

ONE HUNDRED ELEVENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
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MEMORANDUM

April 24, 2009

To: Members of the Subcommittee on National Security and Foreign Affairs
Fr: Bipartisan Staff
Re: Hearing on “National Security Implications of U.S. Policy toward Cuba”

On **Wednesday, April 29, 2009, at 2:00 P.M. in 2154 Rayburn**, the Subcommittee on National Security and Foreign Affairs will conduct an oversight hearing on the national security policy implications of U.S. policy toward Cuba. The hearing aims to investigate the impact of current U.S.-Cuba policy on U.S. national security and evaluate the potential effects of increased U.S.-Cuba interaction on U.S. national security interests.

The issue of whether to bolster relations with Cuba is the focus of considerable debate on both sides of the aisle. It is a matter that involves extremely complex fiscal and political sensitivities. This hearing will provide an opportunity to address many of these issues.

This hearing will feature top independent experts with extensive experience in Latin America and in their specific areas of expertise (e.g., military, energy security, drugs, etc.). In addition, due to the timing of the hearing shortly following the conclusion of the Fifth Summit of the Americas in Trinidad and Tobago on April 17-19, 2009, at which Cuba was one of the main, if not informal, topics, Members will have the opportunity to ask the panel about Summit outcomes and statements.

The Subcommittee, among other issues, will have the opportunity to investigate:

- **How has U.S.-Cuba policy affected U.S. national security, directly or indirectly?** How has the current U.S.-Cuba policy influenced bilateral and regional relations within Latin America?

- **In what specific ways might U.S. national security be impacted by greater interaction with Cuba?** What are the pitfalls and benefits? How would increased U.S.-Cuba dialogue affect Venezuela’s role in Cuba and in Latin America? What about Chinese interest in the region and Brazil’s expanding influence? What opportunities does Cuba’s oil and gas sector present? Should we encourage ethanol production in Cuba?
- **To what extent has the United States government previously (or currently) interacted with the Cuban government?** How have we communicated and coordinated with Cuba on hurricane preparedness, military exercises, drug interdiction, and migration issues? What has been the impact of the absence of broader interactions on our national security?
- **Possible next steps:** What issues are most susceptible to benefits from increased interactions with Cuba? Can the U.S. increase coordination with Cuba without further action from Congress? What can the U.S. expect as a reaction from the Cuban government to various possible approaches by the U.S. government and what effect, if any, would a forthcoming reaction have on steps the U.S. can take?

I. BACKGROUND

A. Implications of the Obama Administration’s April 13 Announcement of Easing U.S. Policy Toward Cuba Prior to the April 17-19 Fifth Summit of the Americas

A February 23, 2009 staff trip report on Cuba requested by Senator Richard Lugar, Ranking Member of the Senate Committee on Foreign Relations, noted:

[Secretary of State Clinton’s testimony before the SFRC] left the door open for bolder policy changes ... by expressing support for U.S.-Cuban cooperation in drug interdiction and suggesting a willingness to engage with Cuba on issues of mutual concern.... U.S. policy towards the island nation remains a contentious subject with many countries in the region. Chilean President Michelle Bachelet’s February 2009 visit to Havana, and Cuba’s admission in December 2008 to the Rio Group of more than 20 Latin American and Caribbean countries demonstrate the region’s convergence around a policy of engagement with Cuba, in sharp contrast to the U.S. policy of isolation.... U.S. policy is also a source of controversy between the U.S. and the European Union, as reflected in the perennial transatlantic debate over sanctions versus engagement, as well as in the United Nations, which has passed a widely supported resolution condemning the embargo for the past 17 years.¹

¹ *Changing Cuba Policy – in the United States National Interest* (Feb. 23, 2009), at 1 [hereinafter the “Lugar Report”].

The report goes on to note:

*Today it is clear that a reform of our policy would serve U.S. security and economic interests in managing migration effectively and combating the illegal drug trade, among other interests.... Reform of U.S.-Cuban relations would also benefit our regional relations.*²

On April 13, 2009, the White House announcing a series of changes in U.S. policy designed “to reach out to the Cuban people in support of their desire to freely determine their country’s future.”³ It lifted restrictions on family visits to Cuba, removed restrictions on remittances, authorized greater telecommunications links with Cuba, and revised gift parcel regulations. The *New York Times* noted:

*In abandoning longstanding restrictions on the ability of Cuban-Americans to visit and send money to family members on the island, President Obama demonstrated Monday that he was willing to open the door toward greater engagement with Cuba – but at this point, only a crack.... The State Department has said it was reviewing American policy toward Cuba, and ... said the policy was not “frozen in time today” – a suggestion, some Cuba experts said, that the White House is laying a foundation for more far-reaching change.*⁴

As set forth below, many experts believe that these changes will have limited effect on Americans outside of the Cuban American community. A number of them argue that the symbolic nature of the announcement signals a more constructive U.S. policy with Cuba. National Foreign Trade Council President Bill Reinsch believes that the U.S. should expect a negative Cuban response to the Obama announcement, but that it is nevertheless important because it puts the burden of action on Cuban President Raul Castro.⁵

Inter-American Dialogue President and Advisor to the Fifth Summit of the Americas Secretariat Peter Hakim had this to say prior to the Fifth Summit of the Americas (April 17-19):

Summit meetings rarely lead to political or diplomatic breakthroughs... [Presidents] are unlikely to find sufficient common ground to embark upon new initiatives that involve any substantial measure of cooperation. Nor is this likely to be the right moment to attempt to redesign the Summit process or restructure inter-American resolutions... No one anticipates that the US President, after three months in office, will announce dramatic new directions or offer detailed policy proposals for US-Latin American relations... [But] every government wants to know whether the Obama

² *Id.* at 12.

³ *Reaching Out to the Cuban People*, New America Foundation roundtable, (Apr. 13, 2009)

⁴ *Obama Opens Door to Cuba, but Only a Crack*, N.Y. TIMES (Apr. 14, 2009).

⁵ *Is it Time to End the Cold War in Latin America?* New America Foundation roundtable, (Apr. 14, 2009).

*administration will find a way to end the United States' policy of isolating and sanctioning Cuba.*⁶

According to a recently published book by Inter-American Dialogue scholar Daniel Erikson,⁷ only three avenues of regular official communication currently exist with the Cuban government: monthly meetings between U.S. and Cuban military officers at the Guantanamo Bay Naval Base, occasional cooperation between the U.S. and Cuban coast guards on drug enforcement and migration matters (through a U.S. Coast Guard attaché at the U.S. Interests Section in Havana), and frequent contact between U.S. and Cuban meteorologists who track hurricanes in the Caribbean.

B. Criticism of Current U.S. Policy

Some believe that U.S. Cuba policy is distorted because Cuba has only 11 million inhabitants and does not appear to pose a direct military threat to the United States. For example, author David Rothkopf argues that the term “*major strategic debate*” on Cuba is wrong, inasmuch as the debate on U.S. policy is neither major nor strategic.⁸ By comparison, Rothkopf notes that a recent Inter-American Development Bank (IDB) meeting in Medellin estimated that if the global financial crisis continues unabated, about 50 million Latin Americans will be pushed back into direct poverty. This represents five times the number of inhabitants in Cuba, and also has serious repercussions for the U.S. in terms of immigration, crime, security and border issues.

In addition, some experts note that U.S. Cuba policy has a serious impact on our wider regional relations. Julia Sweig, Director of Latin Studies at the Council of Foreign Relations, notes three major reasons for the tendency for Latin American countries to use Cuba as a litmus test in their relations with the United States:

1. Symbolism;
2. The substance of U.S. policy is perceived by Latin America as contradictory and offensive (pro-free trade, yet the embargo; efforts against terrorism, yet harboring alleged Cuban terrorist Luis Posada Carilles); and
3. The perception that drugs, trade and immigration policy are considered domestic issues in the U.S. rather than issues that affect the entire Latin American region.⁹

The Cuban American National Foundation notes that current U.S. policy toward Cuba:

relegates the U.S.'s role to that of passive observer rather than active supporter of the process of democratization for one of our closest

⁶ *How to Judge the 2009 Summit*, Inter-American Dialogue website, April 2009

⁷ DANIEL P. ERIKSON, *THE CUBA WARS: FIDEL CASTRO, THE UNITED STATES, AND THE NEXT REVOLUTION* (2008).

⁸ *Id.* at 2

⁹ *Is it Time to End the Cold War in Latin America?* New America Foundation roundtable (Apr. 14, 2009).

hemispheric neighbors....¹⁰ The United States has direct national and security interests in promoting a peaceful transition to democracy in Cuba. The resurgence of anti-American forces in the hemisphere that view Cuba as their ideological paradigm has led to increased tensions between the United States and several of its Latin American counterparts. Most evident is that of the growing tensions between the U.S. and Venezuela and Hugo Chavez's increasing collaboration with rogue nations like Iran

....

In addition, a stable and democratic Cuba will avoid a possible chaotic mass exodus of refugees that could cause significant disruptions in affected U.S. communities, and will promote lawful and controlled migration between the two nations.¹¹

The report goes on to note that increased U.S.-Cuba interactions would provide both countries with “*enhanced opportunities to cooperatively address common threats such as drug trafficking, international terrorism, organized crime, human smuggling and environmental degradation.*”¹²

Similarly, the Senate report notes:

Given these precedents ... progress could be attained by replacing conditionality with sequenced engagement, beginning with narrow areas of consensus that develop trust.... Today it is clear that a reform of our policy would serve U.S. security and economic interests in managing migration effectively and combating the illegal drug trade, among other interests.¹³

C. Advocates of Status Quo

By contrast, others believe it is important to maintain the status quo in U.S.-Cuba relations. They argue that any loosening of the embargo benefits the regime and not the Cuban populace. Consequently, these advocates believe that maintaining the current U.S. policy toward Cuba is in the long-term interest of the U.S. and the Cuban people. Proponents of the current U.S. policy maintain that the two-track policy of 1) isolating Cuba and 2) reaching out to the Cuban people through measures of support is the correct approach. In short, advocates of this position believe there is no benefit to liberalizing U.S. relations as long as the Castro brothers or other Communist totalitarians remain in charge. Proponents of the current policy believe that the conditions prescribed in the Cuban Liberty and Democratic Solidarity Act of 1996 should be met before the U.S. normalizes relations with Cuba. Among other criteria, these conditions include: the

¹⁰ *A New Course for U.S.-Cuba Policy: Advancing People-Driven Change*, p. 1 April 9, 2009

¹¹ *Id.* at 4-5.

¹² *Id.* at 5

¹³ Lugar Report at 6

legalization of all political activity, the public commitment to organizing free and fair elections, demonstrable progress towards allowing the establishment of independent trade unions and effectively guaranteeing the rights of free speech and freedom of the press, and the release of all political prisoners.

While Cuba signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights in 2008, the Cuban government has a deplorable record on human rights that raises concern across the political spectrum. The State Department's 2008 Country Report on Human Rights Practices noted that "*the Cuban government continued to deny its citizens their basic human rights and committed numerous, serious abuses...At year's end there were at least 205 political prisoners and detainees.*"¹⁴ In addition, Freedom House's Freedom in the World 2007 country report on Cuba described human rights conditions on the island:

*According to a domestic monitoring group, the Cuban Commission for Human Rights and National Reconciliation, there were 234 prisoners of conscience in Cuba at the end of 2007, most held in cells with common criminals and many convicted on vague charges such as "disseminating enemy propaganda" or "dangerousness." Members of groups that exist apart from the state are labeled counterrevolutionary criminals and are subject to systematic repression, including arrest; beatings while in custody; loss of work, educational opportunities, and health care; and intimidation by uniformed or plainclothes state security agents. Dissidents reported being subject to even tighter surveillance following Fidel Castro's illness, as the government mobilized to thwart any potential public disruptions.*¹⁵

Some insist this record must be a predicate to any changes in U.S.-Cuba relations.

Opponents of softening U.S. policy toward Cuba argue that doing so without concrete reforms from the Cuban government would be beneficial to the Castro government, both politically and economically, and hold that sustained sanctions can work. These sentiments were echoed in a March 24, 2009 letter to President Obama from the Congressional Cuba Democracy Caucus:

*In a bipartisan fashion, Administrations and Congresses have insisted that before the U.S. makes any concessions to the Cuban regime, all political prisoners must be freed, all political parties, the free press and labor unions legalized, and internationally supervised elections scheduled. Any easing of sanctions, without demanding any concessions lessening the oppression of the people by the regime, will serve to strengthen the dictatorship and demoralize the Cuban people.*¹⁶

¹⁴ 2008 Human Rights Report: Cuba, State Department Bureau of Democracy, Human Rights, and Labor (February 25, 2009).

¹⁵ FREEDOM HOUSE, FREEDOM IN THE WORLD 2007 (2007).

¹⁶ Letter to President Obama from the Congressional Cuba Democracy Caucus (March 24, 2009).

With respect to the recent changes regarding travel and sending remittances to Cuba by Cuban Americans, there are those who believe these changes are a mistake and that they will strengthen the current Cuban government. The Cuban government charges hefty fees on remittances and additional remittance could effectively put millions of dollars into the hands of the Castro regime.

Regardless of whatever short-term policy prevails, many also advocate that the U.S. government plan and prepare for Cuban outreach in the event the Castros or like-minded leaders are no longer in power.

D. Going Forward: U.S. National Security Implications of U.S. Policy toward Cuba

An April 13 letter to President Obama coordinated by the National Security Network and the New America Foundation, which was signed by 12 top military officers (retired) states that:

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. It is hard to characterize such global engagement as isolation.

....

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.¹⁷

The letter recommends “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.”

From a drug trafficker’s perspective, Cuba’s geographic location is almost ideal. The island lies only 90 miles from Key West, Florida on a direct flight path between Colombia’s and Venezuela’s Caribbean coastlines and the southeastern United States. Cuba’s strategic location and its apparent seriousness of purpose in fighting drugs could be of assistance in counternarcotics were there 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.

¹⁷ Letter to President Obama from Brigadier General John Adams (ret.) et al. (Apr. 13, 2009).

Cuba has the potential to be an important supplier of oil, gas and ethanol. Increasing energy trade with Cuba could contribute to U.S. energy security, and could also have geo-political benefits. It would create competition with the “export-oriented” populist agenda of Venezuelan leader Hugo Chavez, and dampen Venezuela’s efforts to strengthen its regional presence through visible aid to Cuba.

U.S. energy trade could 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.

II. WITNESSES

The hearing will consist of one panel, featuring:

- **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
- **Sarah Stephens**, Executive Director, Center for Democracy in the Americas

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