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Congress of the United States
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April 24, 2013

John Kerry, Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20250

Re: Improvements at U.S. Interests Section and U.S. Consular Affairs offices in Havana

Dear Secretary Kerry:

I recently returned from an educational, fact-finding trip to Cuba. One of the most interesting parts of my trip was a visit with U.S. Consul Dan King and his professional staff and a tour of the U.S. Interests Section in Havana. U.S. Consular Affairs personnel are doing an exemplary job under difficult circumstances. Nevertheless, it is apparent that even with recent improvements to visa processing, greater improvements are needed at the U.S. Interests Section and U.S. Consular Affairs offices in Havana.

My Tampa Bay area congressional district is home to a large population of Cuban Americans, so I understand many of the challenges involved with visas and immigration matters. A large portion of my daily constituent work involves nonimmigrant visas, especially emergency medical and family situations. I also do my best to help constituents cut through red tape relating to purposeful travel and I appreciate your expressed commitment to support purposeful travel to enhance contact between the Cuban people and U.S. citizens.

The recent elimination of an exit permit requirement by the Cuban government and increased remittances from families abroad have eased the travel challenges for many Cubans. As I shared with you in a letter in February, multi-year wait times for a visa for a family member to travel temporarily to the U.S. is often very difficult for that family. Many of the cases are ones of extreme hardship. For example, just this week the mother of a Tampa resident with two children under age two, who is undergoing chemotherapy after cancer surgery, was denied a temporary nonimmigrant visa by the U.S. to travel to Tampa to care for her daughter and grandchildren. It seems that the default answer by the U.S. in these hardship cases is denial. This is not consistent with the values we hold as Americans and it is not humane. I understand the reasons for U.S. and Cuban immigration and travel policies in the past, but I urge you to begin a serious reassessment of such policies and start a dialogue with Cuba to improve the situation for families in the U.S. and in Cuba.

Notwithstanding my concerns over the high numbers of denials of hardship nonimmigrant visas, I recognize that innovative consular officials have recently overhauled the scheduling and interview process, decreasing multi-year wait times. I understand from my visit that OFAC regulations prevent contracting out GSS services that other consular offices around the world are able to do. However, it is apparent that investigating credit payments prior to visa appointments via payments in the U.S. or some similar method would expedite matters. Currently, the Cuban applicant must pay in cash on the day of the interview, which is difficult for Cubans with low income. The cash payment further burdens an already overloaded consular staff. Similar to Cuban-Americans paying to buy a pin and scheduling an interview date for relatives on the island, the State Department should work with OFAC to approve an intermediary to collect funds associated with the interview prior to the interview date.

U.S. Consular Affairs in Havana also is constrained by their physical building, which has remained the same since the 1950s. I was dismayed to witness the long lines related to the convoluted appointment and interview process. The physical building and queuing of people for interviews are not up to standard. An additional limitation is the cap on the number of people the United States may have working at the Interests Section at any time. I understand that the agreement on diplomatic staffing levels was reached in 1977. Clearly it is time to revisit those levels as the demand for travel between the two countries has increased substantially. I recognize that there are serious constraints on dealing with the Cuban government to modernize staffing, the physical building, and practical concerns relating to the visa and immigration processes, but the current situation is antiquated and it deserves State Department attention.

The United States and Cuba already cooperate in many ways, such as oil spill planning, meteorology and hurricane tracking, drug enforcement, and Coast Guard matters. Cuban officials and the U.S. Consul worked well together two weeks ago to ensure the safe return of the Hakken boys, ages 4 and 2, after their parents kidnapped them in Tampa and sailed to Cuba. I urge you to expand our cooperative efforts. The overriding goal should be for economic conditions to improve in Cuba so Cuban citizens do not risk their lives on a raft and family visits can be handled without harsh conditions or results. This must be handled with a long-term vision. In the short term, I encourage you to work with OFAC to modernize the fee collection process and engage directly with the Cuban government to allow for updates to our physical building and an increase in allowable staff.

Thank you again for your leadership and your interest in the U.S. consular offices around the world that aid U.S. citizens, their families and visitors. I also have attached my letter to President Obama that details many of the other "big picture" issues, but the family travel and consular affairs concerns needed additional explication. If you have any questions, please do not hesitate to contact me, or my Deputy Chief of Staff, Lara Hopkins, at 202-225-3376.

Sincerely,



Kathy Castor
U.S. Representative
Florida – District 14

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April 23, 2013

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

RE: Modernize U.S./Cuba Policy

Dear President Obama:

I recently returned from a fact-finding trip to Cuba. This experience was educational and enabled me to understand directly the day-to-day challenges faced by Cubans, the economic reforms underway on the island, and how meaningful changes in U.S. policy could facilitate changes in the system to increase the independence and improve the livelihoods of Cuba's people.

My district in Florida and surrounding areas includes over 100,000 Cuban Americans. Although I have been aiding these families on a daily basis since I was elected to Congress in 2006, the trip deepened my understanding of how closely connected my communities are to relatives and friends on the island. The work we did together on your 2009 policy changes relating to family travel and the subsequent designation of Tampa International Airport as an entry/exit point to Cuba created jobs and economic opportunity for my district. But, it also enabled Cubans in Tampa to increase financial support for their families that enabled them to start small businesses, repair their homes, and reduce their dependence on the state.

You now have an opportunity to capitalize on these successes while also strengthening the effectiveness of our nation's advocacy for human rights. Human rights issues remain a challenge for Cuba, but our nation has always been more effective in advancing the cause of human rights through engagement. America's policy of isolation toward Cuba, i.e. the travel ban and embargo of the last 50 years, has resulted in little change. Human Rights Watch advises that "the United States' economic embargo on Cuba, in place for more than half a century, continues to impose indiscriminate hardship on the Cuban people and has done nothing to improve human rights in Cuba." Many Cuban dissidents share the same view. It is time to refresh America's relationship with Cuba and develop a more humane and smarter approach than the outdated Cold War policies of the past. There are many reasons to do so.

First, Cuba has instituted significant changes to its economy, through decentralization, and encouraging private ownership of property and private business, in restaurants

(*paludars*), private lodging (*casas particulares*), construction and other self-created small businesses (*cuentalpropistas*). Reforms are also underway in Cuba's agricultural sector as well through the creation of cooperatives. Cubans are leaving state-sector and gray market jobs to work for themselves, and create employment opportunities for other Cubans, which increases their autonomy and self-determination. Cuba's decision to eliminate most travel restrictions on its people will also increase their mobility, earning power, and opportunity to provide additional financial support for their families.

These developments remind me of the historic economic changes since the 1980s in the former Soviet bloc countries, and in China and Vietnam over the past 25 years. Indeed, I traveled to the former East Germany and Czechoslovakia in 1990 after the fall of the Berlin Wall and the Velvet Revolution. The U.S. was directly engaged with those nations during their transition and Americans were free to travel and interact with their people. American legal and economic experts and businesses directly aided the transition to greater freedom and personal economic opportunity.

By acknowledging these changes, it would strengthen the hands of Cubans who want these reforms to succeed, and we could encourage Cuba to go further, faster by modernizing our country's policy.

The second reason for modernizing the policy is to capitalize on economic changes occurring outside Cuba. One of Cuba's primary benefactors, Hugo Chavez, is gone and it is unlikely that Venezuela will have the capacity to continue to provide billions of dollars in economic aid and petroleum products to Cuba. In fact, in the Tampa Bay area, I know of recent immigrants who cite the fear of losing Venezuelan support and returning to another 'special period' as their reason for leaving the island.

Cuban officials made it clear to me they would like the embargo lifted and seek an improved relationship. America's allies in the Western Hemisphere have encouraged the U.S. to do so. Cuba and its citizens are more than a decade behind with respect to the Internet and broadband. Expansion of WiFi technology and broadband will be slow in the poor country, but the benefits and eventual efficiencies will be enormous. Cuba and other foreign interests continue to prospect for oil in its territorial waters (so close to sensitive environmental resources in the Florida Straits). Despite multi-lateral discussions among the U.S. and Caribbean nations, the U.S. should have a more direct relationship. Cuba and Brazil are making a large investment in the modernization of the Port of Mariel in advance of the widening of the Panama Canal. U.S. ports, businesses and environmental concerns would benefit, or at least gain greater influence and understanding, with more direct engagement.

These circumstances provide an opportunity for the U.S. to engage in a dialogue with Cuba to lift trade restrictions while promoting greater human rights for the Cuban people.

A third reason for reform is to support the constitutional rights of Americans by lifting restrictions on our right to travel. This will facilitate greater exchange between the two countries and remove costly regulatory burdens. Americans are free to travel anywhere else in the world, including countries on the State Department's State Sponsor of Terrorism list. No rationale

exists to singularly prohibit travel to Cuba. This is an unnecessary infringement on the human rights of Americans. The travel ban also is incongruous with the freedom of Americans to travel even where the U.S. government has severely strained relations or dangerous travel conditions exist like North Korea, Syria or Iran. Furthermore, the bureaucratic red tape involved in the approval and disapproval of travel to Cuba is enormous. The travel ban should be lifted, but at the very least we can take the step of allowing all current permissible travel to be carried out under general license. Streamlining travel would save resources at a time of sequester and significant federal belt-tightening.

Fourth, reforming the policy will improve our diplomatic standing in the region and, at a critical moment: strengthen the credibility of our policy against terrorism. As you know, the Summit of the Americas concluded in 2012 with a warning from our allies that if Cuba is not allowed to attend the 2015 Summit of the Americas in Panama, they will boycott this important regional conference. This gives your administration two years to put U.S.-Cuban relations on a path to make that breakthrough possible by engaging with Cuba directly on the issues that matter to both countries.

In this context, we could send a powerful signal to our allies in the region by responding creatively and appropriately to the peace negotiations taking place in Cuba between the government of Colombia and the Revolutionary Armed Forces of Colombia ("FARC"). These peace talks may result in an end to five decades of violence and provide the U.S. with an important foreign policy victory. The U.S. has devoted years of leadership and millions of dollars of investment for peace in Colombia. All Western Hemisphere nations, including Cuba, should continue to work together for an end to the violence.

No evidence exists that Cuba currently meets the definition of a "state sponsor of terrorism" as a nation that has "repeatedly provided support for acts of international terrorism". The Council of Foreign Relations advises that

... intelligence experts have been hard pressed to find evidence that Cuba currently provides weapons or military training to terrorist groups. In 1998, a comprehensive review by the U.S. intelligence community concluded that Cuba does not pose a threat to U.S. national security, which implies that Cuba no longer sponsors terrorism. Critics argue that Cuba's place on the state sponsors list is a remnant of the Cold War and that it distracts from current counterterrorism initiatives.

While the U.S. State Department and Human Rights Watch recently confirmed that Cuba continues to repress political dissent and use short-term detentions and other harsh tactics, it does not appear that Cuba provides support for acts of international terrorism, which is the rationale for inclusion on the State Department list. To date, one of the reasons used to justify Cuba's presence on the State Sponsors of Terror List was its support of the FARC. This rationale is no longer valid, and it provides our nation with an opportunity to remove Cuba from the list and focus on global actors who need our attention.

Engagement with Cuba is possible, as your administration proved in the last few weeks. Right on the heels of my return to Tampa, Cuban officials expeditiously returned Cole and Chase

Hakken, ages 4 and 2, who had been kidnapped by their parents in Tampa and taken by boat to Cuba. I was able to speak directly to Cuban officials to ensure that the boys were safe and urge their speedy return. Through the contacts I had made days earlier, I was able to connect the outstanding U.S. Consul Dan King with the Hillsborough County Sheriff's Department and the boys' grandparents. The ability to communicate with Cuban and U.S. officials who I just met in Cuba is a simple example of the value of engagement and why it should become a principal feature of a new, reformed policy.

Finally, I am very concerned with the difficult conditions at the U.S. Interests Section in Havana. The bulk of my congressional constituent work relating to Cuba involves visas for nonimmigrants who simply want to visit family members for medical emergencies and important family matters. The U.S. Consul and the professional staff are exceptional, but they are operating in the same building as they have since the 1950s, with staffing levels agreed to in the 1970's and under similarly outdated policies. I was dismayed to witness the large numbers of individuals who wait in enormous lines outside in the elements for an interview to determine their ability to travel. Unlike other consular operations around the world, very little technology is employed to ease the process. In the short term, we can negotiate for the ability to increase our consular staff and offices or ease restrictions to employ new methods and technologies in areas like fee collections. Cuba can do better and so can the U.S. Nevertheless, the overriding goal should be for economic conditions to improve in Cuba so Cuban citizens do not risk their lives on a raft and family visits can be handled without harsh conditions or results. This must be handled with a long-term vision and can only be hammered out through direct negotiation between the two countries.

The Tampa Bay area would welcome the opportunity to host such a dialogue between the two nations. The history of Tampa, where Jose Marti was embraced and supported by its citizens and where Teddy Roosevelt and the Roughriders embarked for the Spanish-American War in Cuba, lends itself to such discussions. Please heed the words of many of the Cuban dissidents I have spoken to who urge America to give greater attention to its island neighbor, lift the embargo and promote greater modernization of civil society in Cuba to benefit the Cuban people. Families and businesses in America also hope for a new day. There is a generational change occurring in the leadership of Cuba just as has happened in other countries around the world. You can lay the groundwork for improvement in human rights, democracy and economic change that is long overdue. I look forward to continuing to work with you on these issues. Please do not hesitate to contact me, or my Deputy Chief of Staff Lara Hopkins, at 202-225-3376. Thank you.

Sincerely,



Kathy Castor
U.S. Representative
Florida – District 14

Cc: Secretary of State John Kerry