way of family members providing material assistance to other family members. As a practical matter, Cuba does not have enough security personnel to supervise every single transaction involving money brought into the island or sent there by Cuban-Americans to their friends and relatives. This is not the case with U.S. government-funded programs of assistance to targeted groups of dissident Cubans, which Cuban intelligence routinely penetrates, and which have a far more limited impact because they reach at best a few thousand individuals as opposed to the hundreds of thousands directly affected in a positive way by Cuban-American travel and remittances.

All restrictions on Cuban-American travel and remittances should be eliminated immediately. Cuban-Americans should be allowed to travel to Cuba whenever they wish, and be permitted to send to family and friends as much money as they wish. A Cuban-American should be defined as a person who was born in Cuba, or whose natural father or mother was born in Cuba. Candidate Obama pledged to do this, and the administration can justify the new policy on its obviously compelling humanitarian argument, and its commitment to engaging other countries with the ideas, energy and independent initiative of our people. As a matter of our own national interest and global image, America should not stand in the way of families and friends supporting each other, seeing each other, and spending time with each other. While the most reactionary elements in Miami would object, polling within the Cuban-American community over the past two years — coinciding with the illness and retirement from power of Fidel Castro — has revealed consistently a clear majority in favor of ending travel and remittance restrictions. The Florida International University (FIU) Institute for Public Opinion Research poll of Miami-Dade's Cuban-American community in 2008 found 66 percent of respondents in favor of lifting travel restrictions to Cuba (67 percent favored lifting travel restrictions on *all* Americans); and 65 percent in favor of lifting restrictions on sending money to Cuba. The percentage of young Cuban-Americans in favor of ending these measures was

even higher.¹ There is now, in fact, a clear majority for lifting the embargo entirely.[†] The community is simply not the political obstacle it once was.

Along similar lines, the administration should follow up on this move by ending current restrictions on travel to Cuba by non-Cuban-American U.S. nationals. The same positive effects on Cuban society and the Cuban economy that would flow from ending the ban on travel by Cuban-Americans would be multiplied many times over by allowing all U.S. citizens who wish to do so to travel to Cuba. To the degree that the new administration is committed to a policy that supports reforms in Cuba toward greater openness, pluralism, and economic growth, it should allow all Americans to travel to Cuba, thereby enhancing people-to-people links between both countries. Right now, the ban on travel to Cuba, like the rest of the existing economic sanctions, has the effect, not of isolating the Cuban government from the rest of the world, but rather of isolating the United States from Cuba, without advancing any other positive U.S. objectives. After half a century of failure, it is time to change this policy.

2. All Miami-based U.S. government programs of support for Cuban democracy should be reviewed rigorously with a view to eliminating most of them and reforming the rest. Several U.S. Government Accountability Office (GAO) and U.S. congressional inquiries have revealed a high degree of corruption and inefficiency permeating many of the taxpayer-funded, Miami-based programs through which the U.S. government has worked with the Cuban-American community to help bring down Cuba's government.² This includes programs that are funded by the United States Agency for International Development (USAID), as well as the broadcasting operations of TV

[†] The FIU poll shows a clear majority of Cuban-Americans oppose the U.S. embargo in its entirety: 55 percent — up from 42 percent who opposed the embargo in 2007 — and the first time a majority has opposed it since the poll was first conducted in 1991. In addition, 65 percent of Cuban-Americans age 18–44 oppose the embargo, compared with 32 percent age 65 and older — a significant generational difference in opinion.

and Radio Marti.[†] The effect of these programs in actually promoting political change in Cuba has been nil in some cases and downright negative in others.

Every year, USAID channels millions of dollars to Miami-based organizations for the general purpose of promoting democratic change on the island.[‡] The result has been the growth of a vast network of political and financial patronage that has very little impact on what actually happens on the island. Groups and organizations that supposedly should be aiding dissidents spend most of their funds in Miami itself, often in activities of dubious value. In one celebrated case, taxpayer funds were spent to purchase cashmere sweaters, Nintendo games, and various luxury goods for distribution to dissidents on the island.³ Immense sums are also spent on providing honoraria, consulting fees, and compensation for Miami-based individuals for their supposed work with Cuba which in reality reaches no more than a few hundred Cubans each year. After years of criticism, USAID has still failed to deploy adequate numbers of staff and oversight procedures to police these grants.⁴

USAID also invests American taxpayer funds in programs of academic exchange and information that have no links or direct contact with Cuba, and provide little if any value. There is the case of the University of Nebraska Law School, which received a multi-million dollar grant from the agency to carry out a study on the future res-

[†] USAID is an independent federal agency that receives foreign policy guidance from the U.S. Secretary of State and distributes and oversees most non-military foreign aid.

In 2008, a former White House aide, Felipe Sixto, was charged with theft in connection with USAID's Cuba funds.

The U.S.-government financed Radio Marti was established in 1983; TV Marti six years later. The GAO reports the Martis were created by Congress to function as "surrogate" broadcasters, designed to temporarily replace the local media of Cuba, where a free press does not exist; the congressional charter states the broadcasts must be operated "in a manner not inconsistent with the *broad* foreign policy of the United States." (Emphasis added.) Combined annual funding of the Martis is \$34 million.

[‡] In 2008, the budget for the State Department's Cuba operations was increased to \$45 million from \$13 million in 2007.

olution of Cuban property claims. Not only does the school have no noted expertise on Cuba, but also it has no substantial links of any kind to lawyers, legal scholars or policy-makers in Cuba who undoubtedly would have much to say on Cuba's approach to future property claims. Indeed, the Cuban government refuses access to institutions or researchers engaged in Cuba-related USAID grants, thus creating a situation in which such grants, while profitable for the institutions that accept them, are worthless from the viewpoint of contributing knowledge about the island and its complex problems. Without delay, the Obama administration should order an immediate review of all USAID Cuba programs, with a view to eliminating most of them as ineffective and inefficient.

Equally disturbing has been the performance of TV and Radio Marti over the years. The most scandalous case is that of TV Marti, which the Cuban government successfully jams so that its programs are hardly ever seen by anyone in Cuba. It is an absolute waste of taxpayer dollars and should be shut down immediately. Radio Marti presents a different set of problems. Ever since it was moved to Miami in the early 1990s after intense pressure from some Cuban-American leaders, the station has suffered a progressive deterioration in standards of journalistic integrity, and in the last ten years it has become a veritable nest of political bias, cronyism, incompetence

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and corruption, matched by steadily declining numbers of listeners in Cuba. The station does not provide balanced coverage of news or different viewpoints, and often resembles a Miami version of the one-sidedness rightly criticized by the U.S. government as pervading the Cuban state media.

Past examples of its many shortcomings include delayed coverage of major events that did not gel with the hard-line Miami viewpoint. These included the return by the U.S. government of Cuban child Elián González to his father, and an historic speech by former President Jimmy Carter delivered in Havana in May 2002. Carter's address called for greater respect for human rights, and described the Cuban dissident Varela Project, whose activists advocate for democratic freedoms, but expressed disagreement with U.S. policy toward Cuba, including the embargo. Carter delivered the speech in Spanish and it was carried live and uncensored by Cuban state media. Radio Marti played the speech one day later — after the Voice of America's Spanish service played it. Regular Marti programming has included various shows on "Santería" and soap operas of little value.

It is questionable whether Radio Marti should be allowed to exist. If the administration believes that the U.S. government should continue to devote resources and attention to the broadcast of news and information to Cuba, a case can be made that the Washington-based Voice of America (VOA) would be a much more reliable, credible and objective source of such news and information for the Cuban people than Radio Marti. This goal could be accomplished with some shifting and reformatting of the VOA's current priorities and programs.

The issue is not only one of saving taxpayer dollars. In its current *modus operandi*, Radio Marti detracts from the credibility of the United States, and contributes little to the opening of political or informational space within Cuban society. Its bias, stridency, and unwillingness to accommodate broadly diverse viewpoints detract from the kind of tone that American policy toward Cuba should attempt to set. If, for political reasons, the administration is unwilling to abolish Radio Marti, then at least it should merge it with the VOA, place it directly under the VOA's

management and direction, and insulate it institutionally from the pressures of the hard-line elements of Miami's Cuban-American community so as to improve its objectivity and quality.

3. The Obama administration should project a new policy and a new political tone toward Cuba that includes the promotion of better relations between the Cuban-American community and the island. For a long time, American policy toward Cuba has been unremittingly harsh, hostile and confrontational. While the United States seems to have no problem using economic engagement, dialogue and quiet diplomacy to promote human rights and greater political openness in notably authoritarian countries such as Saudi Arabia, China and Vietnam, its policy toward Cuba is stuck in the single track of incessant political warfare and economic isolation. While dictated by the hard-line elements in the Cuban-American community, this policy also has been a serious obstacle to promoting the kind of constructive efforts at improved relations and long-term reconciliation between the Cuban-American community and the island that will be essential to a more prosperous and pluralistic future in Cuba.

American policy obstructs in several ways. First, it blocks most contacts between Cuban-Americans and the island through its tight restrictions on travel and remittances. Second, it maintains an incessantly hostile rhetoric toward Cuba that serves only to feed the more intransigent elements in the Cuban-American community while ignoring the voices calling for a more reasonable, conciliatory approach. Third, it looks the other way when Cuban-American extremists, such as the well-known Luis Posada Carriles, engage in acts of violence and terrorism against the island, thereby creating the impression that such acts, and the preference for violence over peaceful means which they embody, are acceptable.⁵

As part of a new policy, the United States should encourage dialogue and a wide range of peaceful, constructive interactions between the Cuban-American community and Cuba with the long-term objective of promoting reconciliation among all Cubans. Rather than

encouraging divisiveness and intransigence, as it currently does, American policy should do its best to promote improved, peaceful relations between the Cuban-American community and Cuba. Neither one of the Castro brothers will live forever. The inescapable, long-term challenge for Cuba will be to address its economic and political problems through peaceful means, while avoiding the steep social disintegration, political violence, economic stagnation, and enmeshment in the international illegal drug trade that have engulfed many Caribbean societies in the last three decades. This will be no easy task. The challenge will be made more complicated, or easier, depending on the role ultimately played by the Cuban-American community in Cuba's future.

In practical terms, American policy can do a number of things to facilitate a constructive role for the Cuban-American community in Cuba's future evolution. First, as mentioned earlier, the United States should eliminate all restrictions on travel and remittances by Cuban-Americans to the island, so as to allow greater dialogue and engagement. Second, American policy toward Cuba should ratchet down its hostile rhetoric and adopt a more conciliatory tone. As part of this effort, the United States should encourage forces within the Cuban-American community working toward dialogue, understanding, and peaceful approaches to Cuba's complex economic, social, and political challenges. Third, the United States government should make it quite clear that it will not tolerate any acts of terrorism or violence directed against Cuba by individuals under U.S. jurisdiction. Fourth, American policy should focus much more than it does now on existing common interests between both countries, and promote cooperation in these areas even while expressing disagreement with Cuba on a broad range of other issues. Interestingly, on some specific practical issues such as illegal migration, illegal drugs, and terrorism, the interests of the United States, Cuba, and the Cuban-American community in South Florida converge. It is not in the interests of any of these three parties to allow Cuba to become a major exporter of illegal migrants or illegal drugs to the United States or to allow violent activities to be directed by one side against the other.

In conclusion, for many years, U.S. presidents from Ronald W. Reagan to George W. Bush, including Bill Clinton, have spent considerable energy courting the more hard-line elements of the Cuban-American community. Although this was bad policy from the viewpoint of the U.S. national interest, it made sense in terms of election politics. Hard-line Cuban-Americans dominated the Cuban-American community politically; their campaign finance contributions dwarfed those of any other elements within the community; and they seemed actually capable of delivering the state of Florida to their preferred presidential candidate, as was shown most dramatically in the 2000 election.

Those days are over. The Cuban-American community has become more diverse and politically more moderate for two highly significant reasons. First, with the passage of time, the more recent Cuban-American arrivals — those who came since 1980 — have slowly gained greater prominence and clout in the community. They tend to be more liberal and flexible in their views toward Cuba than the exiles who arrived during the first decade of the Cuban Revolution. Second, the long-awaited generational change within the community has gained speed, bringing to the fore younger Cuban-Americans with a less intense emotional involvement in purely Cuban issues, and a broader set of political interests and viewpoints more akin to those of ordinary American citizens. As older and more conservative Cuban-Americans depart from the scene, their younger counterparts are more pragmatic and much less invested in maintaining a failed policy of isolating Cuba.

Reality also has set in. Following Fidel Castro's illness, his subsequent resignation from office, and the peaceful transition that brought his brother Raúl to power, the community has increasingly understood that the status quo of U.S.-Cuba policy has run its course. Significant portions of the community have become much more supportive of a more flexible policy toward Cuba that would contain elements of dialogue, improved communication, and what one might describe as "normalcy" in the relations between both countries. The

recent election also has shown that the hard-line elements within the community, while still powerful, no longer dominate it, either politically or in terms of financial clout. Barack Obama was able to win the presidency, the state of Florida, and even (by a large margin of 140,000 votes) Miami-Dade County, in spite of having antagonized the hard-line elements of the community, which unstintingly supported Republican candidate John McCain.

Unlike his predecessors, Mr. Obama need not cater to the Cuban-American hard-liners or fear their ability to make and unmake presidents. The new White House should ignore the hard-liners, consigning them to the political irrelevance they deserve, and cultivate instead a wide swath of younger, and more moderate, voices that are more representative of the community's current diversity and changing views, including moderate-conservative Cuban-Americans as well as liberal ones. In particular, the new President should emphasize that American policy toward Cuba should be based, first and foremost, on the national interests of the United States rather than the particular interests of one segment of the Cuban-American community. This new emphasis would be a fresh, and much needed departure, from previous practices.

The gradual reconciliation of the two Cuban families on opposite sides of the Florida Straits will be substantively and symbolically instrumental to the broader reconciliation one may ultimately hope for between Cuba and the United States. Through the changes suggested here, American policy can play a helpful role in facilitating improved relations between the Cuban-American community in the United States and the people of the island. Instead of serving as an active and persistent abettor to the long-simmering tensions and rancor between both parties, American policy, through the wide range of policy instruments available to it, can become a subtle but effective contributor to greater good will, peaceful engagement, and closer ties. The results would be beneficial to all parties involved, none more so than the United States.

Afterword

Louis A. Pérez, Jr.

A dozen specialists — with diverse backgrounds and professions, politics and points of view — have argued that U.S.-Cuba policy has deprived the United States of enormous benefits in areas from science and security to health and prosperity. It has severed the Cuban family from itself, and needlessly prolonged the reconciliation that is required to make it whole. A range of actions both governments could take to build the confidence that leaders, old and young, must have, are specified in order to replace the frayed paradigms of the Cold War with something better, more honest, productive and new.

The much anticipated transition in Cuba has begun, uneventfully, it seems. Power has passed from Fidel Castro to his brother Raúl without incident: no riots, no demonstrations, no protests. Public life in Cuba has continued normally and indeed continuity has been the watchword for more than two years.

But so has change. It is in the air. Change has been the subject of public pronouncements and a topic of private conversations. Small but significant changes have in fact been introduced. It is in the realm of rising popular expectations of more change to come, however, that change has been mostly manifestly registered.

Change has been on the mind of the new Cuban leadership. Raúl Castro early on, in 2006, publicly indicated a willingness to change relations with the United States and negotiate a resolution to outstanding differences between both countries “to settle the long U.S.-Cuba disagreement.” As recently as December 2008, in an interview published in *The Nation*, he said that the two presidents should meet “in a neutral place.”

[T]he embargo has assumed a life of its own. Its very longevity serves as the logic for its continuance, evidence of the utter incapacity of U.S. political leaders to move beyond the policy failures of their own making. ... That the embargo has not yet accomplished what it set out to do, in exquisite Kafkaesque reasoning, simply means that more time is required.

To date, the United States has indicated no such willingness. A policy of no-change from Washington has been the response to change in Havana. No new policy initiative, no new directions: nothing but more of the same.

Over these last fifty years, the embargo has assumed a life of its own. Its very longevity serves as the logic for its continuance, evidence of the utter incapacity of U.S. political leaders to move beyond the policy failures of their own making. Indeed, failure has emerged as the last and only remaining rationale with which to maintain sanctions on Cuba. That the embargo has not yet accomplished what it set out to do, in exquisite Kafkaesque reasoning, simply means that more time is required. To paraphrase the Otis

Redding lyric, the United States has been embargoing Cuba for too long to stop now.

In the meantime, as the governments of both countries remain hopelessly stalled on the issue of “normalization” of relations, on both sides of the Florida Straits people have continued to develop the basis for engagement. They will not be denied “normal” relations with each other or be deprived of the opportunity to pursue matters of common interest and mutual concern.

Despite decades of “non-relations,” Cubans and Americans of good will have continued to maintain fruitful professional relations. Collaboration among scholars, academics, and researchers in Cuba and the United States has expanded and contracted within the space made available within the larger vagaries of the politics and policies of both governments. Individual Cubans and Americans have developed creative ways to maintain collaborative ties, to exchange information, to share research, and to pursue interests of mutual concern, if albeit on a limited and at times haphazard basis.

The models of collaborative initiatives have long been established and they are exceptionally diverse, registering noteworthy gains of enduring value.

Over the past twenty-five years, often under difficult circumstances and frequently in the face of formidable obstacles — from both sides — cooperation has advanced, and the advances have been constant and the results have been substantial. Professional ties have endured decades of adversity and reversals, and speak to the resilience of commitments to pursue projects of mutual interest. Collaboration has involved scholars and researchers representing the full breadth of the social sciences and humanities, as well as the natural sciences, medicine, the performing arts, and archival management. It has borne fruit in a variety of forms, including joint publications, joint panels at scholarly meetings, the exchange of resources and research materials, among others. Limited official agreements between both governments have similarly produced salutary outcomes. These exchanges make for powerful forces, and in the aggregate work — often imperceptibly — to fashion the larger cultural context in which the politics and policies of both governments must perforce function.

Engagement now, between the governments in Havana and Washington, is the only way forward, and these essays have shown us what must be done and how. Collaborative projects developed as a matter of mutual interest and in the spirit of mutual respect serve to foster the kinds of familiarities conducive to an appreciation of the benefits of expanded relations and indeed contribute in important

ways to hastening the arrival of the time when relations between both peoples will be "normal." The trend is irreversible, for anything less is abnormal. The issue is not if but when: There is too much history for it to be any other way.

The path forward has been suggested. The leaders can follow it to the future.

Ms. STEPHENS. Our contributors, who include a former combatant commander of SOUTHCOM, a Homeland Security appointee from the Bush administration, energy scholars from the James Baker Institute at Rice University and authorities on issues from migration to academic exchange, all argued this. Rather than refusing to engage with Cuba diplomatically, our country could best promote our national interest and our values by engaging Cuba's government in talks about problems that concern us both.

This report is a direct outgrowth of our organization's trip to the island. Our delegations speak to government officials, the Catholic Church, civil society, foreign embassies and foreign investors, artists, and ordinary people, about everything from their private aspirations to their views about U.S. policy. These conversations drive home to the policymakers the cost of our isolation from the Cuban people in powerful and practical ways beyond simple commerce.

Isolation stops us from working with Cuba on issues we have heard about today, like migration and counter-narcotics, that lie at the core of our neighborhood security. It prevents our diplomats at the U.S. Interest Section from doing what their counterparts at foreign embassies do, traveling the island or meeting with Cuban officials.

Many Cubans find our refusal to sit down with their government and acknowledge its sovereignty disrespectful to them and their country. This isolation from Cuba reduces the United States to bystander status, as Phil said, as Cubans are seeking to determine their future.

After these trips, almost every member of our delegations asks, why aren't we talking to these people? We don't propose talk for its own sake. Instead, experts like those here today and the qualified scholars we recruited for our book have identified proposals that would allow Washington and Havana to work together on issues of concern to both countries. Let me highlight just a few of those recommendations.

On security issues, they urge increased dialog between the Cuban armed forces and the U.S. Southern Command; greater intelligence sharing to fight drug trafficking; and increasing contacts between the DEA, the Marshals Service, Immigration and Customs Enforcement and their Cuban counterparts.

To help with hurricane preparedness and self-defense, they suggest allowing Cuban scientists and emergency managers to visit the United States and share information on evacuation plans, post-disaster medical support and citizen disaster preparedness education programs, and permitting U.S. scientists and emergency managers to visit Cuba and observe storm evaluations in real time.

On medical research and academic exchange, they advocate removing Cuba from the State Sponsors of Terrorism list to allow exchange of professionals in health care and research, lifting restrictions on educational trips to facilitate medical education and including Cuba in the Fulbright Program and the Benjamin A. Gilman International Scholarship Program.

In every case, these recommendations and others in the report can offer tangible benefits for both Cubans and Americans and improve the prospect that our governments will address issues that have divided us for so long.

Engagement is not a panacea. We know that the differences between the United States and Cuba cannot be papered over and that the United States has profound disagreements with Cuba about how best to advance the ideas of human rights and democracy. But the message today is this: if we wait for Cuba to capitulate as a precondition for our talking to them, or if Cuba waits for us to repeal the embargo before they will talk to us, nothing will ever change, and the status quo is increasingly harmful to U.S. national and diplomatic interests.

Mr. Chairman and members of the subcommittee, we need to accept these facts and take the initiative, not in leaps and bounds, but with small steps on concrete issues where cooperation is in our national interest and likely to yield real results. The administration appears ready to follow this approach, and it is our hope that the ideas, like those in our Nine Ways report, will be helpful to them and to this committee going forward.

Thank you.

[The prepared statement of Ms. Stephens follows:]

**Prepared Testimony of Sarah Stephens, Center for Democracy in the Americas
Before the U.S. House of Representatives
Committee on Oversight and Government Reforms
Subcommittee on National Security and Foreign Affairs
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"National Security Implications of U.S. Policy toward Cuba"

Thank you Chairman Tierney, Ranking Member Flake, and members of the Subcommittee for the opportunity to appear before you today.

I serve as executive director at the Center for Democracy in the Americas, an independent, not-for-profit, non-governmental organization. Our Freedom to Travel Campaign¹ has taken bi-partisan delegations with over sixty Members of the House and Senate and their professional staffs to Cuba since 2001.

With the prospects for talks between the U.S. and Cuban governments increasing, having a discussion now about engagement and how best to serve our nation's security and broader interests could not be more timely.

Earlier this year, our organization published this report, "9 Ways for US to Talk to Cuba and for Cuba to Talk to US".

Our contributors – who include a former combatant commander of SOUTHCOM, a homeland security appointee from the Bush administration, energy scholars from the James Baker Institute at Rice University, and authorities on issues from migration to academic exchange – all argued this: rather than refusing to engage with Cuba diplomatically, our country could best promote our national interest and our values by engaging Cuba's government in talks about problems that concern us both.

This report is a direct outgrowth of our organization's trips to Cuba. Our delegations speak to government officials, The Catholic Church and civil society, foreign embassies and foreign investors, artists and ordinary people, about everything from their private aspirations to their views about U.S. policy.

These conversations drive home to our policy makers the cost of our isolation from the Cuban people in powerful and practical ways beyond simple commerce. Isolation stops us from working with Cuba on issues we've heard about today, like migration and counter-narcotics that lie at the core of our neighborhood's security. It prevents our diplomats at the U.S. Interest Section from doing what their counter-parts at foreign embassies do – traveling the island or meeting with officials.

Many Cubans find our refusal to sit down with their government and acknowledge its sovereignty disrespectful to them and their country, and this isolation from Cuba reduces the United States to bystander status as Cubans seek to determine their future.

¹ Previously housed at the Washington Office on Latin America (2001) and The Center for International Policy (2002-2006).

After these trips, almost every member of our delegations asks “why aren’t we talking to these people?”

We do not propose talk for its own sake. Instead, experts like those here today and the exceptionally qualified scholars we recruited for our book have identified proposals that would allow Washington and Havana to work together on issues of concern to both countries.

Let me highlight just a few of those recommendations.

On security issues, they urge increased dialogue between the Cuban armed forces and the U.S. Southern Command; greater intelligence sharing to fight drug trafficking; and increasing contacts between DEA, the Marshals Service, Immigration and Customs Enforcement and their Cuban counter-parts.

To help with hurricane preparedness and civil defense, they suggest allowing Cuban scientists and emergency managers to visit the U.S. and share information on evacuation plans, post-disaster medical support, and citizen disaster preparedness education programs, and permitting U.S. scientists and emergency managers to visit Cuba and observe storm evacuations in real time.

On medical research and academic exchange, they advocate removing Cuba from the ‘State Sponsors of Terrorism’ list to allow exchanges of professionals in health care and research; lifting restrictions on educational trips to facilitate medical education; and, including Cuba in the Fulbright Program and the Benjamin A. Gilman International Scholarship Program.

In every case, these recommendations – and others in the report – can offer tangible benefits for both Cubans and Americans and improve the prospect that our governments will address issues that have divided us for so long.

Engagement is not a panacea. We know that the differences between the U.S. and Cuba cannot be papered over, and that the U.S. has profound disagreements with Cuba about how best to advance the ideas of democracy and human rights.

But the message today is this: if we wait for Cuba to capitulate as a precondition for our talking to them, or if Cuba waits for us to repeal the embargo before they will talk to us, nothing will ever change, and the status quo is increasingly harmful to U.S. national and diplomatic interests.

Mr. Chairman and Members of the Subcommittee, we need to accept these facts and take the initiative, not in leaps and bounds, but with small steps on concrete issues where cooperation is in our national interest and likely to yield real results. The administration appears ready to follow this approach, and it is our hope that ideas like those in our “9 Ways” report will be helpful to them – and to this Committee – going forward.

Thank you.

Mr. TIERNEY. Thank you very much. Like all the other witnesses, your testimony is extremely helpful and we are appreciative of it.

We are going to go into our question and answer period here. I would just like to begin by noting that, General McCaffrey, in your written remarks, you indicate obviously that Cubans will have to define their own political systems and determine the pace of transition. You note that outsiders can be supportive, and those outsiders include the United States, Latin American nations, European Union, non-governmental organizations and multi-lateral organizations. But in the end, Cubans have to own and be in charge of the process of determining their own future political system and rules of engagement.

Given that, who should take the lead? Should it be a regional organization? A non-profit organization? An international organization? Or a particular country?

General MCCAFFREY. Well, it is probably at the heart and soul of how we move ahead. It seems to me, back to Congressman Flake's opening remarks, that the opening salvo of engagement on Cuba ought to be U.S. unilateral decisions. There is a series of them, the easiest ones of course being economic embargo, people, law enforcement cooperation, that sort of thing. Then there are some dramatic moves we could make, some of which really don't cost us anything.

Mr. Castro engaged me for a couple of hours, he wants his spies back from Florida. I remember telling him, I said, Mr. Castro, I am sure you are very proud of these men and they are Cuban patriots and you will get them back eventually when we have normalized relations. So at some point, they may be another pawn we can throw to Castro that would allow him to move ahead.

It seems to me, however, that the real process of bringing Cuba back into the family of the Americas ought to be multi-national. We ought to go find multiple mechanisms that allow us to be one of many engaging with Cuba. And certainly that includes the Organization of American States, which indeed needs something to develop its own muscle power.

But then there are obviously international organizations. The United Nations itself has several law enforcement mechanisms that could serve our purpose on counter-drug cooperation. I don't think U.S.-Cuba direct dialog in the immediate future is likely to be as effective as going to multi-national engagement.

Mr. TIERNEY. Thank you very much.

Mr. Peters, there were great comments about all the positive things that could come from re-engaging with Cuba. If that re-engagement were actually to take place, are there potential negatives we ought to be prepared to deal with should things get normalized eventually? Will there be consequences of that which will impact the United States in such a way that we are going to have to prepare in advance? Immigration being one that comes to my mind right away, but that or others?

Mr. PETERS. Well, I don't, Mr. Chairman, see a particular downside in engaging with Cuba on migration, on drugs, on environmental protection, or for that matter, establishing military to military relations. I don't think the thing is to deal with Cuba as if it were any other country, I think we should deal with Cuba as we

have dealt with communist countries, across administrations of both Democrats and Republicans, with our eyes wide open. But on the security issues, I don't see a particular down side.

I also think it is important to point out, I don't believe that Cuba is necessarily going to be an ideal partner on all these things. We have good cooperation on drug interdiction. But that took some time to get going, and there were some bumps along the way if you talk to people in the Coast Guard that were involved in that.

Perhaps there was a sense in your question about long-term immigration policy. I believe that immigration policy is something that should be examined. It is interesting that in Miami right now there is some discussion about the need to perhaps re-examine our immigration policy. It is unique toward Cuba. Cubans come here without a visa and set foot on our territory and they are admitted. Within a year, they are permitted to move toward legal permanent residence. And from the very beginning, they get a lot of government benefits, the same package of government benefits that a refugee would get. These are people who come without a visa and don't claim or meet the standard of having a well-founded fear of persecution if they were to return.

There is some debate in Miami now about whether that should continue or not, especially when Cuban Americans are now free to travel back and forth. Certainly this policy that we have, which is purely at executive discretion, is not something that was contemplated in the Cuban Adjustment Act, although it is permitted by it. So I think that is something worth looking at.

Mr. TIERNEY. Thank you.

And finally, Ms. Stephens, you note that the Interest Section that the United States has in Cuba is not doing some of the very ordinary things that their counterparts in foreign embassies do. What are they doing?

Ms. STEPHENS. What are the people in our U.S. Interest Section doing?

Mr. TIERNEY. What are they doing, if they are not traveling the island, meeting with officials and the normal things that you would expect for embassies to do, can you give us some observation of what effect they are having and what they are doing?

Ms. STEPHENS. Well, it sort of depends who is there. The current chief of the U.S. Interest Section is Mr. Farrar. He, I think, is doing a very good job of having eyes and ears out as far as he can go. He is really making a genuine effort to understand what is going on within the boundaries of where he is allowed to travel on the island.

When I was last in Cuba, I had a meeting with him at the Interest Section and then the next morning ran into him at the church across the harbor in Regla. He is clearly trying to learn and understand within the limitations he has.

Others have done it differently. Previous chiefs have put up billboards along the highway in front of the Interest Section, I am sorry, not billboards, but have put up electronic signs, you have probably heard about this, that run news and then accusations about the reality on the island that are meant, I guess were meant to educate the Cuban population but instead embarrassed the

United States and infuriated the Cubans. So I would say it kind of depends who is there.

But they definitely have a very limited experience, not being able to talk to the Cuban government.

Mr. TIERNEY. Thank you.

Mr. Flake.

Mr. FLAKE. Thank you. I appreciate all of the testimony. It was very enlightening.

General McCaffrey, you mentioned, I liked your statement that we have truncated and minimized our access to that regime and the people in that regime. And certainly that has been my experience there, we have no idea who the people in waiting are there. That is a bit troubling.

But one thing that we always hear is, we can't engage with a country or we can't allow Americans to travel to a country that is one of our listed state sponsors of terrorism. Does that give you any pause in making the recommendations that you have made to lift the embargo or what-not? Should we be doing that to some country that has been identified as a state sponsor of terrorism?

General MCCAFFREY. I think there are still seven nations on State Sponsors of Terrorism. The Cuba piece of it I think is 80 words, very cryptic. There is probably no current reality to that at all. I think in past years, you could have made that argument. They were an active threat, 25 years ago, they had 250,000 troops in Africa, they were very aggressively, with covert agents, trying to foment revolutions around the Americas. But I don't think that is the case any longer. I cannot imagine the Cubans realistically being a threat to our national security interests in the short run.

Now, having said that, again, I think Mr. Peters makes a good point, we ought to have a dialog with them with our eyes wide open. But clearly, 5 years from today, if we don't know who the one star generals and the battalion commanders and the key intelligence officers are in Cuba, we have harmed our own ability to protect the interests of the American people. We have to get down there and engage with them. We ought to have influence. We ought to give them something to prize as opposed to merely withholding things from their society.

It seems to me, again, the down side risk is almost non-existent.

Mr. FLAKE. Mr. Pinon, it is often said as well that we somehow lend legitimacy to the regime if we take action to engage them on issues of national security, drug interdiction, migration. Can you comment on that? Do we somehow lend legitimacy to that regime?

Mr. PINON. I come from the private sector. Early on I learned from a former boss of mine that when you read it on the front page of the Wall Street Journal, it is too late. So I believe in early engagement. Early engagement somehow gets misdirected. We are talking about conversations, we are talking about dialog at different levels.

I was just in Cuba 2 weeks ago. I was there at the time of the baseball game between Cuba and Japan. Let me tell you, people in the street want to engage you. They do want to talk. They want to talk about the United States. They want to talk about President Obama.

So I think the fear of engagement, the fear of conversation, particularly in the case of Cuba, there is really no justification for not having it.

Mr. FLAKE. Mr. Peters, do you have any comment on that, as far as the legitimacy argument? Is it a moot point after 50 years that we would somehow lend legitimacy to the regime? That is often brought up, I can tell you, in Congress here, should we lend legitimacy to that regime at this point.

Mr. PETERS. That seems to me to be a diplomatic issue that would be raised in the very early months of a government such as Cuba's, when there is doubt as to whether it is going to hang on or not. But we are quite a bit past that point, and I don't think that issue or any of the variations imply that Cuba is on the brink and that whether we engage or not is going to change the equation in a decisive way. I don't think any of those arguments hold water.

But more importantly, I think the fact that this issue comes up tells us just how far out of the mainstream of American foreign policy this policy is. President Reagan engaged with the Soviet Union. President Nixon engaged with China. Presidents of both parties have engaged with all kinds of governments that are not particularly nice and where we have very, very vast differences in terms of our security interests and our values and about things like human rights practices.

I don't think that President Reagan's trips to the Soviet Union, his walking around Moscow with Gorbachev, anything like that, I don't think anyone would say that President Reagan was legitimizing the Soviets or their system.

Mr. FLAKE. Thank you.

Mr. TIERNEY. Thank you.

Mr. Driehaus, you are recognized for 5 minutes.

Mr. DRIEHAUS. Thank you, Mr. Chairman. I am sorry I missed the oral testimony. I was in a markup in another committee, but I appreciate the opportunity to ask a few questions today.

I notice in your written testimony, General McCaffrey, that you noted that Cubans must own and be in charge of the process of determining their future political system. And the United States can be supportive of that effort.

How have you seen the attitudes of Cubans on the ground change in recent times to suggest that this is a unique opportunity to engage and to pursue more open relations? Have you seen that? Is there an attitude in Cuba that this is a unique time and that we do have a critical opportunity to engage?

General MCCAFFREY. Well, I would probably say it is more a unique time in the United States than in Cuba. For the first year of this administration, there is a tremendous openness to new thinking, to erasing past mistakes. We have been, I say this painfully, discredited in many ways in the international community. So I think we have an opportunity to proceed unilaterally to change the nature of the debate.

In Cuba, by the way, years ago, I lose track of time, 1996 or so, I had 10,000, 15,000 Cubans pulled out of the sea and end up under my care in Panama. We had them there really as refugee status. I spent a lot of time walking around talking to Cubans from all walks of life, from intel officers to military officers to business

people, to families, whatever. It came across to me that there is a general notion that Fidel was a national symbol that they admired.

But almost uniformly, across every aspect of Cuban society as I talked to them, they thought that these people had a failed philosophical approach, the economics weren't going to work, it would never change as long as they were in power. And that is why they took grandmother and children and everyone and went down to the sea to escape. They were seeking freedom from a failed system.

I don't think there is any support, long-term, among the rank and citizens of Cuba for this kind of regime. But I do think the power still flows out of the barrel of a gun. Until we have engaged in new ideas and opportunities and thinking and tourism and engagement of people to people happens, it is unlikely that Cuba is going to represent anything but an insular prison.

Mr. DRIEHAUS. Just as a followup to Congressman Flake's question regarding whether or not we are legitimizing the Cuban government structure and some of their human rights efforts or violations by engaging them, can you draw a comparison? I appreciate, Mr. Peters, the comparison with the Soviet Union and the visits to the Soviet Union. But obviously, we are very engaged with China. Are there substantive differences in terms of regime, in terms of human rights policies, between Cuba and China, such that Cuba is so much worse that we wouldn't engage them, versus the types of practices we currently engage with in China?

General MCCAFFREY. Was that addressed to me, sir?

Mr. DRIEHAUS. You or Mr. Peters.

General MCCAFFREY. I was thinking, with some amusement, I have been a negotiator in international arms control and other drug policy. I have dealt with a lot of people around the face of the earth, many of whom I was thinking throughout the dialog that probably the next visit would be from the U.S. Air Force, some truly dreadful regimes that we opened dialog because we thought it served our interests and our own people. Certainly the pre-Balkan-Serbian leadership that was enslaving a lot of the region, and for that matter, dealing with the Russians, trying to help them get away from their dreadful past, with tens of millions murdered by their own political system.

So I cannot imagine that the United States, notwithstanding the damage that has been done to our reputation in the last few years by some mis-steps, but I cannot imagine our international reputation for our values, for open government, for opportunity, for the way in which minorities and women have taken their place in our society, it is hard to imagine that we would damage that reputation by dealing with the Cubans. It is silly, completely silly. We are dealing with the North Koreans, for God's sake. They murdered a million of their own people through starvation in gulags. They have nuclear weapons. They are a tremendous threat to the region. We are dealing, correctly, with the Iranians now in a very careful way.

So I think most of the other panel apparently feels the same way. The lack of open dialog, public dialog with the Cubans is a huge mistake and needs to be corrected. The window might close on us within a year or so.

Mr. TIERNEY. Thank you.

Mr. Fortenberry, you are recognized for 5 minutes.

Mr. FORTENBERRY. Thank you, Mr. Chairman.

I would like to return to the question that Congressman Flake posed about conferring legitimacy by the potential engagement, and look at that through another nuanced perspective. Not so much legitimacy on the current regime, but the legitimacy in the sense of potentially extending the power and authority of the current regime into time if we empower them with resources by the types of, well, perhaps more aggressive engagement, particularly economically, that you see some persons interested in.

I think that is an important point. Several years ago, before coming to Congress, as I was just simply looking at this from the perspective of a citizen watching American public policy dynamics in the region, it occurred to me that some movement in a direction of potential engagement with the country seemed reasonable. There seemed to be some opening for liberalization in society with differing viewpoints that occurred. A number of people took that opportunity and 75 academics, political scientists, journalists, librarians were then thrown into jail, many of them still in jail, several were executed, who had tried to leave.

That was a grave reminder of what we are dealing with here. So two questions, conferring legitimacy to the extent that it has the risk of extending the brutality of the regime into the future, and second, engagement with whom? They could engage with us tomorrow. They could throw the door wide open and I am sure we would rush through it and embrace them if there was a change of perspective and a certain increase of their capacity for that society to respect human rights and reevaluate itself based upon the fundamental principles that inform the hearts of all humanity.

So I throw that question to all of you, since you all have touched on that narrative thread.

General MCCAFFREY. I think your concerns are entirely on target. My take on it was that first of all, if I thought strangling Cuba economically would bring down the regime, it might be an appropriate course of action to consider. But it hasn't worked. In fact, I think the last time we tightened the screws in the last couple of years, a lot of the Cuban American community said, yes, let's give it a chance, maybe it will work. It hasn't. So you have seen these dramatic changes in polling data now, of the Cuban American community, where particularly the younger people are saying, this isn't the way to go, our families are suffering. We want open access to them.

I think the mood of the country, by the way, has changed dramatically, our country. And they are open now to new thinking.

Another thought, just to offer it. I have participated in an awful lot of U.S. efforts to bring somebody to their knees through blockades and economic embargoes: Serbia, the Iraqis, the North Koreans and others. And it never works. Normally what happens is you end up lowering the lifestyle of the broad population, Serbia certainly springs to mind, and suddenly cigarette smugglers become the wealthiest people in Serbia. So you distort the economy, you magnify the control of the repressive forces.

Now, there may be some room for some of that, certainly, if we are worried about nuclear weapons. We have to be very careful about technology access for some of these regimes. But again, it is

hard for me to think in my own mind objectively of a reason why we don't unilaterally open the floodgates of ideas, people, and access to Cuba, and then in the coming decade, because I think we are talking about 10 years to re-integrate Cuba, try and work in a very positive way and not determine their future but assist them in thinking through and struggling through this issue.

Mr. PINON. Your pushback was one that we received at Brookings when we put on the table the proposal of somehow finding a way that we would de-link Cuba from Venezuela. Because our proposal was to open the energy sector. And the answer, the pushback was, well, that could certainly have an effect in which it would continue supporting the current regime.

So we went through that scenario planning. We did spend a least a day and a half on that. We found that it was very, very important to find a way to de-link Cuba from Venezuela. The first 30 years of the Cuban revolution partly was successful because of its dependence on the Soviet Union. For the last 8 years, Cuba today economically is still going because of its dependence on Venezuela.

Oil development is going to take, Congressman, at least anywhere between 3 to 5 years. So it is something that is not going to happen overnight. It will take at least 3 to 5 years. And Cuba will have to produce at least 200,000 barrels a day in order for them to net the same economic benefit that they are receiving today from Venezuela.

So the issue of opening Cuba's energy sector for exploration and production for U.S. companies was a way of de-linking Cuba from Venezuela, because we don't believe that Cuba can make its own decisions in the future, depending on Venezuela.

Mr. TIERNEY. Thank you. If other members of the panel want to give a brief response to Mr. Fortenberry's question, we would appreciate that. But I know they are going to call votes on us again in a second. I don't want to have to ask all of you to wait and come back. So Dr. Lee, Mr. Peters, Ms. Stephens, if you want to run through that, we will appreciate it.

Mr. LEE. Opinions on this question that Congressman Flake rose really run the gamut. I have heard people within some of the communities here in the United States, in Washington, and in Miami, arguing that we should simply close down the U.S. Interest Section in Havana and simply cutoff all contact with Cubans. My view of how to deal with, how to manage the U.S.-Cuban relationship is very different. As you know, I favor increasing, intensifying, deepening law enforcement and even intelligence cooperation with the Cubans with respect to the issue of the hemispheric drug threat.

And I think that the more contact that we have with the intelligence people, law enforcement people, the Cuban military, others that have an interest in containing the drug problem, the more we are in a sense getting into the guts of the Cuban power structure and the Cuban system. I think this is where we need to be in order to be able to, well, I don't want to use the word manipulate, but shall we say be in a position to creatively observe the transition that is going to be occurring very soon as the Castro brothers leave the scene.

Mr. TIERNEY. Thank you.

Mr. Peters.

Mr. PETERS. Thank you, Mr. Chairman. To respond to Mr. Fortenberry's question, I think it is exactly the right question to raise, whether U.S. engagement would extend the life of the government in Cuba.

But I don't think it is in play. We tend to look at a place like Cuba, look at the economy there and say to ourselves, God, if it was like that in the United States, our government would be out. It is easy to mirror image that way, but that just hasn't been the case.

The Cuban economy is not in great shape. The personal economies of many families are not in great shape in Cuba. But these economic difficulties do not translate into political risk for the Cuban government. In 1992 and 1993 when they were in the most horrendous economic crisis you can imagine, when the Soviet Union disappeared and left them in a ditch, nutrition levels, everything just collapsed, that economic deprivation did not translate into a threat to the political longevity of the Cuban government.

So at the margin, I don't believe our economic sanctions have any discernible impact on the political longevity of the Cuban government. At the margin what they do is they stop universities from engaging, they stop people from engaging, they stop somebody from Miami from getting some help to his aunt so that she can repair her house after a hurricane. They stop people from sending money that would help somebody establish a business, whether legitimate or illegal. They stop cultural activities from taking place. At the margin, our sanctions stop churches and synagogues from engaging. They stop people from being able to send help through religious organizations. So at the margin, it is an embargo on American influence.

Finally, I would just invite you to think for a minute, though, what would it mean for this policy to work? Because I think we are pretty confident that the Cuban government, it is a communist government and their convictions are quite deep. We have seen that for 50 years. So our sanctions are not going to lead them to change their stripes.

So what would it mean for it to work? Would that mean that we would create such terrible economic conditions that the Cuban people would have such acute suffering that they would see nothing to do but revolt against their government? That to me is not likely. Because when the economy gets bad, they think about leaving, they don't think about revolting. And that is not a criticism, that is just a political fact of life.

But it gets into, I think, a fairly serious ethical question of what would it mean if it would actually work.

Mr. TIERNEY. Thank you, Mr. Peters.

Ms. Stephens, do you have something to quickly offer?

Ms. STEPHENS. Yes, very quickly. I just wanted to thank you for bringing up the issue of human rights and the question of the 75 dissidents who were rounded up in 2003. I was fortunate to be in Cuba with Congressman Flake, Mr. Peters, Mr. Delahunt and a delegation just a couple weeks before that round-up. We met publicly with many of those dissidents and had a very valuable and moving encounter with them.

For me, that is probably the strongest and most important experience I have had in Cuba. It very much motivates me to want to try something new in terms of U.S. policy in order to prevent things like that from happening. For me, that is an example of how our current policy isn't having any impact at all in helping these people.

Mr. TIERNEY. Thank you, Ms. Stephens.

Mr. Delahunt, you are recognized for 5 minutes.

Mr. DELAHUNT. I thank the gentleman. I see that Mr. Issa is here, I know he is a member of the committee, I obviously would defer to him if he wishes to proceed.

Mr. TIERNEY. Mr. Issa, member of the full committee.

Mr. ISSA. I am on a leave of absence from Foreign Affairs and miss it deeply.

Mr. DELAHUNT. We note your absence, Mr. Issa, and some of us miss you, too. [Laughter.]

Mr. ISSA. Thank you. As they say, the heart grows fonder the longer I am away from the committee. And this is an important committee hearing, because I believe it does sort of cross foreign policy and foreign security.

Let me go through a couple of quick questions. Ms. Stephens, is there any basis, not based on a change in policy, but based on your past experience, including going there, meeting with dissidents, sort of playing up the good of what could be, and then seeing them arrested and/or killed and put away for a long time without trials, is there any reason to believe that the Castro regime would change if there were no quid pro quo at the time of opening relations, but rather, we open relations unilaterally, effectively said we have been wrong for 50 years, and you don't have to do anything in return for a lift of the travel ban, etc?

Ms. STEPHENS. I think you have gotten right to the question. First of all, the Cubans will never sit down to talk with us if the pre-condition of sitting down has anything to do with us telling them that they should change their system, that they should release their prisoners, anything of a domestic political nature. They are just not going to do it. So that is a non-starter.

Mr. ISSA. Let me follow up with that, because that is probably the crux to my question. They are members of the United Nations, they are a signatory nation to almost every agreement that has come down the pike since Jesus was a corporal. I think they are probably in Kyoto. And since they only seem to burn organic leftovers most of the time, or import their oil, I guess they are compliant.

They have signed everything, they have obeyed nothing. Isn't it reasonable for the United States, as part of our engagement and any liberalization that would benefit them, if you will, at our expense, isn't it reasonable to ask them to obey, not to change their own laws, but to obey international law, particularly in the many, many places where they are signatories?

Ms. STEPHENS. Yes.

Mr. ISSA. So there are some things that we could put in as effective preconditions, as long as they are not our conditions or their domestic policy, but rather international law which they claim to abide by?

Ms. STEPHENS. I just think if we could take a deep breath and decide that it is in our interest to just sit down with them, to skip the precondition notion, just sit down at the table—

Mr. ISSA. Congressman Flake sat down with them. They have had that. There can be no higher calling. He did his mission elsewhere, but he came back to do Fidel.

Ms. STEPHENS. Could I just say one thing about that, because we also spent a lot of time visiting with diplomats from other countries who do have relations with the Cuban government. For me, that is where the model exists.

Now, I am not saying, obviously, that they have changed, through their great conversations with the Cuban government, that they have changed the country from being communist. But they have had some successes in quiet discussions about specific human rights cases and specific political prisoners. I think that is a way to start.

Mr. ISSA. I appreciate that, and I have been involved in that. I am fortunate enough to be on the Helsinki Commission and we try to look at that globally.

Mr. Pinon, assuming we were to allow U.S. oil companies to drill in the region or engage in any other way, what good faith belief do we have that they would not, at the appropriate time in their best interests, nationalize our resources as Hugo Chavez has done, or as they did before and still owe countless billions to us over it? Is there anything under the current regime that would cause us to think that could likely occur again and it wouldn't be completely consistent with their communist form of government?

Mr. PINON. No, and that is why I said earlier, when we went through our scenario planning, we made a point, and I make a point again in my testimony that this process takes anywhere between 2 to 5 years before any oil can come to production. So the assumption, when we went through our recommendation at Brookings, was that within that 5-year period there would be a movement in Cuba already in which the transition or a new cadre of leadership will be in place. Again, hopefully that will help them to divorce themselves from the dependence on Venezuela.

So again, what we are talking about is nothing that will bring an immediate economic benefit to the Cuban government, we are talking about 3 to 5 years. Is there risk of nationalization? Yes, it is there.

Mr. ISSA. Mr. Chairman, I would appreciate just very quickly, if they can't answer directly, for the record, I would ask the question, which is, in light of those questions and current government, then is your common recommendation that even if the U.S. Government does not lift sanctions and so on, that an engagement with a plan for the change that is likely to appear or occur is in our best interests based on, if you will, the 5-year horizon that you referred to?

Mr. PINON. Yes.

Mr. ISSA. Is that pretty consistent across the board that is a common recommendation that we should take away from today?

Mr. TIERNEY. If we could just please keep it brief so that we don't have those votes called down.

Mr. PETERS. You say they might nationalize our resources. I am not interested in seeing the U.S. Government being involved at all.

And I think that American companies, if they choose to get involved, would have to weigh the risks and risk the loss of their resources in a country where the economic policies present that risk. There is no doubt about it.

General McCaffrey. In fact, what I think I would add to that, I don't see us in this coming phase negotiating changes in Cuba so much as unilaterally lifting the economic embargo, people access, initiating law enforcement cooperation, and not blocking them from being buffered by being part of international organizations. I think the negotiations, whether we do them or not, are almost irrelevant until Fidel and Raul are gone, until we get the 40 somethings in government, we shouldn't expect dramatic change in Cuba.

But certainly the wash of U.S. ideas, influence and tourists, in my view, will help set the pre-conditions for those ultimate negotiations.

Mr. ISSA. I appreciate that. Mr. Chairman, for the record, it was Admiral Aldo Santa Maria that I was referring to in my opening remarks.

Mr. Tierney. We just want to thank you for living up to your opening remark that you would be brief. We appreciate that. We will know what to expect in the future.

Mr. Delahunt.

Mr. Delahunt. Yes, Mr. Chairman, an excellent hearing. I congratulate you and the committee on this hearing.

I am just going to make some observations and then invite response if there is sufficient time. I will make an effort to be brief.

I noted that, I think it was General McCaffrey that talked about the need for military to military contacts. Every single commander of SOUTHCOM that I have discussed this with, and they have made public statements, have echoed that particular sentiment. General Wilhelm, General Pace and General Jack Sheehan all recommended instituting military to military contact. I think it is important to get that on the record.

And I would also note for the record that the dissidents that we met with and that were alluded to by Ms. Stephens, every single one of them today, some having been released because of humanitarian concerns, many of them still incarcerated in the Cuban prison system, advocate for change of the current policy. And specifically advocate for change in terms of Americans' rights to visit unrestricted and uninhibited to Cuba. I think that is very important, and that we should listen to those particular individuals.

When it comes to human rights, naturally we share the concerns. I think the question by Mr. Driehaus went to that issue. But I would also note that we have relationships with other nations, in fact, some are our allies, where I would submit that their human rights record is worse in fact than that of the Cuban government in terms of how we define human rights. I have been to Cuba, I have been to church there, I have gone to Mass there. There is a vibrant, healthy Jewish community there. Clearly, the Catholic Church in Cuba has a strained relationship with the government, but one can wear a cross, one can wear a Star of David in Cuba. You cannot do that in Saudi Arabia. There is in fact a religious police in Saudi Arabia. When President Bush, and I am referring to President George Herbert Walker Bush, had to go to an aircraft

carrier to celebrate a Christian service in terms of celebrating Christmas.

And by the way, I can assure you that women can drive in Cuba. They cannot drive in Saudi Arabia. And there are no independent unions, and the list goes on and on and on. So I think it is very important to understand that.

If we are going to measure engagement with other nations predicated on the human rights record, we would find ourselves having to terminate diplomatic relationships with a long list that we currently deal with. I think in particular of Uzbekistan, where our own human rights record indicates that Islam Karimov has instructed human beings to be boiled alive. So I think we have to understand that.

And the state-sponsored terrorism issue, and how do they get there, I posed that question a while back. It was interesting to discover that the primary motivation for the placement of Cuba on that particular list was because in Cuba, there are members of the Basque Separatist organization. I then went on to learn, however, that was done at the request of the Spanish government. So maybe that whole issue should be revisited.

But I would like to speak specifically to the issue of drugs. Mr. Peters and I first met at a conference in Havana on drug interdiction. The reality is, if there is an area that they and we share a mutual interest, it is in dealing with the issue of drugs. I would invite a response from Mr. Lee or General McCaffrey about drugs.

I can remember there was a case in Florida where cooperation, it was a case involving the seizure of a ship, where Cuban agents came and testified and there was a conviction. The ship was the Lemur, if you remember, General McCaffrey.

And by the way, I have never heard of this particular Admiral before, and I think it was Mr. Lee who indicated that the narcotics laws are draconian. Any good police state is going to be very, very careful in terms of allowing drugs to be sold or purchased or even a transit venue for interdiction here.

I cannot imagine why we have not formalized a drug agreement with Cuba at this point in time. We are doing a disservice to ourselves. We are doing a disservice to our own people. I would invite, I guess particularly General McCaffrey to respond to the drug issue. I have heard again and again from some individuals that Cuba is a narco-terrorist state. That is pure baloney.

General MCCAFFREY. You probably summarized my own arguments pretty well. It was interesting to watch the animosity develop between me and selected Members of Congress over just that issue. Again, I tried to go to every source of intelligence I could find. There is no question in my mind that there is corruption at times in the Cuban government and incompetence. There is no question that there are lots of drugs floating around Cuba, particularly washing up on shore, bundles of cocaine and marijuana.

But it was clear to me that they were not on a governmental basis, and part of an international conspiracy that would threaten the regime, threaten their sense of communist morality. I did get a Coast Guard element into Cuba over tremendous hew and cry, I think three of them. One of the panel members mentioned, I went on a night-time walk with that Coast Guard officer who knew more

about what the Cuban people were thinking and talking about than a dozen of the folks in the Cuban Interest Section in Havana, because he was out, he would walk his dog and they would approach him and ask him about the latest thing over Radio Marti.

So again, I think your point is right on track. Our interests are served by law enforcement cooperation, not just interdiction, on human trafficking, trafficking in human beings, in drugs and terrorism. I expect the Cubans would find that to be an open option.

I think the other thing, on SOUTHCOM to Cuban military dialog, not too much of it. Not too much training. But clearly, dialog on peacekeeping operations and on international humanitarian operations and others, certainly at their officer corps level, would be a great investment in our future. I would bring some of them into our schooling system, get two of them to go to Leavenworth. The first 5 years, they would all be intel people, but eventually they would get jealous and some of the comers would get the slot.

So dialog, engagement on areas of mutual interest, that will work.

Mr. TIERNEY. Thank you. Thank you, Mr. Delahunt, for your contributions to this record. We appreciate it, as well as your skill of asking a 5-minute question and eliciting an answer afterwards. We will all take note of that. [Laughter.]

We have no further questions for the panel here. I want to give each one of you an opportunity, however, to make a last remark, if there is anything you feel has been left unsaid. You don't need to make a remark, but I don't want anybody to leave, after having invited you here and made you wait, we want to make sure you have commented on everything you thought was relevant for this committee to hear.

So Ms. Stephens, do you have anything to add? It is almost irresistible, isn't it? [Laughter.]

Ms. STEPHENS. Yes, I have to say something. I think one thing that is so clear to me, when we are in Cuba, is that the notion that our embargo is somehow crippling the Cuban economy is just, it isn't right. What we instead have done is created a void that has been filled by everybody else. It has been filled by Venezuela, Brazil, Russia, China, Europe. So in that sense, it is just not working. And in fact, we are ceding that space to others, and losing the opportunity to have influence on the island.

So I guess I just wanted to reiterate that.

Mr. TIERNEY. Thank you.

Mr. Peters, last thoughts?

Mr. PETERS. Thank you, Mr. Chairman.

I listened to some of the comments about concessions and reciprocity. I would address them as follows. I think clearly we are in a 50-year adversarial relationship with Cuba. It could be we will get to a point in the relationship where there is a negotiation and one side won't give unless there is a concession from the other. Given the fact that the embargo is in place, and I don't see that changing for some time, I think that if people are concerned about leverage, that is there.

But I see the situation somewhat differently. What is at issue now, I think, is not a concession of the Cuban government, but concessions to ourselves. We are sort of like a chess player that has

been playing for a long time getting nowhere and deciding to use a different gambit. When one changes, you don't do it and demand that the other side make a concession to you. You do it to become more effective.

We don't have influence in Cuba. We don't have contacts in Cuba. We have a lot of issues, those we mentioned here, the drug issue, the environmental issues, the fact that Cuba has a lot of fugitives from U.S. justice. And we need to get into the game and start addressing those things, change the policy to make a concession to ourselves.

Mr. TIERNEY. Thank you.

Dr. Lee, last note?

Mr. LEE. Well, certainly, I agree with General McCaffrey and others that we need to engage the Cubans on law enforcement, intelligence issues of mutual concern.

I did want to add something, just a couple of comments about the Cubans, their internal drug control program, which has been highly successful, at least according to the Cuban authorities themselves. When I was in Cuba last year, I talked to one Cuban medical professional. He said that between 1999 and 2003, the price of a gram of cocaine increased from \$15 a gram to \$90 a gram. He attributed this to a number of different policies, but especially their laws, which, in 1988, the maximum penalty for drug abuse in Cuba, rather for drug trafficking in Cuba, was 7 to 15 years in prison. Today, the maximum penalty is 20 years to life. So what we are talking about here is a regime which is really very, very serious about controlling this problem.

I think given their interest and given their concern, I think it makes a lot of sense for us to try to find some way to cooperate with them in some fairly creative ways. For example, we could conceivably even train Cuban border guards, Ministry of Interior operatives in various areas of drug control. We could conduct joint naval patrols in the Caribbean with the Cubans. We could coordinate investigations of regional drug trafficking networks and suspicious financial transactions going through Cuba.

We could do a lot of different things and I think we have to talk about this, even now, even before the Castro brothers leave the scene.

Mr. TIERNEY. Thank you very much, Dr. Lee.

Mr. Pinon.

Mr. PINON. I am the only Cuban American on the panel. I am an historico, I came here in 1960. My parents died in their 90's in Miami waiting to return to Havana tomorrow. I am 61 today. Like the rest of my generation in Miami, at least the majority of my generation in Miami, we, Mr. Chairman, Cuban Americans, are willing to sit down and talk. Because we believe that the death of my parents wasn't necessary, if we would have established conversations with Cuba a while back.

Thank you.

Mr. TIERNEY. Thank you. Happy birthday, and thank you for sharing your day with us.

General, by virtue of your rank, you have the final word.

General MCCAFFREY. Thank you for the opportunity to be here.

It is a great book, and I mentioned to your director, I think it was S.L.A. Marshall's Battles in the Monsoon. It is something I used talking about combat leadership. Young major commanders in a ferocious fight for 2 days. He continues in his own mind being engaged by the North Vietnamese Army and they have gone for 3 days.

So I tell people, you have to watch, you have to have a broader perspective than the immediate fight at hand. The American people, as Mr. Pinon has admirably said, have changed their view on how to deal with the Cuban regime. This is not serving our self-interest. This is time to seize an opportunity and not let this drift along for another 2 or 3 years.

We have a terrific foreign policy team in office now, Secretary Clinton and others. It is time to engage.

So thank you again for the chance to be here and join this panel.

Mr. TIERNEY. Thank you.

Thank you, Mr. Flake and Mr. Delahunt, for your leadership on this issue, my colleagues on the panel. Thank all of you for your testimony here today and sharing your wisdom with us. Meeting adjourned.

[Whereupon, at 4:08 p.m., the subcommittee was adjourned.]

