

Cuba: Assessing the Administration's Sudden Shift
HCFA Full Committee
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The Castro regime is a communist dictatorship that has maintained its stranglehold on Cuba for over five decades through political and economic oppression. While most will agree with this description, there is significant discord with regards to the policy prescription for unraveling the Castro system as we move forward.

On December 17, President Obama announced a far ranging shift in U.S. policy towards Cuba. As part of the new approach, the U.S. will establish diplomatic relations with Cuba, review Cuba's designation as a State Sponsor of Terrorism, and relax various, longstanding commercial and travel restrictions. The new policy is largely unconditional and drastically alters U.S. Cuba policy.

However, significant doubts remain about the extent to which the normalization of relations with Cuba can, in and of itself, bring about reform in the island nation. We must see the fine print in the concessions the U.S. has made as part of this new policy and demand that relaxed restrictions and greater ties to the U.S. be met with commensurate reforms in Cuba.

Without insisting on reciprocity, we squander initial leverage we have to improve political expression, respect for human rights, and religious and press freedoms.

In the case of Cuba, the U.S. has significant leverage to expend. The Cuban economy has languished for half a century and is, to this day, dependent on assistance from other countries. This includes receipt of 100,000 barrels per day of heavily subsidized oil from Venezuela. The Cuban economy stands to benefit from U.S. investment. It stands to gain far more than our economy in the proposed liberalization of trade, tourism, and direct investment.

As we sift through a new approach, the U.S. should not allow itself to become an enabler to an authoritarian regime. The Administration's new Cuba policy has prioritized new telecommunications investments in Cuba as a way to give the Cuban people the resources they need to embrace greater openness. There is certainly a need in Cuba for this kind of investment where the internet penetration rate is 5 percent, as opposed to 84 percent in the U.S. and 32 percent in the rest of the world. While expanded and more effective telecommunications is a laudable goal, without corresponding reforms the new

infrastructure could be controlled and coopted by the Castro regime. This is one such scenario where unconditional policy changes can actually do harm to the democracy movement in Cuba.

In adjusting its implementation of the embargo, the Administration will have to navigate myriad statutes that codify restrictions on U.S.-Cuba relations and precondition trade between the U.S. and Cuba. Section 1706(b) of the Cuban Democracy Act of 1992 (PL 102-484) prohibits entry into U.S. ports by any vessel carrying goods or passengers to or from Cuba in which Cuba or a Cuban national has any interest, and the prohibition can be waived only if certain certifications of democratic governance in Cuba are made. Section 102(h) of the Cuban, Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (PL 104-114) codifies the U.S. economic embargo against Cuba. The President may only terminate the enforcement of this section of the LIBERTAD Act if a transition or democratically elected government is in power in Cuba. Seeing little hope of such a prospect on the horizon, the President has asked Congress to begin to unwind the embargo through legislation as soon as this year.

Congress will not easily disavow the democratic thresholds set in these statutes. My support for the embargo has always been predicated on the fact that it gives the U.S. a carrot and stick to be used on behalf of the Cuban people. The U.S. should not squander this influence. It will be incumbent upon the Administration and the Cuban government to allay Congressional fears. The new U.S.-Cuba policy cannot be allowed to breath life into a dying regime. Especially, one that has repeatedly used what little strength it can muster to suppress opposition and deprive its people of basic human rights.