

TO AMEND PUBLIC LAW 89-732 TO MODIFY  
THE REQUIREMENT FOR A CUBAN NATIONAL  
TO QUALIFY FOR AND MAINTAIN STATUS AS  
A PERMANENT RESIDENT

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HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
IMMIGRATION POLICY AND ENFORCEMENT  
OF THE  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED TWELFTH CONGRESS  
SECOND SESSION

ON

**H.R. 2831**

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MAY 31, 2012

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**TO AMEND PUBLIC LAW 89-732 TO MODIFY  
THE REQUIREMENT FOR A CUBAN NA-  
TIONAL TO QUALIFY FOR AND MAINTAIN  
STATUS AS A PERMANENT RESIDENT**

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**THURSDAY, MAY 31, 2012**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON IMMIGRATION  
POLICY AND ENFORCEMENT,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC.*

The Subcommittee met, pursuant to call, at 1:30 p.m., in room 2141, Rayburn House Office Building, the Honorable Elton Gallegly (Chairman of the Subcommittee) presiding.

Present: Representatives Gallegly, Ross, Lofgren, and Jackson Lee.

Staff Present: (Majority) Dimple Shah, Counsel; Marian White, Clerk; and (Minority) David Shahoulian, Subcommittee Chief Counsel.

Mr. GALLEGLY. I call the Subcommittee to order.

We are going to have votes here shortly so we will try to get our opening statements, mine and the Ranking Member's, before we go to vote, and hopefully we will not be interrupted too long.

Over the last 2 years, due to changes in U.S. policy, there has been a marked increase in travel to Cuba. In fact, travel from the U.S. to that country has tripled, with most of the increase coming as a result of travelers taking multiple trips per year. As a result, visiting Cuban Americans have become one of the Castro regime's top sources of revenue.

The Cuban Adjustment Act was enacted in 1966 to provide Cubans fleeing persecution with the ability to adjust to permanent residency status in the U.S. after 1 year. However, some Cubans who sought refuge in the U.S. under the CAA immediately and repeatedly travel back to Cuba once they receive permanent residence. Essentially, they are returning to the very same country that supposedly persecuted them.

The original intent of the CAA must be maintained. The law was enacted to provide permanent residency to Cuban refugees who were not able to return to Cuba due to the fear of persecution and the political situation in that country. Today, the political situation in Cuba remains the same, with a Communist dictatorship that denies basic human rights to its people. The fact that some persons avail themselves of the CAA citing political persecution, and then

quickly travel back to the persecuting country, is an abuse of the generosity of the American people and is unacceptable.

H.R. 2831 will rectify these abuses. The bill amends the CAA so that Cuban nationals who obtain permanent residence pursuant to the CAA will have their permanent resident status revoked if they travel to Cuba. The bill will help ensure that the CAA continues to protect Cuban refugees who are truly fleeing persecution, without becoming a vehicle to support the economy of the Castro regime.

And with that, I would yield to the gentlelady from California, the Ranking Member, Ms. Lofgren.

[The bill, H.R. 2831, follows:

112TH CONGRESS  
1ST SESSION

# H. R. 2831

To amend Public Law 89-732 to modify the requirement for a Cuban national to qualify for and maintain status as a permanent resident.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 30, 2011

Mr. RIVERA introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend Public Law 89-732 to modify the requirement for a Cuban national to qualify for and maintain status as a permanent resident.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MODIFICATION OF RULES REGARDING ADJUST-**  
4 **MENT OF STATUS FOR CUBAN REFUGEES.**

5 Section 1 of Public Law 89-732 is amended by add-  
6 ing at the end the following: "An alien shall be ineligible  
7 for adjustment of status under this section if the alien  
8 returns to Cuba after admission or parole into the United  
9 States. The Secretary of Homeland Security shall rescind  
10 the status of an alien who obtained adjustment of status

4

2

1 under this section if the alien returns to Cuba before being  
2 admitted to citizenship in accordance with title III of the  
3 Immigration and Nationality Act (8 U.S.C. 1401 et seq.),  
4 and the alien shall thereafter be subject to all the provi-  
5 sions of such Act to the same extent as if the adjustment  
6 of status had not been made.”.

○



Ms. LOFGREN. Thank you, Mr. Chairman.

The bill before us today is very simple. If enacted it would revoke the permanent residence status of any Cuban national who travels to Cuba prior to becoming a citizen, whatever the reason for the travel. Put another way, it turns the act of travel to Cuba into a deportable offense.

No matter what the reason for stepping foot in Cuba, you lose your status. If you go to visit family members you haven't seen in years, you lose your status. If you go to attend the funeral of your father or to donate a kidney to a dying sibling, you lose your status. If you go to meet with Cuban dissidents with the aim of transitioning Cuba to a democracy, you lose your status. Whatever the reason, the bill says to those who travel, don't bother getting on a plane back to the United States, your permanent residency has been rescinded, you are no longer welcome here.

When I first learned of this bill, I had my Subcommittee staff reach out to Mr. Rivera's office to better understand why he believed such legislation was necessary. After all, this bill would appear to punish many of his own constituents simply for choosing to visit family members still in Cuba. My staff was told that the bill was necessary to prevent alleged abuses of the Cuban Adjustment Act. According to Mr. Rivera's staff, the Act was meant for refugees so beneficiaries should not be traveling back to Cuba. His staff also expressed concern that recent arrivals were exploiting the Act to collect public benefits and then take those benefits back to Cuba where they could live a more lavish lifestyle.

On the first point, I had my staff explain that permanent residency through the Cuban Adjustment Act is not limited to refugees and that the vast majority of Cubans who use the Act are family-based immigrants who make no claim of persecution. In fact, in fiscal year 2011, almost 18,000 Cubans were granted parole to the U.S. as family based immigrants compared to 3,000 who were admitted as refugees. Never has this country denied the ability for family-based immigrants to visit their homeland and doing so here would set a dangerous precedent.

With respect to the claim that immigrants are using public benefits to live extravagantly in Cuba, I took that charge seriously and had my staff look into it. We searched for reports or studies on the issue, but there were none. We called the Social Security Administration, the Florida Department of Children and Families, Florida Legal Services, the Center for Budget and Policy Priorities, and other experts on the use of public benefits, but each person we spoke to said this was not a serious possibility and each explained how incredibly difficult it would be to pull something like this off even for a short period of time.

Nevertheless, we took Mr. Rivera's staff at its word and we offered to assist them in drafting a bill that would revoke public benefits for any person who spent an inordinate amount of time in Cuba absent truly extraordinary circumstances, but this offer was declined.

I think that a bill that would target abuse of benefits that may not exist would be one thing, but this bill does something substantially different. We are left with a bill that doesn't differentiate between humanitarian travel and travel for other purposes. It doesn't

matter whether a person came to the U.S. as a refugee or to reunite with family members. It doesn't matter whether they traveled to Cuba for 1 day or 6 months, and it doesn't matter whether they receive public benefits or not. It doesn't matter whether they came last year or 50 years ago.

This bill seems to have one purpose and one purpose only: to punish people who exercise their right to travel to Cuba. We all know that some want to restrict travel to Cuba, but deporting people for not agreeing with this position, I think, is simply wrong.

Let's talk about a real life example of a person who could be deported if this bill were to become law. You wouldn't know it by his name, but my chief counsel on this Subcommittee, David Shahoulian, is of Cuban descent. His family came to the U.S. in 1967 on one of the famous "Freedom Flights" from Cuba for America. His grandmother, Fedelini Perez, came on that flight and received her green card through the Cuban Adjustment Act the following year.

Forty-five years later, his grandma remains a permanent resident of the United States. Lack of an education in Cuba made it difficult for her to pass the English and civics test required for citizenship, but she worked hard and did not rely on public assistance. During these 45 years, Mr. Shahoulian's grandma traveled to Cuba exactly four times, each time for about a week to visit a sick or dying family member. Had this bill been law back then, she would not have been able to come back.

David tells me that now at age 90, she is hoping to go back one more time to visit her siblings who she will never be able to see again. But if this were to become law she could go to see her siblings but not come back. Here is a bill that would deport David's grandmother and others like her simply for visiting family members, and it is hard for me to consider this a serious policy proposal. It is hard for me to imagine our Committee giving this bill a hearing considering all of the problems our country is facing.

And I yield back, Mr. Chairman.

Mr. GALLEGLY. I thank the gentlelady.

As you know, the bells have gone off. We have three votes. One 15, which translated in Congressional time it is about 29 to 37 minutes, and two 5-minute votes, which translated is 7 or 8 minutes. Put that together, it is probably going to be between 45 and 50 minutes. But we will be back as quickly as we can.

Thank you.

[Recess.]

Mr. GALLEGLY. We have a very distinguished panel with us today. Each of the witnesses' written statements will be entered into the record in its entirety. However, I would ask that your verbal testimony be held to 5 minutes and we provided the lights and you all know how those work. So if you would help us with that, I would be grateful.

Today, we will start with our colleague, Congressman David Rivera, who represents the 25th Congressional District in Florida and is currently serving his first term in the House of Representatives. He serves on the House Committee on Foreign Affairs and on the House Committee on Natural Resources. Prior, he served in the

Florida House of Representatives and worked in the U.S. Information Agency in the Office of Cuba Broadcasting.

Congressman Rivera received his Bachelor's Degree from Florida International University and a Master's of Public Administration. Welcome, David. Glad to have you.

**TESTIMONY OF THE HONORABLE DAVID RIVERA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA**

Mr. RIVERA. Thank you, Mr. Chairman, for holding this hearing regarding a very important immigration enforcement matter.

In 1966, the United States of America granted Cuban nationals one of the most benevolent immigration provisions ever granted to nationals of any country on the planet, what became known as the Cuban Adjustment Act. The Cuban Adjustment Act provides Cubans fleeing persecution in Cuba who arrive in the United States eligibility for permanent residency status after 1 year. In the history of America only one other nationality has been granted this benefit, Hungarians in 1956. The Cuban Adjustment Act is a precious gift to Cuban political refugees that must be preserved and protected and should never be abused or manipulated.

Unfortunately, abuse and manipulation is exactly what has occurred in recent years. Because of these abuses and in order to preserve and protect the benefits of the Cuban Adjustment Act for future Cuban asylum seekers, the time has come to adjust the Cuban Adjustment Act.

The fact is that in recent years it has become a common occurrence for Cubans to seek political asylum in the U.S. under the Cuban Adjustment Act and after a year and a day immediately and repeatedly travel back to the persecuting country.

Increasingly, Cuban Americans are citing family reunification to justify travel that in reality that more closely resembles common tourism and other unauthorized travel. One of the latest manifestations of abuse of this law occurred when travel agencies providing Cuba travel services actually incentivized passengers to inducements such as free airfare as long as the passenger is willing to carry baggage filled with merchandise to be used for sale in Cuba. In these cases, Cuban Adjustment Act beneficiaries actually become human cargo vessels to promote commercial activity for Cuba.

In many cases, those Cubans traveling are also recipients of U.S. taxpayer funded welfare programs such as Medicare, Medicaid, Social Security, food stamps, public housing and cash assistance. In these cases, U.S. taxpayers are actually subsidizing travel to a country that has been designated a sponsor of terrorism by our own government.

The original intent of the Cuban Adjustment Act was to provide residency status to Cuban refugees because they were not able to return to Cuba due to the political situation in Cuba in 1966, which certainly has not changed. In fact the political situation in Cuba is worse today with a Communist, totalitarian dictatorship in power that continues to deny basic civil liberties and human rights to its people, continues to imprison peaceful pro-democracy activists and continues to cause the deaths of Cubans who desperately seek to escape across the Florida straits.

The fact that Cubans avail themselves of the Cuban Adjustment Act citing politically persecution and then quickly travel back to the persecuting country is a clear and blatant abuse of the law. In fact it is outright fraud being perpetrated on the people and government of the United States.

If Cubans are able to travel back to the Communist dictatorship, then they should not have received the residency benefits associated with the Cuban Adjustment Act and they should lose that benefit immediately.

My legislation simply says that any Cuban national who receives political asylum and residency under the Cuban Adjustment Act and travels to Cuba while still a resident will have their residency status revoked. By reforming the Cuban Adjustment Act to stop its abuses, we are ensuring the residency benefits will be there for all future asylum seekers. In other words, adjust the Cuban Adjustment Act in order to save the Cuban Adjustment Act.

Recent statements by Cuban leaders and Cuban state media regarding the facilitating of Cuban Americans traveling to Cuba make it abundantly clear that the regime is looking for this travel activity for its own economic benefits.

But let me be clear, Mr. Chairman, in the final analysis my legislation is about protecting the rule of law here in the United States. The reason I believe this Committee was designated as the Committee of jurisdiction over my legislation is precisely because this Committee is charged with oversight responsibility to ensure that the spirit and letter of our immigration laws are followed.

There are some that may try to distract attention from this issue of rule of law and attempt to divert this legislation into a debate about U.S. policy toward Cuba or Cuba travel regulations. I would strongly urge the Committee to maintain the focus on the purpose of my legislation to ensure that the spirit and letter of U.S. immigration law is enforced.

Besides protecting against fraud and abuse in our immigration laws, my legislation will also protect American taxpayers from fraud and abuse in our social welfare program such as Medicare and Medicaid. These programs have been the victim of billions of dollars in stolen funds by individuals who come from Cuba under the Cuban Adjustment Act, receive refuge in Cuba after they have committed their illegal activities against the American taxpayer and live in Cuba protected by the Cuban Government as fugitives from U.S. justice.

In sum, Mr. Chairman, it is imperative that Congress do everything in its power to enforce U.S. immigration law. I believe many Americans will be shocked to learn that we allow individuals to come to America from a terrorist nation with a special immigration status citing political persecution and then after a year and a day allow those same individuals to travel back to that terrorist nation.

This abuse, fraud and manipulation of our immigration laws must end. The spirit of and letter of our immigration laws must be enforced. My legislation will do exactly that.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Rivera follows:]

Hearing Before the House Judiciary Committee

Subcommittee on Immigration Policy and Enforcement

**"H.R. 2831**, to amend Public Law 89-732 to modify the requirement for a Cuban national to qualify for and maintain status as a permanent resident."

May 31<sup>st</sup>, 2012

Testimony of the Honorable David Rivera

*Member of Congress, 25<sup>th</sup> District of Florida*

Thank you Mr. Chairman for holding this hearing regarding an important immigration enforcement matter.

In 1966, the United States of America granted Cuban nationals one of the most benevolent immigration provisions ever granted to nationals of any country on the planet, what became known as the Cuban Adjustment Act.

The Cuban Adjustment Act provides Cubans fleeing persecution in Cuba who arrive in the United States eligibility for permanent residency status after one year.

In the history of America, only one other nationality has been granted this benefit – Hungarians in 1956. The Cuban Adjustment Act is a precious gift to Cuban political refugees that must be preserved and protected. And should never be abused or manipulated.

Unfortunately, abuse and manipulation is exactly what has occurred in recent years. Because of these abuses, and in order to preserve and protect the benefits of the Cuban Adjustment Act for future Cuban asylum seekers, the time has come to adjust the Cuban Adjustment Act.

The fact is that in recent years it has become a common occurrence for Cubans to seek political asylum in the U.S. under the Cuban Adjustment Act; and after a year and a day immediately and repeatedly travel back to the persecuting country.

Increasingly, Cuban-Americans are citing family reunification to justify travel that in reality more closely resembles common tourism and other unauthorized travel involving everything from plastic surgery to fifteen parties and weddings, to even sex tourism.

In many cases, those Cubans travelling are also recipients of U.S. taxpayer-funded welfare programs such as Medicare, Medicaid, Social Security, Food Stamps, public housing and cash assistance. In these cases, U.S. taxpayers are actually subsidizing travel to a country that has been designated a sponsor of terrorism by our own government.

The original intent of the Cuban Adjustment Act was to provide residency status to Cuban refugees because they were not able to return to Cuba due to the political situation in Cuba in 1966, which certainly has not changed.

In fact, the political situation in Cuba is worse today, with a communist totalitarian dictatorship in power that continues to deny basic civil liberties and human rights to its people, continues to imprison peaceful pro-democracy activists such as the Ladies in White, some of which have died at the hands of the Castro dictatorship, and continues to cause the death of Cubans who desperately seek to escape across the Florida straits.

The fact that Cubans avail themselves of the Cuban Adjustment Act citing political persecution, and then quickly travel back to the persecuting country, is a clear and blatant abuse of the law. In fact it is outright fraud being perpetrated on the people and government of the United States.

If Cubans are able to travel back to the communist dictatorship then they should not have received the residency benefits associated with the Cuban Adjustment Act and they should lose that benefit immediately.

My legislation simply says that any Cuban national who receives political asylum and residency under the Cuban Adjustment Act, and travels to Cuba while still a resident, will have their residency status revoked.

By reforming the Cuban Adjustment Act to stop its abuses, we are ensuring the residency benefits will be there for all future asylum seekers. In other words, we must adjust the Cuban Adjustment Act in order to save the Cuban Adjustment Act.

Recent statements by Cuban leaders and Cuban state media regarding the facilitating of Cuban-Americans travelling to Cuba make it abundantly clear that the regime is looking to this travel activity for its economic benefit.

But let me be clear Mr. Chairman, in the final analysis, my legislation is about protecting the rule of law here in the United States. The reason I believe this committee was designated as the committee of jurisdiction over my legislation is precisely because this committee is charged with oversight responsibility to ensure that the spirit and letter of our immigration laws are followed.

There are some that may try to distract attention from this issue of rule of law and attempt to divert this legislation into a debate about U.S. policy toward Cuba or the issue of Cuba travel regulations. I would strongly urge the committee to maintain the focus on the purpose of my legislation; to ensure that the spirit and letter of U.S. immigration law is enforced.

Besides protecting against fraud and abuse in our immigration laws, my legislation would also protect American taxpayers from fraud and abuse in our social welfare programs such as Medicare and Medicaid. These programs have been the victim of billions of dollars in stolen funds by individuals who have come from Cuba under the Cuban Adjustment Act and have received refuge in Cuba after they have committed their illegal activities against the American taxpayer.

In sum Mr. Chairman, it is imperative that Congress do everything in its power to enforce U.S. immigration law. I believe many Americans would be shocked to learn that we allow individuals to come to American from a terrorist nation with a special immigration status citing political persecution, and then after a year and a day allow those same individuals to travel back to that terrorist nation.

This abuse, fraud and manipulation of our immigration laws must end. The spirit and letter of our immigration laws must be enforced. My legislation will do exactly that. Thank you Mr. Chairman.

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Mr. GALLEGLY. Thank you, Mr. Rivera.

Our next witness, Juan Carlos Gómez, serves as the Director of the Carlos A. Costa Immigration and Human Rights Clinic at the Florida International University College of Law, where he is an assistant clinical professor. Within the field of immigration law, he has helped thousands of individuals in situations, including removal and deportation proceedings, family immigration, and the

transfer of professionals and executives to the United States. Mr. Gómez received his BA from Florida International University with honors and his JD from the University of Pennsylvania Law School.

Welcome, Mr. Gómez.

**TESTIMONY OF JUAN CARLOS GÓMEZ, DIRECTOR, CARLOS A. COSTA IMMIGRATION AND HUMAN RIGHTS CLINIC, FLORIDA INTERNATIONAL UNIVERSITY COLLEGE OF LAW**

Mr. GÓMEZ. I am honored to appear here before you in the hope that I can be of assistance in regard to House Bill 2831. I came here as someone who was able to become an American because of the Cuban Adjustment Act, as someone who benefited from the freedom flights, and ironically I was made to feel a bit old because your grandmother and I seem to have been in the same boat in a way.

As someone who has represented Cubans for over 20 years who were applying for lawful permanent residence under the Cuban Adjustment Act and as someone who has taught the workings of the Act in law school, the Cuban Adjustment Act of 1966 is meant to be a tool to alleviate the suffering of Cubans who made it to the United States after fleeing oppression in Cuba. There have been amendments to the Act over the decades. The act currently requires only 1 year of physical presence in the United States in order to apply for adjustment.

This act is an embarrassment to the Castro government because it serves as a reminder to the world that their failed system has for decades forced Cubans to flee Cuba. Some say the Cuban Adjustment Act is a magnet that attracts Cubans to the United States. They are wrong. It is freedom and opportunities that are the magnets that attract Cubans to the United States. It is particularly embarrassing to the Castros and their henchmen that it was not just persons who fled immediately after 1959 change in government but hundreds of thousands over the last 2 decades alone. As long as the caudillos, or military strongmen essentially, and their thugs are in power in Cuba, the Act must continue to exist.

The main refugee system in the United States has been inadequate to address the problem of Cuban refugees seeking freedom in the United States. In the Cuban situation, parole authority has been used since the 1960's because the global refugee quota system would have failed to alleviate the suffering of those who sought freedom in the United States. And while there have been various ways of migration of Cubans seeking freedom, the vast majority of Cubans have been paroled into the United States and have benefited from the Cuban Adjustment Act. Those of us who work in the field have seen thousands of good people become permanent residents, and many like myself have become United States citizens.

The legislation seeks to ensure that we keep the intent of the Act in place and protect those legitimately seeking refuge in the United States. We must distinguish between the poor factory workers who are struggling to support themselves and their families here and their relatives in Cuba from the role of the wise guy who would take advantage of our laws. We must distinguish the victims of the oppressors from the opportunists.



And in addressing that, I would respectfully like to address a concern in the bill that I have mentioned in my written testimony. In its current form, the bill contains no exception for a person who would return to the island to deal with illness or death of a parent, spouse or child. I think that this is a matter that needs to be considered.

In the context of this important discussion, we must also be aware that we have mechanisms in our immigration laws to filter out persons who would not be allowed to be admitted as lawful permanent residents. There are still unfortunately big weaknesses in our immigration laws as related to the Cuban situation.

Congressman Rivera has mentioned some of them. The best example that I can think of is where the children, as we define the word "child" in the INA, of officers of the Cuban military or the elite of the Cuban machinery, including ministers, vice ministers, heads of bureaucracies, politburos from the local level on up who have immigrated to the United States. They benefited from the lifestyles of the elite along with the Castros in Cuba, and they did not have to actually be members of the Communist Party. So they have actually also benefited from the generosity of the Cuban Adjustment Act.

Another example is that you have persons who are voluntarily part of the machine of government in Cuba who still can benefit from the Cuban Adjustment Act. It is ironic that while a country, and many individuals, have had to wait 50-plus years for freedom, former members of the Communist Party need only wait 5 years and then apply for benefits under the Cuban Adjustment Act.

If I may be so bold as to suggest that everyone from the officer class and management level on up in Cuba should be denied access to the Cuban Adjustment Act. For instance, if you work for the Ministry of Interior in Cuba, which serves as Castros main tool of repression and you are not a member of the Communist Party, you can become a lawful permanent resident in the United States under the Cuban Adjustment Act. I would also suggest that these individuals be denied access to the parole status or parolee status which is the mechanism that triggers access for most Cubans to the Cuban Adjustment Act.

It is imperative that we continue to protect those who are fleeing Cuba as legitimate refugees. I appreciate the intention of House Bill 2831 in an effort to strengthen the Cuban Adjustment Act. We need to protect the Cuban Adjustment Act from abuse.

I urge the Committee to be cautious and to protect the law from persecutors and others who are part of the machine of oppression in Cuba without hurting its victims.

[The prepared statement of Mr. Gómez follows:]

Testimony of Juan Carlos Gómez  
Hearing on HR 2831  
May 31, 2012  
United States House of Representatives  
Committee on the Judiciary  
Subcommittee on Immigration Policy and Enforcement

Mr. Chairman,

I am honored to appear before you in the hope that I can be of assistance in regard to House Bill 2831. I appear as someone who was able to become an American because of the Cuban Adjustment Act, as someone who benefited from the Freedom Flights, as someone who has represented Cubans for over twenty years who were applying for lawful permanent residence under the Cuban Adjustment Act, and as someone who has taught the workings of the Act in law school. The Cuban Adjustment Act of 1966 is meant to be a tool to alleviate the suffering of the Cubans who have made it to the United States after fleeing from oppression in Cuba. There have been amendments to the Act over the decades. The Act currently requires one year of physical presence in the United States in order to apply for adjustment of status. It originally required two years of physical presence. There have been calls to revoke the Act. Many people misunderstand that the Act is not the reason why our Government does not physically deport removable Cubans to Cuba. There simply is no treaty between Cuba and the United States to facilitate physical removal. There have been a few exceptions to the inability to physically remove these Cubans.

The Act is an embarrassment to Castro Government because it is a reminder to the world that their failed system has for decades forced Cubans to flee Cuba. Some say that the Cuban Adjustment Act is a magnet that attracts Cubans to the United States. They are wrong. It is freedom and opportunity that are the magnets that attract Cubans to the United States. It is particularly embarrassing to the Castros and their henchmen, that it was not just persons who fled immediately after the 1959 change in government, but hundreds of thousands over the last two decades. As long as the caudillos and their thugs are in power in Cuba, the Act must continue to exist.

The main refugee system is inadequate to address the problem of Cuban refugees seeking freedom in the United States. In the Cuban situation, the parole authority has been used since the 1960's because the global refugee quota system would have failed to alleviate the suffering of those who sought freedom in the United States. As the decades of tyrannical government elapsed, there have been different waves of migration. There was the Peter Pan Program in the early Sixties, a boatlift out of Camarioca Harbor in 1965. I have mentioned the Freedom Flights from 1965 to 1971. There have been decades of heroic rafters and others who fled in very creative ways. There have been defectors. There was the Mariel Boatlift and the 1994 Guantanamo exodus. Since then there have been visa or parole lottery winners. There are, of course, many who have come under the main system of immigration. There are also persons who have been granted refugee status. The vast majority of Cubans though were parolees and benefitted from the Cuban Adjustment Act. Those of us who work in the field have seen thousands of good people become permanent residents. Many of us became United States Citizens.

Many who benefitted from the Act decades ago, including my parents, are now dead. We must distinguish the poor factory workers who are struggling to support themselves and their families here and their relatives in Cuba from the picaro, or rogue. We must distinguish victims from the oppressors and the opportunist. The Bill, in its current form, has no exception for a person who would return to the Island to deal with the illness or death of a parent, spouse, or child.

I have three small children. I cannot imagine the pain of being separated from them for the years that it takes under our immigration system for lawful permanent residents to reunite with their children. When one is a refugee or an asylee, there is a mechanism in place to reunite with spouses and children (unmarried son or daughter who is under twenty years of age). Unlike these individuals, persons who adjusted under the CAA need to file a relative petition under the INA. There is a mechanism in place for paroling some relatives. We are still talking about years.

We must be aware that we have mechanisms in the Immigration Laws of the United States to filter out persons who should not be allowed to be admitted as

lawful permanent residents. In the Cuban situation Section 212 of the Immigration and Nationality Act already bans voluntary members of the Communist Party for a period of 5 years since the date that they stopped being members. There are sections that deal with bars to persons who provided material assistance to terrorist organizations, and persons who are members and/or representatives of terrorist groups. Oddly, section 212(a) does not explicitly bar all persecutors from admissibility.

There are weaknesses in our immigration laws as related to the Cuban situation. The best example that I can think of is where the children and sons and daughters as defined in the INA of officers of the Cuban military and of the elite in the Cuban machinery, including ministers, vice-ministers, heads of bureaucracies, politburos from the local level on up, have immigrated to the United States. They benefitted from the lifestyle of the elite with the Castros without actually having to be members of the Communist Party. Once these individuals are United States citizens, they can petition for their parents. You should think of this as an insurance policy for the elite once there is a change in the government of Cuba.

Another example is that persons who were voluntarily part of the machine of government in Cuba may still benefit from the Cuban Adjustment Act. It is ironic while a country, and many individuals, have had to wait for fifty plus years for freedom, former members of the Communist Party need only wait five years to then apply for benefits under the Cuban Adjustment Act. If I may be so bold as to suggest, that everyone from the officer class and management level on up in Cuba, should be denied access to the Cuban Adjustment Act. In this group, you must include presidents of local mass organizations, like the committees for the defense of the [so-called] revolution. If they fear persecution in Cuba, they can apply for refugee status at our Interest Section or asylum here in the United States.

If you work for the Ministry of Interior in Cuba, the main tool of repression and you were not a member of the Communist Party, you can become a lawful permanent resident of the United States. I would also suggest that these individuals be denied access to parolee status, which is one of the triggers to being able to apply under the Cuban Adjustment Act.

Those who are fleeing Cuba are fleeing a failed system of government. Some are refugees in the sense of the Refugee Act of 1980. Most are fleeing oppressive conditions, a kind of poverty not in the economic sense, but the soulless poverty found in a Stalinist totalitarian world. This is a world where there is no hope for one's children, a world of fear of one's neighbors, friends, and of the machine of government. In conversations with my clients over the last two decades, I have repeatedly heard how they were afraid to think freely because of the horrendous reality that they must face each day. I was told that it was not a good idea to live in a fantasy of freedom when living in a reality of fear and oppression. I was told that you had to always be careful with what you said and what others said around you.

I appreciate that the intention of House Bill 2831 is an effort to strengthen the Cuban Adjustment Act. I am concerned because it needs to take some exceptions into consideration. I urge the Committee to be cautious in legislating. I urge the Committee to think of ways to protect the law from persecutors and others who were part of the machine of oppression in Cuba without hurting its victims. While I understand the intention of the Bill, Congress must always be cautious in creating laws that restrict life and freedom. It is dangerous to legislate too broadly and hurt the innocent with those who have and who would continue to abuse our Country's laws and generosity. Understanding the difficulties of dealing with immigration laws and with the Cuban situation, I suggest that the Bill be considered with my concerns in mind. I will be happy to address any questions and to assist in strengthening the Cuban Adjustment Act to continue to protect those victims who come to our shores from Cuba.

Respectfully,

Juan Carlos Gómez  
Director of the Carlos A. Costa Immigration and  
Human Rights Clinic, Assistant Clinical Professor  
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Mr. GALLEGLY. Thank you very much, Mr. Gómez.

Our next witness, Mr. Mauricio Claver-Carone, is the Executive Director of Cuba Democracy Advocates in Washington, D.C., a non-partisan organization dedicated to the promotion of human rights, democracy, and the rule of law in Cuba. Prior to his work in government, he served as a clinical assistant professor at the Catholic University of America's School of Law and as an adjunct professor at the George Washington University's National Law Center.

Mr. Claver-Carone earned his BA from Rollins College, his JD from the Catholic University of America, and a Master of Law from Georgetown University Law Center.

Welcome, Mr. Claver-Carone.

**TESTIMONY OF MAURICIO CLAVER-CARONE,  
EXECUTIVE DIRECTOR, CUBA DEMOCRACY ADVOCATES**

Mr. CLAVER-CARONE. Thank you very much, Mr. Chairman. It is truly a privilege to be here with all of you today to testify in support of H.R. 2831.

The Cuban Refugee Adjustment Act of 1966 gives Cuban nationals once they reach the United States and stay for a year a right to become legal permanent residents. Cubans are the only nationality to which the U.S. Congress has awarded this special privilege. The legislative history of the Cuban Refugee Adjustment Act holds that immigrants from Cuba are refugees under international law, hence the original name of the Act.

Under the United Nation's convention relating to the status of refugees of 1951, a refugee is a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable to or, owing to such fear, unwilling to avail himself of the protection of that country.

Undoubtedly, Cubans remain persecuted for their political opinions by the Castro dictatorship, which remains as brutal as ever. So it is not yet time to repeal the Cuban Refugee Adjustment Act.

According to U.S. Department of State's most recent human rights report, the Castro's regime violations include abridgement of the right of citizens to change their government; government threats, intimidation, mobs, harassment, detentions to prevent citizens from assembling peacefully; and a significant increase in a number of short-term detentions, which in December rose to the highest monthly number in 30 years. Moreover, it recognizes that these abuses were official acts committed at the discretion and direction of the government, and consequently the perpetrators enjoyed impunity for their actions.

In 2011, Cuban independent journalists documented over 3,835 political arrests by the Castro regime, more than 150 percent increase from the previous year. As a result, Cubans should undoubtedly continue to be paroled into the United States as refugees fleeing persecution from the sole remaining dictatorship in the Western Hemisphere.

However, some things have changed since the Cuban Refugee Adjustment Act was originally enacted. In 1994, as rising political pressure and economic woes threatened the regime's post-Soviet existence, Fidel and Raul Castro resorted to their old tactic of creating a migration crisis but with a new twist, that they began allowing Cubans to take to the sea in makeshift rafts.

From this crisis, the Castro regime extracted a migration accord, the 1994 Accord, from the Clinton administration which allocated a minimum of 20,000 yearly visas to residents of Cubans regardless of their political status vis—vis the dictatorship.

Since the 20,000 minimum visas per year could not be met through the Immigration Nationality Act preference system, the Clinton administration decided to use the Cuban Refugee Adjustment Act as its legal authority to allow this new category of humans to come to the United States and become legal permanent residents. Pursuant to the 1994 Accord, nearly half a million Cubans have entered the United States and become legal permanent residents under the Cuban Refugee Adjustment Act.

Although no longer a prerequisite, most have nonetheless had a political rationale for fleeing the island, others have not. Yet both are equally afforded the benefits of the Cuban Refugee Adjustment Act not only regarding their migratory status but also the generous means-tested public assistance programs afforded to refugees and to which they qualify thanks to the Cuban Refugee Adjustment Act.

These include supplemental security income and Temporary Assistance for Needy Families. Such public assistance is meant to help Cuban refugees settle here in the United States.

The time has come to legally ensure that only Cubans who come to the United States as refugees are afforded the special privileges provided under the Cuban Refugee Adjustment Act and thus restore the law's original intent.

This does not mean that Cubans who are not refugees should be denied entry into the United States. It simply means that they should be subject to the same set of immigration rules as Mexicans, Canadians, Filipinos, or any other nationalities patiently waiting to do so. They should not be allowed to jump the line.

Thus, H.R. 2831 would bring non-refugee parity in this regard; otherwise this current back door loophole risks altogether ended the needed special protections to Cuban Refugee Adjustment Act originally intended for those persecuted by the Castro regime.

The Castro regime has manipulated 1994 Accord to create a system of travel back and forth for tens of thousands of nonrefugee Cubans who nonetheless adjusted their status under the Cuban Refugee Adjustment Act. This travel network carries minimum political risk for the regime and for many reasons.

These incongruences are further exacerbated by the fact that the U.S. government outsources first-year screening of Cubans chosen to be paroled into the United States under the Cuban Refugee Adjustment Act to the Castro regime. That is right. The U.S. Interest Section in Havana hires Castro regime personnel to interview Cubans seeking visas. Thus, adding insult to injury, current U.S. policy allows the persecutors to choose who will ultimately be afforded the privilege of the Adjustment Act.

The fairest and easiest way to legally classify Cubans who have a legitimate political rationale versus those who don't is by identifying those who quickly turn around and travel back to the islands. Identifying those who travel back for a political rationale is not a new rubric. It is how the law distinguishes legitimate versus fraudulent refugee claims for every other nationality in the world. Therefore, it would bring parity for refugees as well.

Mr. Chairman, this concludes my testimony, and I truly appreciate the invitation and opportunity, and I will be pleased to respond to any questions.

[The prepared statement of Mr. Claver-Carone follows:]

**HEARING BEFORE THE  
HOUSE JUDICIARY COMMITTEE  
SUBCOMMITTEE ON IMMIGRATION POLICY AND ENFORCEMENT**

“**H.R. 2831**, To amend Public Law 89-732 to modify the requirement for a Cuban national to qualify for and maintain status as a permanent resident.”

**May 31, 2012**

**TESTIMONY OF MAURICIO CLAVER-CARONE**

*Executive Director*

**Cuba Democracy Advocates**



Thank you, Mr. Chairman.

My name is Mauricio Claver-Carone and I am the Executive Director of Cuba Democracy Advocates, a non-profit, non-partisan organization dedicated to the promotion of human rights, democracy and the rule of law in Cuba.

It is truly a privilege to be here with all of you today to testify in support of H.R. 2831, a bill to modify the requirements in the Cuban Refugee Adjustment Act ("CRAA") under which a Cuban national can qualify for and maintain status as a permanent resident.

The Cuban Refugee Adjustment Act of 1966 gives Cuban nationals -- once they reach the United States and stay for a year -- a right to become legal, permanent residents. Cubans are the only nationality to which the U.S. Congress has awarded this special privilege.

The legislative history of the CRAA holds that immigrants from Cuba are refugees under international law, hence its original name.

Under the United Nations Convention Relating to the Status of Refugees of 1951, a refugee is a person who *"owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country."*

Undoubtedly, Cubans remain persecuted for their political opinions by the Castro dictatorship, which remains as brutal as ever. Thus, it is not yet time to repeal the CRAA.

According to the U.S. Department of State's most recent human rights report, the Castro regime's violations include:

*"[...] abridgement of the right of citizens to change their government; government threats, intimidation, mobs, harassment, and detentions to prevent citizens from assembling peacefully; and a significant increase in the number of short-term detentions, which in December rose to the highest monthly number in 30 years.*

*[...] beatings, harsh prison conditions, and selective prosecution and denial of fair trial. Authorities interfered with privacy and engaged in pervasive monitoring of private communications. The government also placed severe limitations on freedom of speech and press, restricted freedom of movement, and limited freedom of religion. The government refused to recognize independent human rights groups or permit them to function legally. In addition, the government continued to place severe restrictions on worker rights, including the right to form independent unions."*

Moreover, it recognizes that:

*"Most human rights abuses were official acts committed at the direction of the government, and consequently the perpetrators enjoyed impunity for their actions."*

In 2011, Cuban independent journalists (*CIHPress*) documented over 3,835 political arrests by the Castro regime -- more than a 150% increase from 2010.

And these are only political arrests that are known and fully documented. Countless others are presumed, for Cubans can be preemptively picked up at any time, upon the whim of the authorities, and charged under Article 72 of the Cuban Criminal Code, referred to as a "dangerous state," which provides:

*"Dangerous state is considered to be the special proclivity one finds in a person to commit crimes, demonstrated by the conduct observed in manifest contradiction with the norms of socialist morality."*

As a result, Cubans should undoubtedly continue to be paroled into the United States ("U.S.") as refugees fleeing persecution from the sole remaining dictatorship of the Western Hemisphere.

However, some things have changed since the CRAA was originally enacted.

In 1994, as rising political pressure and economic woes threatened the regime's post-Soviet existence, Fidel and Raul Castro resorted to their old tactic of creating a migration crisis (i.e. Mariel boatlift of 1980), but with a new twist. Thus, they began allowing Cubans to take to the sea in makeshift rafts.

From this crisis, the Castro regime extracted a migration accord ("1994 Accord") from the Clinton Administration, which allocated a minimum of 20,000 yearly visas to residents of Cuba - - regardless of their political status vis-à-vis the dictatorship.

Since the 20,000 minimum visas per year could not be met through the Immigration and Nationality Act ("INA") preference system, the Clinton Administration decided to use the CRAA as its legal authority to allow this new category of Cubans to come to the U.S. and become legal, permanent residents. It even created a "visa lottery" program to randomly select -- once again, regardless of political rationale -- who receives a visa -- in clear violation of the CRAA's original intent.

Pursuant to the 1994 Accord, nearly half a million Cubans have entered the U.S. and become legal, permanent residents under the CRAA. Although no longer a pre-requisite, most have nonetheless had a political rationale for fleeing the island -- others have not.

Yet, both are equally afforded the benefits of the CRAA. Not only regarding their migratory status, but also the generous means-tested public assistance programs afforded to refugees and to which they qualify thanks to the CRAA. These include Supplemental Security Income (SSI) and Temporary Assistance for Needy Families (TANF). Such public assistance is meant to help Cuban refugees settle in the U.S. However, many non-refugee Cubans currently use these benefits, which can average more than \$1,000 per month, to immediately travel back to the island, where the average income is \$20 per month, and comfortably reside there for months at a time on the taxpayer's dime.

The time has come to legally ensure that only Cubans who come to the U.S. as refugees are

afforded the special privileges provided under the CRAA -- and thus, restore the law's original intent.

This does not mean that Cubans who are not refugees should be denied entry into the U.S. It simply means that they should be subject to the same set of immigration rules as Mexicans, Canadians, Filipinos or any other nationalities patiently waiting to do so.

Thus, H.R. 2831 would bring non-refugee parity.

Otherwise, this current backdoor loophole risks altogether ending the needed special protections the CRAA originally intended for those persecuted by the Castro regime -- further endangering lives, while granting a calculated victory to the island's cruel dictatorship.

The Castro regime has manipulated the 1994 Accord to create a system of travel back-and-forth to the island for tens of thousands of non-refugee Cubans, who nonetheless adjusted their status under CRAA. Meanwhile, it continues to deny the right of return to those who have fled for political reasons -- keeping their names on an infamous "black list." This travel network carries minimum political risk for the regime, as it fully controls access to the island, while delivering huge financial benefits for its totalitarian economy -- thanks to the constant stream of desperately needed hard currency it creates. It has also facilitated the Castro regime's ability to establish and repatriate funds from lucrative criminal enterprises, including billionaire Medicare fraud schemes.

These incongruences are further exacerbated by the fact that the U.S. government outsources the first-tier screening of Cubans chosen to be paroled into the U.S. under the CRAA to the Castro regime. That's right; the U.S. Interests Section in Havana hires Castro regime personnel to interview Cubans seeking visas. Thus, adding insult to injury, current U.S. policy allows the persecutors to choose who will be afforded the privilege of the CRAA.

The result is a process whereby thousands of Cuban non-refugees are being admitted to the U.S. under CRAA, while many who are genuinely persecuted for their political views are being denied entry. Such is the case of a former senior level Cuban military official, Maximo Omar Ruiz Matoses, who spent 17 years as a political prisoner of the Castro regime for dissenting within its ranks, yet was recently denied asylum by the U.S. This flips the entire purpose of the CRAA on its head.

The fairest and easiest way to legally classify those Cubans who have a legitimate political rationale for seeking refuge in the U.S. versus those who do not is by identifying those who quickly turn-around and travel back to the island.

Identifying those who travel back in order to determine a political rationale for CRAA purposes is not a new rubric. It is how U.S. law distinguishes legitimate versus fraudulent refugee claims for every other nationality in the world.

Under Section 208.8(b) of Title 8 of the Code of Federal Regulations, an asylum applicant who leaves the U.S. pursuant to advance parole and returns to the country of claimed persecution is presumed to have abandoned his or her asylum application. Such an individual's underlying asylum status may be terminated even if the individual has already become a lawful permanent

resident.

Therefore, in order to rightfully restore the original intent of the CRAA, Congress should adopt H.R. 2831, which would make it consistent with Section 208.8(b) as applied to Iranians, Syrians, Sudanese and other source-nations of refugees, whose asylum status may be terminated if they choose to return to their country of feared persecution, until they become U.S. citizens.

Thus, H.R. 2831 would bring refugee parity as well.

It is the most reasonable way to ensure the CRAA continues to protect Cuban refugees who are fleeing the Castro regime's persecution, without providing a financial lifeline and an additional control mechanism to their persecutors.

Mr. Chairman, this concludes my testimony. Again, I truly appreciate the invitation and the opportunity to speak before you and the committee. I will be pleased to respond to any questions.

Mr. Gallegly. Thank you very much, Mr. Claver-Carone.

The next witness is Mr. Thomas Bilbao. Mr. Bilbao is Executive Director of the Cuban Study Group. Prior to joining the Cuban Study Group, Mr. Bilbao served as Director of Transition for Senator-elect Mel Martinez and Director of Operations for Mel Martinez for the U.S. Senate.

In addition, he served in the administration of George W. Bush as Deputy Director of Operations for Advance at the U.S. Department of Housing and Urban Development.

Mr. Bilbao holds a Bachelor's Degree from American University and an MBA from the Kellogg School of Management at Northwestern University.

Welcome.

**TESTIMONY OF TOMAS BILBAO, EXECUTIVE DIRECTOR,  
CUBA STUDY GROUP**

Mr. BILBAO. Thank you very much, Chairman Gallegly and Ranking Member Lofgren, and other honorable Members of the Committee, for the opportunity to present a point of view which all too often goes unrepresented in this body despite the fact that it reflects the opinions of the overwhelming majority of the Cuban American community. I believe it is important to provide this perspective on a bill that amounts to little more than yet another travel ban to Cuba, which it does so by targeting a longstanding benefit afforded to our community.

For over a decade, the Cuba Study Group has advocated for human rights in Cuba and for policies to help break the isolation imposed on the Cuban people mainly by the policies of the Cuban regime, but sadly also by the policies of the U.S. government.

Our moral beliefs tell us that dividing Cuban families is wrong no matter who is responsible for it and that the best way to help Cubans on the island become authors of their own future is by empowering them through resources and information.

Since the reversal of restrictions on family travel and enacted in 2004, Cuban Americans have taken over 400,000 trips annually, and this number continues to grow. Hundreds of thousands of Cubans in our community are voting with their feet, and they are telling us that for them family is more important than politics.

A September 2011 poll conducted by Florida International University demonstrates that 57 percent of Cuban Americans in Miami-Dade County favor unrestricted travel to Cuba by any American, not just family travel, and those numbers rise to 75 percent for more recent arrivals, the target of H.R. 2831.

In addition, leaders of Cuba's pro-democracy movement have called on the U.S. to eliminate all travel restrictions to Cuba. Almost exactly 2 years ago today, 74 of Cuba's top democracy advocates wrote to Congress and stated that, quote, we share the opinion that the isolation of the Cuban people benefits the most inflexible interests of its government while any opening serves to inform and empower the Cuban people and helps to further strengthen our civil society, end quote.

Now, at a time when the Cuban Government is in the process of reforming its own onerous migratory laws, which deny its citizens the right to travel and divides Cuban families, this bill seeks to impose similar restrictions in the United States. Unfortunately, for the Cuban American community this latest effort to restrict travel to the island targets a longstanding benefit afforded to us which has enabled countless Cuban immigrants to adapt to life in the United States and to rise to the highest levels of academia, business, the arts, and public service.

Proponents of this bill have suggested the beneficiaries of the Cuban Adjustment Act shouldn't travel to the island because they benefit from this law by claiming political persecution. However, the Cuban Adjustment Act does not make persecution a condition for obtaining lawful status.

U.S. immigration law toward Cuba has a long history of providing resettlement assistance to Cuban immigrants regardless of whether they claim political persecution. This is because as Americans we understand that Cuban immigrants, whether they claim political asylum or not, are victims of a system that systematically violates individual liberties and which stifles private initiative.

Suggesting that all Cuban immigrants benefiting from the Cuban Adjustment Act have claimed political persecution or were required to by law is simply incorrect. The bill's proponents claim that it is necessary in order to prevent abuse and manipulation by Cuban Americans. Not only are these attacks unfounded as no evidence of widespread abuse has been presented, but they are divisive and they are insulting.

Moreover, the bill is written so broadly as to penalize those Cuban Americans who by virtue of having family on the island must travel back to Cuba. The broad scope of the language of this bill seeks not just to prevent the abuses alleged by proponents of the bill but rather forces all Cuban immigrants who want to maintain stable legal status in the United States to give up visiting their family in Cuba.

Mr. Chairman, Ranking Member Lofgren, and other Members of this Committee, this bill as currently drafted amounts to little more than another concerted effort by some to restrict travel to Cuba regardless of the human costs and to criminalize those who do so by targeting longstanding benefits enjoyed by our community.

The overwhelming majority of Cuban Americans reject efforts to restrict our rights to visit family on the island. We reject suggestions of abuse and manipulation waged against us in an effort to pass legislation that would force us to choose between not seeing a family member before they die and falling into undocumented status or even deportation proceedings.

Thank you for this opportunity. I am happy to answer any questions that you may have.

[The prepared statement of Mr. Bilbao follows:]

**Prepared Testimony by Tomas Bilbao, Executive Director of the Cuba Study Group  
Hearing on H.R. 2831  
United States House of Representatives  
Committee on the Judiciary  
Subcommittee on Immigration Policy and Enforcement**

*May 31, 2012*

Thank you Chairman Gallegly, Ranking Member Lofgren and honorable members of the Committee for this opportunity to present a point of view that often goes unrepresented in this body, despite the fact that it reflects the opinions of the overwhelming majority of the Cuban-American community. I believe it is important to provide this perspective on a bill that amounts to little more than yet another travel ban to Cuba and which does so by targeting a long-standing benefit afforded to our community, which has helped it assimilate and contribute to the United States for decades.

The Cuba Study Group, for which I serve as Executive Director, is a non-partisan, non-for-profit organization whose mission is to facilitate a peaceful transition in Cuba leading to a free and open society, respect for human rights and the rule of law, a market-based economy and the reunification of the Cuban nation.

For over a decade, the Cuba Study Group has advocated for policies that help break the isolation imposed on the Cuban people, mainly by the Cuban regime's policies, but sadly by U.S. policy as well. Our moral beliefs tell us that dividing Cuban families is wrong, no matter who is responsible for it, and that the best way to help Cubans on the island become authors of their own future is to empower them through resources and information.

Unfortunately, the last decade has also been characterized by concerted efforts by some to limit travel to Cuba despite the human costs while ignoring valuable historical lessons, and others much more recent, which highlight the strong correlation between greater openness and civil society empowerment.

Beginning with travel restrictions imposed by the Bush Administration in 2004, which limited family travel to the island to once every three years, proponents of a policy of isolation of the Cuban people continue to look for ways to curtail the rights of persons subject to the jurisdiction of the United States. H.R. 2831 is just the latest effort to isolate Cuba at the expense of family reunification and of individual liberties.

This bill follows various similar efforts at the state and national level aimed at isolating the Cuban people at all costs. In 2006, the State of Florida enacted House Bill 1171, prohibiting the State's institutions of higher learning from engaging in any travel to Cuba, even if financed with private funds.<sup>1</sup> In doing so, Florida's academic institutions have lost the ability to empower Cuba's civil society and have been relegated to the sidelines during a crucial time of change on the island.

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<sup>1</sup> See: <http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=33338>

Those who advocate for travel restrictions to Cuba do so because they believe the denial of travel-related revenue to the regime will cause it to collapse. This strategy ignores almost half a century of evidence to the contrary. At the heart of this theory of resource denial is a belief that a repressive regime, starved of foreign currency will collapse on itself. We believe it is clear, after half a century of isolating Cuba and other authoritarian states such as North Korea, that leaders of repressive regimes will starve their own civilian populations while diverting whatever scarce resources exist toward ensuring their own grasp on power. Such a strategy does little more than punish the victims of repressive regimes, stunt the growth of civil society and provide these regimes with a convenient scapegoat for their own failed policies.

Since the reversal of restrictions on family travel enacted in 2004, Cuban-Americans have taken over 400,000 trips annually, and this number continues to grow. Hundreds of thousands in our community are voting with their feet and telling us that for them, family is more important than politics. A September 2011 poll conducted by Florida International University's Cuban Research Institute demonstrated that 57% of Cuban-Americans in Miami-Dade County favor unrestricted travel to Cuba by any American citizen, not just family travel. That number rises to 75% for more recent Cuban immigrants, those targeted by H.R. 2831.<sup>2</sup>

This increased openness resulting from the reversal of the 2004 travel restrictions has coincided with one of the greatest expansions in activity in Cuba's civil society, further proof that while authoritarian regimes strive on isolation, openness—contact with the outside world—erodes their control over the individual.

Leaders of Cuba's pro-democracy movement have called on the U.S. to eliminate all travel restrictions to Cuba. Almost exactly two years ago today, seventy-four of Cuba's top democracy advocates wrote Congress stating that: "We share the opinion that the isolation of the people of Cuba benefits the most inflexible interests of its government, while any opening serves to inform and empower the Cuban people and helps to further strengthen our civil society."<sup>3</sup>

Now at a time when the Cuban government is in the process of reforming its onerous migratory laws, which deny its citizens the right to travel and divides Cuban families, H.R. 2831 seeks to impose similar restrictions in the United States.

Unfortunately for the Cuban American community, this latest effort to restrict travel to the island targets a long-standing benefit afforded to us, which has enabled countless Cubans immigrants to adapt to life in the United States and rise to the highest levels of academia, business, philanthropy, the arts and public service. Without it, hundreds of thousands of Cuban immigrants would still be in legal limbo, unable to realize their dream of a better life in the United States. Now H.R. 2831 threatens to selectively strip

<sup>2</sup> See: [http://diasporaydesarrollo.org/index.cfm/files/serve?File\\_id=68ad2e41-37b9-47cf-9cef-22e5adff6080](http://diasporaydesarrollo.org/index.cfm/files/serve?File_id=68ad2e41-37b9-47cf-9cef-22e5adff6080)

<sup>3</sup> See: [http://www.cubastudygroup.org/index.cfm/newsroom?ContentRecord\\_id=6f86f40a-cbab-4290-ba23-118e8f93a3d8&Content\\_Type\\_id=8c81d17c-7ffe-48d6-81e7-cd93fe3120eb&Group\\_id=0b3ad3ec-d24e-4d2a-b425-a97ac7617c16&MonthDisplay=6&YearDisplay=2010](http://www.cubastudygroup.org/index.cfm/newsroom?ContentRecord_id=6f86f40a-cbab-4290-ba23-118e8f93a3d8&Content_Type_id=8c81d17c-7ffe-48d6-81e7-cd93fe3120eb&Group_id=0b3ad3ec-d24e-4d2a-b425-a97ac7617c16&MonthDisplay=6&YearDisplay=2010)



certain Cuban immigrants of this benefit in an effort to curb travel to the island. In doing so, this bill penalizes family reunification, a central principle of U.S. immigration law.

Proponents of this bill have suggested that the beneficiaries of the Cuban Adjustment Act shouldn't travel to the island because they benefit from this law by claiming political persecution. However, the Cuban Adjustment Act does not make political persecution a condition for obtaining lawful status. In fact, of the approximately 20,000 Cubans who immigrated to the United States in 2011, 17,000 were family-based immigrants seeking to reunify with family members and only 3,000 were individuals claiming political persecution.<sup>4</sup>

United States immigration law toward Cuba has a long history of providing resettlement assistance to Cuban immigrants regardless of whether they claim political persecution. This is because as Americans we understand that Cuban immigrants, whether they claim political persecution or not, are victims of a system that systematically violates individual liberties and stifles private initiative.

Suggesting that all Cuban immigrants benefiting from the Cuban Adjustment Act have claimed political persecution or were required to do so by the law is simply incorrect. In fact, the Cuban Adjustment Act was passed for the express purpose of regularizing the status of hundreds of thousands of Cuban immigrants in the United States without permanent legal status. Ironically, H.R. 2831 aims to do exactly the opposite: to penalize family reunification by leaving Cuban immigrants in indefinite legal limbo should they travel to Cuba.

The bill's proponents claim it is necessary to prevent "abuse and manipulation" by Cuban-Americans. Not only are these attacks unfounded, as no evidence of widespread abuse has been presented, but they are divisive and insulting. Moreover, the bill is written so broadly as to penalize those Cuban-Americans, who by virtue of having family in Cuba need to travel to the island. The broad scope of the language of this bill suggests that it seeks not just to prevent the abuses alleged by the bill's proponents, but rather to force all Cuban immigrants who want to maintain stable legal status in the United States to give up visiting family in Cuba.

Unfortunately, penalizing those who visit their family and targeting a long-standing practice of many in the Cuban-American community may not be the only consequences of H.R. 2831 if passed. Additionally, this bill in its current form could force Cuban Americans serving in the U.S. Armed Forces, long-time residents of the U.S. who never became citizens, or Cuban-Americans traveling to the island to assist the pro-democracy movement into undocumented status and even deportation proceedings.

If passed, H.R. 2831 could revoke the status of U.S. service members of Cuban descent who travel to Cuba to visit a dying relative or to visit a sick child. The 2004 case of U.S. Army medic Sargent Carlos Lazo, a Cuban immigrant and U.S. citizen, best exemplifies this scenario. When he testified before the Senate Finance Committee in December 2007, Sargent Lazo explained how family travel restrictions imposed in 2004 prevented

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<sup>4</sup> Information provided by House Judiciary Committee minority staff.

him from visiting his ill son in Cuba during a two week R&R from the war in Iraq. A Bronze Star recipient, Sargent Lazo's patriotism and dedication to the cause of liberty are unquestionable. Yet, if H.R. 2831 becomes law, some service members of Cuban descent could fall into undocumented status simply for visiting an ill child or attending a parent's funeral. This is not the American way.

While this bill clearly targets recent Cuban immigrants who travel more often to Cuba to visit relatives, long-time U.S. residents of Cuban descent who have been living in the U.S. for decades and have never become naturalized citizens could also fall into undocumented status if they chose to travel to their homeland to visit a dying relative or to see their country before they die. Our community strongly values family, and the thought of our parents or grandparents falling into legal limbo for wanting to visit their homeland before dying is incomprehensible. That type of assault on their freedoms is the reason they came to the U.S. in the first place.

Even Cuban-Americans traveling to the island to support Cuba's pro-democracy movement could fall into permanent undocumented status. Cuban immigrants traveling to Cuba to deliver material assistance to civil society would lose their ability to adjust their status under this bill. Cuban Americans are our best ambassadors to Cuba and they, more than anyone, have a right and a duty to support Cuba's civil society.

Mr. Chairman, Ranking Member Lofgren, Members of the Committee, this bill as currently drafted amounts to little more than another concerted effort by some to restrict travel to Cuba regardless of the human cost and criminalize those who do so by targeting a long-standing benefit enjoyed by our community. The overwhelming majority of Cuban-Americans reject efforts to restrict our rights to visit our family on the island and reject suggestions of abuse and manipulation waged against us in an effort to pass legislation that would force us to choose between not seeing a family member before they die and falling into undocumented status or even deportation proceedings.

I appreciate this opportunity and would be happy to answer any questions you may have.

Respectfully,

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Mr. GALLEGLY. Thank you all for your testimony.

Mr. Claver-Carone, do you believe and can you give us your assessment of what kind of persecution, if any, remains in Cuba today?

Mr. CLAVER-CARONE. As I mentioned in my testimony, Mr. Chairman, there actually—we are currently seeing a spike in repression in Cuba. Just in the month of December there was the highest number of political arrests per month in 30 years. So we are seeing despite all of the media reports about Raul Castro and whether he is a reformist or not, what we are seeing is that one thing has changed in Cuba since Raul Castro is in power, that repression has increased and is continuing to increase dramatically. We saw that just, as I mentioned before, in the month of—there was a 150 percent increase year over year in political arrests on the island.

So we are seeing, you know, a huge spike and therefore those Cubans that are out there heroically fighting for freedom need to have the protections, and they need to know that the United States is out there in the moral and historic responsibility that they have had.

However, our concern though is how do those people, how do those courageous freedom fighters in Cuba feel when they see people, people that even persecuted them coming to the United States, receiving the benefits under the Cuban Refugee Adjustment Act, and then going back to the Cuba as if nothing happened. These are sometimes people that persecuted them, people that were parts of the Committees for the Defense of the Revolution and other things. It is very demoralizing for them, and that is our big concern in making sure that we have a bright line.

Mr. GALLEGLY. Mr. Bilbao, under the CRAA, Cubans are provided with benefits that no other Nations' citizens enjoy. Don't you believe these benefits should be preserved?

Mr. BILBAO. Mr. Chairman, of course I believe that these benefits should be preserved. It is something that our community appreciates. It is a gesture by the American people, and the suggestion, however, that this bill is—that this benefit is under attack I think is baseless in the sense that we have not seen any evidence of widespread abuse.

The only evidence I can see of this benefit being threatened is H.R. 2831, which seeks to repeal these benefits especially during a time when, as Mr. Claver-Carone suggests, repression is increasing on the island.

Mr. GALLEGLY. In your testimony you state the intent of the CRAA was to regularize the immigration status of Cubans in the U.S. Wasn't the intent to provide Cubans with refuge from an oppressive regime?

Mr. BILBAO. Mr. Chairman, the intent of the Act was to regularize the status of thousands of Cubans who were already in the United States at the time and who did not have—and were basically in legal limbo and the fact that that act in no place mentions the fact that they have to be politically persecuted would suggest to me that the practice that has been common for the last 10 years of overwhelming majority of people who have benefited from this being actually folks on track for family reunification as opposed to

political persecution, that this act is intended to help Cubans adjust their status and is not limited solely to those who claim political persecution.

Mr. GALLEGLY. Mr. Claver-Carone, if I ask you the same question would you give me the same answer?

Mr. CLAVER-CARONE. No. Actually, if you read the legislative history of the Cuban Refugee Adjustment Act, thus the name, the Cuban Refugee Adjustment Act, it was meant to protect people that were persecuted in Cuba and to provide them a way to adjust their status here in the United States.

We are not saying that people should not travel back to Cuba. We want to have the foreign policy debate. We can have that in the Committee down the hall. However, if people are coming to the United States and adjusting under the Cuban Refugee Adjustment Act, they should apply and they should be based on those rules and they should be subject to those rules.

If people want to come here under non-refugee status, then they should get in line with a lot of people throughout the world that are patiently waiting to come to the United States and enjoy those privileges. So it is how you use the Cuban Refugee Adjustment Act.

Mr. GALLEGLY. Congressman Rivera, would you like to comment on that?

Mr. RIVERA. Sure. I will just conjure up the words of our former colleagues from the United States Congress in 1966. Congressman Michael Feighan of Ohio stated the granting of permanent resident status would further American policy objectives by further demonstrating the desire of the United States to play a full and sympathetic role as a country of asylum to refugees from communism.

Former Congressman Claude Pepper: I want to commend the Committee to provide humanitarian aid for these people fleeing from Communist persecution and tyranny under Castro toward establishing permanent residence in our country.

Obviously, the pretext of the Cuban Adjustment Act is political persecution. The only reason it was ever enacted in 1966 was because of the political situation in Cuba, the existence of a Communist, totalitarian dictatorship that denied basic human rights and civil liberties, the exact same conditions that exist today.

Mr. GALLEGLY. My time has expired.

I yield to the gentlelady from California, the Ranking Member, Ms. Lofgren.

Ms. LOFGREN. Thank you, Mr. Chairman.

I would just like to make a quick statement for the record. I notice in Congressman Rivera's written remarks that he describes U.S. taxpayer funded welfare programs and includes Social Security and Medicare as those welfare programs. And I would just like to note for the record I think that would come as quite a surprise to the Social Security recipients who have paid into that program their entire lives in order to be eligible along with Medicare recipients who have paid in their entire lives in order to be eligible for Medicare. I personally do not consider Medicare and Social Security to be welfare.

Now, as to this Act, as you look at immigration law, it seems to me that the bill doesn't actually affect Cuban refugees. There were 3,000 Cubans who came as refugees last year, and 18,000 who

came from Cuba who were not refugees, and I would ask unanimous consent to put in the record a report from the Congressional Research Service titled "Cuban Adjustment Act of 1966," pointing out that the Cuban Adjustment Act does not require any claim of persecution or a showing that you must be a refugee or asylee or any individualized hardship under the Act.

Mr. GALLEGLY. Without objection.

[The information referred to follows:]

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## CRS Report for Congress

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### Cuban Adjustment Act of 1966

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#### SUMMARY

Congress enacted the Cuban Adjustment Act of 1966 to provide Cubans who had fled the Castro regime an opportunity to apply for permanent resident status without having to leave the United States. The Act thus eased procedural obstacles without conveying any substantive rights. Amendments to the Act in 1976 and 1980 have clouded rather than clarified the Act's scope and its intended effect on applicable immigration quotas.

#### BACKGROUND

Fidel Castro came to power in Cuba in January 1959. Within less than three years, 153,000 Cubans had registered at the Cuban Refugee Emergency Center in Miami. After a suspension in commercial air traffic slowed Cuban emigration during 1962-1965, the number of Cuban arrivals increased under an airlift program instituted by President Johnson. The Immigration and Naturalization Service (INS) reported that as of August 1, 1966, 165,000 Cubans were in the United States without visas permitting them to reside here permanently.<sup>1</sup>

The 165,000 Cubans identified by INS primarily were in the United States in parole or extended voluntary departure status. None of them was in a status that automatically provided an opportunity to adjust to permanent resident status. Granting immigrant status administratively to such a large number of Cubans was not hindered at the time by any immigration quota--there were no limits on Western Hemisphere immigration in effect until 1968. Nevertheless, the statutory provision that permits aliens here to seek permanent residency while remaining in the United States, § 245 of the Immigration and Nationality

<sup>1</sup> See H.R. Rep. No. 89-1978, 89th Cong., 2d Sess. 2 (1966).

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Act of 1952<sup>2</sup> (INA), as amended, then disqualified natives of the Western Hemisphere from applying.<sup>3</sup> The Cuban emigres who wished to seek a firmer foothold here thus were in a bind. They could not apply in the United States for permanent residency. Neither could they return to Cuba to apply there with American officials. The only recourse they had was the burdensome one of leaving the United States to apply for American permanent residency with American officials in a third country. It was Congress's desire to provide the Cubans who were here with an opportunity to apply for permanent residency in the United States that led to the passage of the Public Law 89-732,<sup>4</sup> popularly known as the Cuban Adjustment Act of 1966 (1966 Act).<sup>5</sup> This report briefly discusses the original adjustment provisions of the 1966 Act and subsequent amendments to them.

#### ADJUSTMENT PROVISIONS OF THE 1966 ACT

The 1966 Act eased the burden of Cubans here who wished to seek permanent residency by granting the Attorney General discretionary adjustment authority. Similar to the general adjustment authority granted the Attorney General under § 245 of the INA, § 1 of the 1966 Act states that:

Notwithstanding the provisions of section 245(c) of the Immigration and Nationality Act, the status of any alien who is a native or citizen of Cuba and who has been inspected and admitted or paroled into the United States subsequent to January 1, 1959, and has been physically present in the United States for at least two years, may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence if the alien makes an application for such adjustment, and the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence. . . . The provisions of this Act shall be applicable to the spouse and child of any alien described in this subsection, regardless of their citizenship and place of birth, who are residing with such alien in the United States.

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<sup>2</sup> 8 U.S.C. § 1255.

<sup>3</sup> Prior to 1965, the restriction against adjusting to permanent resident status in the United States applied only to natives of adjacent countries and nearby islands. The restriction was broadened because of the growing problem of Central and South Americans coming here as non-immigrants (e.g., tourists) and immediately seeking permanent status. H.R. Rep. No. 89-745, 89th Cong., 1st Sess. 22 (1965).

<sup>4</sup> Act of November 2, 1966, 80 Stat. 1161.

<sup>5</sup> H.R. Rep. No. 89-1978, 89th Cong., 2d Sess. 3 (1966).

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On their face, the adjustment provisions of the 1966 Act have broad eligibility standards but provide rather restricted benefits. Eligibility extends to individuals who are either *citizens* or *natives*. An individual who moved abroad from his or her birthplace in Cuba at an early age may qualify. Also, there is no requirement that an applicant be a likely victim of persecution, as must be a *refugee* or *asylee* under Refugee Act, nor must an applicant otherwise show any individualized hardship. Thus, a native of Cuba who moved to Haiti at a young age in 1936 was found eligible under the 1966 Act when he applied for adjustment after entering the United States on a tourist visa.<sup>5</sup>

Respecting benefits granted, it is clear that the 1966 Act did not provide for automatic adjustment to permanent residency of all Cubans here. The 1966 Act only provided a procedure for seeking permanent residency, not an entitlement to it. Under the terms of the Act, adjustment is granted only on application and a finding that the applicant meets the qualifications for receiving a visa and is not barred from entry into the United States on criminal, health, national security, or other grounds for exclusion under the INA. Some grounds of exclusion may be waived by administrative discretion.<sup>7</sup> On the other hand, there is administrative discretion under the 1966 Act to deny permanent residency to otherwise qualified applicants.<sup>8</sup> Also, in only providing a procedure for seeking adjustment of status, the 1966 Act does not curb the authority of INS to arrest, detain, or otherwise process out-of-status Cubans in the same manner it treats out-of-status nationals of other countries.

#### IMMIGRATION AND NATIONALITY ACT AMENDMENTS OF 1976

The prohibition barring Western Hemisphere aliens from applying for adjustment of status once in the United States was repealed by the Immigration and Nationality Act Amendments of 1976 (1976 Amendments). Even though the expressed reason for enacting the 1966 Act was thus eliminated, the 1976 Amendments not only did not repeal the 1966 Act but added the following language to it:

[A]pproval of an application for adjustment of status to that of lawful permanent resident of the United States pursuant to [this Act] shall not require the Secretary of State to reduce the number of visas authorized to be issued in any

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<sup>6</sup> *Matter of Masson*, 12 Imm. & Nat. Dec. 699 (BIA 1968).

<sup>7</sup> Despite the broad requirement of admissibility, it has been held that the public charge grounds for excluding or deporting an alien do not apply to aliens adjusting under the 1966 Act. *Matter of Mesa*, 12 Imm. & Nat. Dec. 432 (1967). Also, the Labor Department determined that because most Cubans who were here at the time of enactment were already in the workforce, it would not apply labor certification requirements in the adjustment process. H. Rep. No. 89-1978, 89th Cong., 2d Sess. 3 (1966).

<sup>8</sup> *Matter of Marchena*, 12 Imm. & Nat. Dec. 355 (1967).

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class in the case of any alien who is physically present in the United States on or before [January 1, 1977].

Under the general adjustment provisions of § 245, each adjustment in the United States to permanent resident status has to be offset against any applicable entry quota. By contrast, the 1966 Act did not address whether adjustments under it were to be charged against any entry quota, an absence possibly explained by the lack of any quotas at the time for Western Hemisphere admissions. Beginning in 1968, however, an overall annual quota on Western Hemisphere immigration of 120,000 became effective. The purpose of the above-quoted section of the 1976 Amendments was to make clear that adjustments of certain Cubans under the 1966 Act were not to disadvantage immigration from other Western Hemisphere countries (which had developed backlogs) by reducing the availability of visas under the 120,000 per year hemispheric limit.<sup>9</sup> At the same time, the 1976 Amendments prospectively replaced the overall hemispheric limit with per country limits. It is perhaps significant, then, that the 1976 Amendments restrict the no-offset policy to Cubans who were present in the United States before the hemispheric limits were supplanted by country limits. In any event, neither the 1976 Amendments nor its legislative history addresses the chargeability of Cubans arriving after January 1, 1977. It has been the administrative practice not to charge adjustments under the 1966 Act to any entry quota.

#### REFUGEE ACT OF 1980

Congress enacted the Refugee Act of 1980<sup>10</sup> in an attempt to replace the practice of enacting *ad hoc* responses to migration emergencies with a comprehensive, ongoing refugee admission and adjustment system. Still, the Refugee Act did not repeal the 1966 Act. Rather, the Refugee Act amended the 1966 Act to reduce the presence requirement for adjustment from two years to one year. The legislative history of the Refugee Act does not mention the 1966 Act. The reduction in the presence requirement did not emerge until conference and apparently was regarded as a conforming amendment to conform the 1966 Act to the one-year waiting requirement for refugee adjustment adopted in conference.

<sup>9</sup> The House Judiciary Committee stated that the effect of the 1976 Amendments would be to make approximately 20,000 to 25,000 additional visas available to Western Hemisphere countries each year for a few years. The committee also stated that freeing Cubans who were then present here from quota restrictions would free them from the delay resulting from the unavailability of visas under the hemispheric quota. H.R. Rep. No. 94-1563, 94th Cong., 2d Sess. 12 (1976).

<sup>10</sup> Public Law No. 96-212, 94 Stat. 109.

Ms. LOFGREN. So the refugees could actually, under the law, under section 209 of the Immigration Act, they can become a permanent resident anyhow. This bill really directs the attention to people who are coming, the 18,000 who came last year who adjusted under the Cuban Adjustment Act. Now, I understand from Mr. Claver-Carone's comment that he may feel that the Cuban Adjustment Act as to family and non-refugees doesn't have a purpose.



I would actually like to see something like the Cuban Adjustment Act extended to other victims of communism.

For example, I think about the people in Venezuela who are suffering from a Communist dictator. Maybe we should see whether they should also receive a benefit such as the Cuban Adjustment Act, or the people in Vietnam who are suffering from the vicious Communist dictatorship. Maybe they should also receive a benefit such as this.

But that is for another day.

I just think that to target the family members for deportation if you go for any purpose is an extraordinary measure.

Now, listening to Mr. Claver-Carone's comment that there might be people who had oppressed people—I mean, really there is a provision that makes people excludable from the United States if they have given material support to terrorist groups and other things. And maybe, the bill doesn't do this, but I would be certainly happy to work with you, sir, to tighten up the language to make sure that people who are engaged in oppressing the Cuban people are not able to utilize the Cuban Adjustment Act. I think that would be a worthy goal. This bill does not do that.

I would just like to talk a little bit as well about the whole issue of public benefits. We asked, I asked my staff to research the eligibility for Temporary Assistance to Needy Families in the State of Florida. Now, it is hard to get. You have to have minor children. You have to be very poor, and if you are not disabled, you have to participate in a work program. It is revoked if you don't maintain your residency. So if you leave Florida for 60 days, you lose the benefit, but further, you have to come in every week to work. So obviously if you are in Cuba, you are not going to be able to meet the work requirement, you are not going to get this benefit.

The food stamp program also has the 60-day, if you are gone for 60 days the benefit is revoked, and also SSI, if you are out of the United States for more than 30 days it is revoked, and it is worth noting that the Department of Homeland Security and Social Security Administration have executed an information sharing agreement to really make sure that nobody has the capacity to evade this law where you can't get SSI if you are disabled and go some place else for more than 30 days.

Just speaking for myself, if you are a disabled person, and your father dies, I think you should be able to go to the funeral even if you are on SSI, but this bill would say no, if you are a permanent resident under the Cuban Adjustment Act and you go to your dad's funeral, don't bother to come back to Miami. I just don't agree with this.

I would look for—I know my time has expired, Mr. Chairman, but I would look forward to working with those who want to tighten the Act to make sure the communists don't benefit from it. A noble goal. Let us work on that. But let's not deport David's grandma.

I yield back.

Mr. GALLEGLY. I thank the gentlelady.

The gentleman from Florida, Mr. Ross.

Mr. ROSS. Thank you, Mr. Chairman. Representative Rivera, I understand the reunification of a family and how important that is.

But it seems to me that there is another gain here, and I guess my question to you is this. What does the Castro regime stand to gain from the CRA that we have?

Mr. RIVERA. Well, I can tell you that precisely in 2004 the Bush administration changed the travel regulations to Cuba to making it instead of—I believe at that time it was twice a year to once every 3 years, and the reason that occurred was because of the fraud and abuse and manipulation of those regulations that occurred where people were making claims of family reunification, which cannot be verified because as you know when you are dealing with a Communist, totalitarian dictatorship like the Castro regime, no documentation or reliable information can be counted upon from the Cuban Government, which is exactly why we need these types of regulations.

So to say that there should be some sort of a humanitarian cause of the Castro regime will somehow play a part in and help facilitate documentation of these humanitarian cases is absurd.

Mr. ROSS. There is no evidence of that, is there? In fact, there is evidence just to the contrary.

Mr. Rivera. You absolutely cannot rely on them for any type of information whatsoever. That is their modus operandi is to provide propaganda, false information, false documentation. But those cases of abuse represented not millions but hundreds of millions of dollars in benefits to the Castro regime. Just as now when we have unlimited travel from people that are under the new Obama regulations for Cuba travel, again, it has increased in hundreds of millions of dollars to the regime. This represents a permanent travel market for the Castro regime where people come to the United States again under the pretext of political asylum, under fleeing political persecution. That is the only pretext.

Mr. ROSS. Stay here a year and a day.

Mr. RIVERA. And then they return and do so repeatedly.

Mr. ROSS. Mr. Claver-Carone, let me ask you that because it seems to me that there is a list of people who want to go back to Cuba but the Cuban Government won't let a certain number of people but do selectively allow others to come back. Why is that?

Mr. CLAVER-CARONE. It is actually and particularly since the 1994 interpretation, the Castro regime has gamed the system in the sense of which is appalling to us and mindboggling to us, but the first tier of interviews in the U.S. Interest Section in Havana of people who gave these reviews are done by the Castro regime. So the persecutor interviews the people that are coming and basically knowing that they are going to be coming back because—

Mr. ROSS. It is a setup.

Mr. Claver-Carone. Exactly. Meanwhile, there is a blacklist of hundreds of thousands of Cubans that they consider politically threatening that they will not give a visa to go back to Cuba. So it is a game, essentially for them. They have legitimately gamed the system and the travelers have gamed the system.

Mr. ROSS. What would be the motivation for that? Is it not that we as a country are somewhat funding their welfare state through this program?

Mr. Claver-Carone. What is created is a system of travel back and forth and it is indirectly a—I mean it is a relief mechanism

for the regime, a main relief mechanism for the regime, and what we see with the rules that now the Obama administration has interpreted them and allowed them to be unlimited, it is not a coincidence that we are seeing such a dramatic rise in the visits to Cuba. It doesn't mean that there are more travelers to Cuba amongst Cuban Americans. It is the visits. Why? Because a lot of the travelers are aware of the limitations in the assistance. They are aware of the 30-day and the 60-day limitations for SSI and TANF and all these things, and in that sense they are traveling more often. So they go, they stay for a month, they come back, then they go back for the next month, and they have essentially gamed the system as well. It is a game from beginning now to end.

And meanwhile, those that are legitimately and truly politically threatening to the regime are on this blacklist. They are not even allowed to go back. So it is perfect for them. It is a perfect situation.

Mr. ROSS. Now, the State Department has considered them, has considered Cuba to be a state sponsor of terrorism along with Iran and Syria and the Sudan, and yet if an Iranian over here under asylum were to go back they could not come back to the U.S., but Cubans under the CRA can come back and come back and come back. Why should we treat the Cuban refugee any differently than we are treating the Iranian refugee as well?

Mr. CLAVER-CARONE. I think, Congressman, I mean you hit this nail on the head, and what this bill seeks to do is to bring parity for non-refugees and for refugees. It makes no sense that someone that flees from Iran, Sudan, Syria, or other source countries of refugees has to—until 2004 sometimes they have to wait 14 years to become permanent residents. Now they just have to go through the processing times which might be even 5 years to become a permanent resident, not to mention to become a citizen. So it is nonsensical, frankly. Cubans still have a—

Mr. ROSS. And doesn't the current state of affairs pose a security threat to the United States with Cuba?

Mr. CLAVER-CARONE. Absolutely, because the system is gamed from beginning to end. So in addition to you not only have that these are refugees and people that are fleeing, but they are also from a state sponsor of terrorism country and they have the most lax rules of any country in the world.

Mr. ROSS. Thank you. I see my time has expired. I yield back.

Mr. GALLEGLY. I thank the gentleman. The gentlelady from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. Thank you. I am in between two hearings, and I thank the witnesses for their kindness. And with having astute staff, Ranking Member Lofgren and I was able to get an assessment, a very moving story, of David's grandmother. And I think I have lived on the Immigration Subcommittee now for a decade plus and have been filled with such stories and such stories of humanity.

The mover of this legislation is a good friend, and I thank him for the sincerity in which he offers this legislation, but I am baffled and I think I have difficulty in comprehending that when you write legislation of this type, with all good intentions, Mr. Bilbao, you wind up passing a large fishnet and before you know it you have

gotten people who simply want to be reunited with family members, people who are going to see sick loved ones, dying loved ones.

So as I understand the legislation coming on the Cuban Adjustment Act, it is to prevent individuals who return to Cuba from becoming a legal permanent resident. I want you to give me a global perspective about—I want you to take your imagination because imagination turns out to be truth, of how far reaching could this be. What innocent person could be caught up in this fishnet, this web, and be prohibited from doing an honest, sincere, needed visit, and then why are we preempting with punishment for someone who is going that simply wants to visit and they have—and you might clarify for me, is this someone that has a political agenda as a former elected official or terrorist that we are talking about? My understanding is it is the average person that comes, is under the, potentially could be under the Cuban Adjustment Act that has to return to Cuba.

Mr. Bilbao, would you answer those questions for me, please?

Mr. BILBAO. Thank you, Congresswoman Lee. I can do better than use my imagination. I can give you a concrete example. In 2004, after the Bush administration imposed the new family restrictions on travel, a gentleman by the name of Sergeant Carlos Lazo, who is an army medic serving in Iraq, wanted to go visit his son who was in Cuba and who is ill during his 2-week R&R from the battle in Iraq, but because of the changes in the regulations he was unable to do so. Today Cuban Americans serve in the armed forces as residents before becoming naturalized citizens, and in this case if this legislation were passed we could have a situation as someone like a Sergeant Carlos Lazo, who is a bronze star recipient and whose commitment to freedom is unquestionable, be deported or become an illegal immigrant in this country just because of the fact that during his 2-week R&R from the war in Iraq from saving American soldiers as a medic he wanted to go visit his ill son in Cuba. And that along with a number of other potential unforeseen circumstances are the result of the type of legislation that casts such a wide net in an effort to basically just restrict the rights of Cubans to be able to visit their family in the island.

Ms. JACKSON LEE. What do you say, I know that we have had long testimony of other witnesses and I am going to pursue the line of questioning with you because I want you to be balanced, what do you say to the advocates of this that we are stemming the tide of fraudulent persons, persons who would wreak havoc on the Adjustment Act and may be affiliating and fraternizing with the government?

Mr. BILBAO. Well, the best that I can do and the best effort to be unbiased I will just read directly from a letter submitted to Congress by 74 of Cuba's leading democracy advocates almost 2 years ago exactly today. And in that letter they say, quote, the support or presence of American citizens, their direct help and the many opportunities for exchange used effectively in the desired direction would not be an abandonment of Cuban civil society but rather a force to strengthen it. They go on to say, we believe that defending each and every human right for people must be an absolute priority ahead of any political or economic consideration and that no re-

striction of these rights can be justified on economic, political or social grounds. We believe that rights are protected with rights.

And this hearing, Congresswoman, is about a bill that would restrict the rights of Cuban Americans. And the question then is why would Cuban Americans advocate for a bill that restricts the rights of their constituents or their fellow Cuban Americans. And I believe that it is quite clear that what H.R. 2031 seeks to do is to punish Cuban Americans who disagree with the policy of isolating the Cuban Government at all costs.

Ms. LOFGREN. Would the gentlelady yield?

Ms. JACKSON LEE. I would be happy to yield.

Ms. LOFGREN. For just 15 seconds. Our colleague Congressman Rivera indicated that in his view we need to adjust the Cuban Adjustment Act in order to save the Cuban Adjustment Act. And I just want to state because several reporters came up to me that I am totally opposed to repealing the Cuban Adjustment Act. And I think I speak for the Democrats in this House that we will fight repeal of the Cuban Adjustment Act.

And with that I would yield back.

Mr. GALLEGLY. I thank the gentlelady.

Ms. JACKSON LEE. I want to thank the Chairman if I could and just thank Mr. Bilbao for giving us the real story on why we should balance our response to this issue. Thank you. I yield back.

Mr. GALLEGLY. Before I conclude I do have one unanimous consent request that we enter into the record a background document provided by Rep. Rivera which includes quotes by Democrat members of the House during the debate in the original Cuban Adjustment Act. The quotes note that the justification for the CAA is that Cubans already in the U.S. could not go back to Cuba as would have been required under the immigration law in order to gain lawful permanent residence.

And without objection, that will be entered into the record.

[The information referred to follows:]



## **BACKGROUNDER**

### **Origin of Cuba Adjustment Act (CAA)**

#### **Intent and Debate- 1966- HR 15183**

##### **Congressman Michael Feighan (D-OH)**

*"The bill under consideration will simply permit a refugee from Cuba in the United States to obtain permanent resident status without the necessity of physically leaving and reentering the United States."*

*"The granting of permanent resident status would further American policy objectives: by further demonstrating the desire of the United States to play a full and sympathetic role as a country of asylum to refugees from communism."*

*"The fact that the United States no longer maintains diplomatic relations with Cuba has resulted in the inability of refugees to obtain immigrant visas in Cuba and has necessitated the parole of Cuban refugees into the United States."*

##### **Congressman Dante Fascell (D-FL)**

*"The theory behind excluding western hemisphere natives from the benefits of adjustment of status procedure is that they can return to their native countries to obtain an immigrant visa more easily than aliens from outside the western hemisphere. This theory...does not apply to natives of Cuba since they could not obtain a visa if they did return to Cuba."*

##### **Congressman Claude Pepper (D-FL)**

*"I wish to commend the committee...to provide this humanitarian aid for these people fleeing from Communist persecution and tyranny under Castro toward establishing permanent residence in our country."*

Congressman William Ryan (D-NY)

*"We will pass the legislation because, among other reasons, Cubans cannot adjust their status without leaving the country."*

*"More than 300,000 refugees from Cuba have come to these shores since January 1, 1959. However, the severance of U.S. diplomatic and consular relations with Cuba on January 3, 1961 has made it impossible for a Cuban to apply for an immigrant visa since that date."*

Congressman Arch Moore (D-WY)

*"When President Johnson signed the 1965 immigration act at the statue of liberty, he proclaimed a welcome for all those who would flee from Castro-but he spoke of the day when they would return to a homeland cleansed of terror and free from fear."*

*"Cuban refugees obviously are unable to apply in Cuba for a visa since we have no U.S. consulate there."*

Congressman Jacob Gilbert (D-NY)

*"The fact remains that these people here; they left Cuba because of the upheaval and chose, often at great risk, the United States for freedom and protection."*

Congressman Peter Rodino (D-NJ)

*"This legislation, will permit the refugees from Cuba to apply, if they so elect, for permanent residence in the United States, clearly demonstrates once again the compassion that the United States has, and always had had, for those persecuted people who must leave their native countries to seek precious freedom."*

*"The Cubans have demonstrated to the world, by leaving the Communist state of Cuba, their distaste for that form of government. The Cubans have proved to the world that they look to the United States as the land of freedom....The bill simply and expressly relieves the Cuban refugee of the burden of leaving the United States to secure an immigrant visa abroad... The refugees have left their homes, and in most cases all of their possessions in Cuba, but they come to this country with hope and industry."*

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## **BACKGROUNDER**

### **What the Castro Regime is Saying About Cuban-Americans Traveling to Cuba**

#### **Raul Castro**

**“We take this step as a contribution to the increase in links between the nation and the émigré community, whose makeup has changed radically since the first decades of the revolution.”** – on why the government is reforming Cuba’s migration policies.

“In their overwhelming majority Cubans today emigrate because of economic reasons, and almost all of them preserve their love for family and country.”

*(The Miami Herald, “Castro tells parliament he’s working to ease migration regulations”, August 2, 2011)*

#### **Bruno Rodríguez, Cuban Foreign Minister**

“Cuba’s history has always been tied to her emigration.”

“Cuban emigration has always been plentiful and has always been patriotic.”

“Until now, the vast majority of Cuban emigration, like the nation, has been attacked and blocked. It is suffering from the use of U.S. immigration policy as a weapon against Cuba to create pretexts of aggression, internal destabilization and subversion.”

“The Cuban Adjustment Act and the ‘wet foot-dry foot policy’ encourage illegal and unsafe emigration and cost numerous lives. They have turned those emigrants into political refugees who are fleeing in search of liberty.

“And the Revolution has had to defend itself on the migration issue, but it has never renounced its natural relations with Cuban residents living abroad and the will of the Cuban government is invariably to advance the full normalization of relations in regards to emigration. **We remain steadfast in our purpose to facilitate, more and more, the contact and communication between Cubans that live abroad and their families in Cuba.**

**“The process of normalizing relations between Cuba and her migration is permanent and irreversible.”**

*(Guerrillero- Edición Digital, Speech at the start of the “Cubans Living Abroad Against the Blockade, in Defense of National Sovereignty, January 27, 2010)*



Official State Newspaper Supports Easing Travel Restrictions on Cuban Exiles

“With us, primarily the young people, as those who are currently building the Revolution, lies the opportunity to begin a process of normalizing relations between the Cuban people who live inside and outside of Cuba... after all we are the same people.” –El Guerrillero, Pinar del Rio Province Newspaper

“We cannot limit [our people’s] identity simply because we have chosen different paths.” –El Guerrillero, Pinar del Rio Province Newspaper

*(El Nuëvo Herald, “Prensa oficial llama a reconciliación de cubanos de la isla y emigrados”, August 9, 2011)*



## **BACKGROUND**

### **Travel to Cuba as a Life-Line for the Castro Regime's Economy**

- While the Castro regime claims to oppose the people to people tours from the United States, they have decided to support and promote these trips in order to gloss over the economic crisis in Cuba, since tourism is Cuba's primary source of income. (*Europass Press España*, "Cuba recibe al primer grupo de estadounidenses al amparode la nueva ley de viajes entre ambos paises", August 17, 2011)
- At the start of August 2011 Raul announced that the Cuban economy had grown 1.9 percent during the first half of the year, and that they expected it to grow a total of 2.9 percent over the course of 2011. Tourism was cited as one of the top three growth industries. According to Raul Castro, during the first half of 2011 the "energy efficiency of the economy grew," in part because "tourism arrivals grew." (*Terra.com*, "Economía cubana creció 1,9% en primer semestre y proyecta 2,9% en el 2011", August 1, 2011)
- In a meeting of Raul Castro's parliament, Cuban Tourism Minister Manuel Marrero noted that tourism was a growth industry in Cuba, as the country saw an increase in the number of visitors. During the first half of 2011, 1.5 million foreign tourists visited the island. Marrero also noted that in 2010 Cuba received 2.2 million dollars in income from tourism. (*Infobae.com Americas*, "Cuba entre criticas analiza reformas", July 31, 2011)
- Economic experts in Castro's Cuba noted that the increase in tourism to Cuba was due in part to the loosening of travel restrictions by President Barack Obama in 2009 and that tourism is a crucial source of income to fill Cuba's dwindling coffers. (*Pueblo en línea*, "Crecen más de 13% ingresos de Cuba por turismo", August 11, 2011)
- Tourism income to Cuba grew in the first half of 2011 by 990 million dollars, according to Cuba's state radio station Radio Rebelde citing a report from Cuba's National Statistics Office. (*Reuters*, "Cuba reporta alza 13,3 pct ingresos turismo en 1er semestre 2011", August 10, 2011)

Mr. GALLEGLY. With that, I want to thank each and every one of you for your testimony today. And all Members will have——

Mr. CLAVER-CARONE. Mr. Chairman, is it possible to also submit a letter from 500 Cuban pro democracy leaders that actually contradicted the letter of the 74, that disagreed with the letter of the 74, so 500 pro democracy leaders.

Mr. GALLEGLY. Is that a request to have those letters——

Mr. CLAVER-CARONE. Yes. I ask it be submitted also for the record.

Mr. GALLEGLY. Without objection, that will be made a part of the record of the hearing.

[The information referred to follows:]

Statement of Principle From a Sector of the Democratic Opposition in Cuba to the Honorable Members of the Agriculture Committee of the House of Representatives and all the Members of both Chambers of the U.S. Congress

Honorable Congressmen and Congresswomen of the United States of America:

We write to you - in this exercise of free speech and thought - based on complete respect for diverging points of view and within the spirit of democracy and utmost respect for differing opinions. We believe it is not reasonable, nor fair, to speak in a representative manner on behalf of Cuban civil society, much less, on behalf of the Cuban people, when it concerns H.R. 4645 - title given to the bill concerning the restrictions on travel to Cuba and the promotion of commerce with the island.

It is important to highlight that the total number of views expressed to date on both sides of this issue is not reflective of the views of the Cuban nation in its totality because only through -- hypothetically speaking of course -- the possibility of a referendum or plebiscite could the Cuban people have an opportunity to truly decide such a controversial issue. First and foremost, it should be noted that the main issue at the core of this polemic is the criminal and inappropriate conduct of the Cuban regime in the area of human rights, which remains under the supervision of the United Nations.

For those of us signing this letter, and other significant sectors of the Cuban people, we are interested -- above all -- on the lifting of the inhumane structural and institutional blockade of the Havana regime against the civil and political rights of our people, inherent in natural law.

The tragedy of Cuba does not reside in the right to travel of a people who are already free, such as the American people. The main problem resides in the absence of liberty for Cubans, the only citizens of the world who are denied the right to exit or enter their own country and where many find themselves in the condition of hostages.

At a moment such as this, to be benevolent with the dictatorship would mean solidarity with the oppressors of the Cuban nation. The below signatories believe that the freedom of Cuba will not arrive by means of the pocket-book nor the lips of libidinous tourists, who are aseptic to the pain of the Cuban family. Rather, it will come through the efforts of those, who from within and abroad, fight for democratic change in Cuba.

Congressmen/Congresswomen, the cause of liberty, and firm opposition to the oppressive totalitarian dictatorship in Havana, is so sacred that it is above all economic and mercantilist interests.

We understand that we are living important moments for the present and future of our nation. The internal civil society movement has reached a peak moment

regarding the current assertive policy by the international democratic community that has wisely taken the side of the oppressed and not of the oppressors.

We believe that initiatives such as the one this letter is responding to, even with the best of intentions, tend to deviate focus and attention from what is happening on the island. For that reason we suggest that you maintain a firm and coherent policy of pressure and condemnation toward the tyranny in Havana. That will represent solidarity with the victims of repression in the homeland of Marti, Boitel and Zapata.

We respect other opinions and expect reciprocity regarding what we are conveying herein. Honorable Members of Congress, since rights are defended by exercising rights, we are defending the right of all Cubans to be free through their own efforts, because we must not forget that the tragedy of Cuba is in the daily confrontation of the people with the dictatorship that oppresses them and not in scenarios outside of our current challenge or with initiatives that represent the granting of oxygen to the sinister totalitarian state that misgoverns our country.

Signed on June 14th, 2010

Jorge Luís García Pérez "Antúnez"  
Néstor Rodríguez Lobaina

- 1) Jorge Luis García Pérez “Antúnez” (expreso político, Placetas, Villa Clara)
- 2) Néstor Rodríguez Lobaina (expreso político, Baracoa, Guantánamo)
- 3) Reina Luisa Tamayo Danger (madre del mártir Orlando Zapata Tamayo, Banes, Holguín)
- 4) Ariel Sigler Amaya (preso político en licencia extrapenal, Matanzas)
- 5) Guido Sigler Amaya (preso político, Prisión de Agüica)
- 6) Ernesto Mederos Arrozarena (preso político en huelga de hambre, Prisión de Agüica)
- 7) Mario Alberto Pérez Aguilera (preso político en huelga de hambre, Prisión de Agüica)
- 8) Juan Carlos Herrera Acosta (preso político, Combinado de Guantánamo)
- 9) Claro Sánchez Altarriba (preso político, Prisión Kilo 7, Camagüey)
- 10) Abel López Pérez (preso político, Combinado de Guantánamo)
- 11) Andry Frómata Cuenca (preso político, Combinado de Guantánamo)
- 12) Randy Cabrera Mayor (preso político, Combinado de Guantánamo)
- 13) Ricardo Galván Casals (preso político, Combinado de Guantánamo)
- 14) Pavel Hernández Manfarrol (preso político, Prisión Kilo 5 1/2)
- 15) Santiago Cutiño Aguilera (preso político, Combinado de Guantánamo)
- 16) Luis Enrique Guivert Martínez (preso político, Combinado de Guantánamo)
- 17) Carlos Luis Díaz Fernández (preso político, Combinado de Guantánamo)
- 18) Ernesto Durán Rodríguez (preso político, Guantánamo)
- 19) Fautino Calá Rodríguez (preso político, Cerámica Roja, Camagüey)
- 20) José Díaz Silva (preso político en licencia extrapenal, Ciudad de La Habana)
- 21) Ernesto Díaz Esquivel (preso político, Prisión Toledo, Ciudad de La Habana)
- 22) José Díaz Esquivel (preso político en libertad condicional, Ciudad de La Habana)
- 23) Próspero Gainza Agüero (preso político, Prisión Cuba Sí, Holguín)
- 24) Fidel Suárez Cruz (preso político, Prisión Kilo 5 1/2)
- 25) Juan Luis Rodríguez Desdín (preso político, Playa Manteca, Holguín)
- 26) Yordis García Fournier (expreso político, Guantánamo)
- 27) Enyor Díaz Allén (expreso político, Guantánamo)
- 28) Isael Poveda Silva (expreso político, Guantánamo)
- 29) Félix Cartesuñe Díaz (expreso político, Guantánamo)
- 30) Raúl Luis Risco Pérez (expreso político, Pinar del Río)
- 31) Blas Augusto Fortín Martínez (expreso político, Villa Clara)
- 32) Oscar Sánchez Madan (expreso político, Matanzas)
- 33) Virgilio Mantilla Arango (expreso político, Camagüey)
- 34) Roberto de Jesús Guerra Pérez (expreso político, Ciudad de La Habana)
- 35) Eduardo Marcos Pacheco Ortiz (expreso político, Matanzas)
- 36) Conrado Rodríguez Suárez (expreso político, Pinar del Río)
- 37) Aurelio Antonio Morales Ayala (expreso político, Pinar del Río)
- 38) Yris Tamara Pérez Aguilera (hermana del preso político Mario Alberto Pérez Aguilera)
- 39) María Esther Blanco Aguirre (esposa del preso político Próspero Gainza Agüero)
- 40) Aniley Puente Varela (esposa del preso político Fidel Suárez Cruz)
- 41) Juan Francisco Sigler Amaya (hermano de los presos políticos Guido y Ariel Sigler Amaya)
- 42) Haydee Galván Canals (madre del preso político Ricardo Galván Casals)
- 43) Noelia Pedraza Jiménez (esposa del preso político en licencia extrapenal Ariel Sigler Amaya)
- 44) Idalmis Desdín Salgueiro (madre del preso político Juan Luis Rodríguez Desdín)

- 45) Tania Montoya Vázquez (esposa del preso político Raúmel Vinajera Estibe)
- 46) Lourdes Esquivel Vieyto (madre del preso político Ernesto Díaz Esquivel)
- 47) José Marino Ortiz Molina (padre del mártir Orlando Zapata Tamayo)
- 48) José Luis Ortiz Molina (hermano del mártir Orlando Zapata Tamayo)
- 49) Rogelio Zapata Tamayo (hermano del mártir Orlando Zapata Tamayo)
- 50) Reina María Ortiz Tamayo (hermana del mártir Orlando Zapata Tamayo)
- 51) Israel Zapata Tamayo (hermana del mártir Orlando Zapata Tamayo)
- 52) Marisol del Sol Laguna (cuñada del mártir Orlando Zapata Tamayo)
- 53) Dulce María Terri Pinio (cuñada del mártir Orlando Zapata Tamayo)
- 54) Idania Yanes Contreras (Villa Clara)
- 55) Sara Marta Fonseca Quevedo (Ciudad de La Habana)
- 56) Caridad Caballero Batista (Holguín)
- 57) Martha Díaz Rondón (Holguín)
- 58) Juan Oriol Verdecia Evora (Holguín)
- 59) Cristián Toranzo Fundichely (Holguín)
- 60) Maiky Martorell Mayans (Las Tunas)
- 61) Rafael Leyva Leyva (Holguín)
- 62) Heriberto Liranza Romero (Ciudad de La Habana)
- 63) Julio Alberto Romero Muñoz (Camagüey)
- 64) Idalmis Nuñez Reinosá (Santiago de Cuba)
- 65) Alcides Rivera Rodríguez (Villa Clara)
- 66) Aramilda Contreras Rodríguez (Villa Clara)
- 67) Belkis Bárbara Portal Prado (Camagüey)
- 68) Carlos Manuel Hernández Reyes (Guantánamo)
- 69) Diosiris Santana Pérez (Villa Clara)
- 70) Donaída Pérez Paceiro (Villa Clara)
- 71) Julián Enrique Martínez Baez (Provincia Habana)
- 72) Raudel Avila Lozada (Santiago de Cuba)
- 73) Segundo Rey Cabrera González (Sancti Spiritus)
- 74) Adriano Castañeda Meneses (Sancti Spiritus)
- 75) Ulises Sigler González (Matanzas)
- 76) Yoandri Naoski Ricardo Mir (Holguín)
- 77) Francisco Luis Manzanet Ortiz (Guantánamo)
- 78) Esteban Sander Suárez (Holguín)
- 79) Julio Ignacio León Pérez (Ciudad de La Habana)
- 80) Luz María Barceló Padrón (Provincia Habana)
- 81) Adrián del Sol Alfonso (Villa Clara)
- 82) Agustín Alonso Parada (Santiago de Cuba)
- 83) Agustín Civil Ruiz (Guantánamo)
- 84) Alberto Fabiel Cuesta (Guantánamo)
- 85) Alberto Ortega Visoso (Ciudad de La Habana)
- 86) Alberto Sigler Estrada (Matanzas)
- 87) Alejandro Manuel Raimon Tantau (Guantánamo)
- 88) Alexander Riquelme Sabirne (Guantánamo)
- 89) Alexander Rodríguez Santiesteban (Holguín)
- 90) Alexei Aguirrezabal Rodríguez (Santiago de Cuba)

- 91) Alexei Martínez Rojas (Villa Clara)
- 92) Alexis Kuan Jerez (Santiago de Cuba)
- 93) Alexis Madrigal Valles (Camagüey)
- 94) Alexis Pérez Lobo (Guantánamo)
- 95) Alfredo Montano Ramos (Ciudad de La Habana)
- 96) Alicia García Padrón (Matanzas)
- 97) Alina Leiva Blanco (Guantánamo)
- 98) Amaris Fuentes Díaz (Ciudad de La Habana)
- 99) Amé Lisbet Bertot Pileta (Guantánamo)
- 100) Amparo Castellanos Sánchez (Ciudad de La Habana)
- 101) Ana Elvira Guilarte Tantau (Guantánamo)
- 102) Ana Fernández Mora (Ciudad de La Habana)
- 103) Ana Rosa Alfonso Arteaga (Villa Clara)
- 104) Andrés Díaz Prieto (Santiago de Cuba)
- 105) Ángel Abad Herrera (Guantánamo)
- 106) Ángel Álvarez Tejera (Santiago de Cuba)
- 107) Ángel Batista Vega (Holguín)
- 108) Ángel Frómeta Lobaina (Guantánamo)
- 109) Ángel Lino Isaac Luna (Santiago de Cuba)
- 110) Ángel Pérez Bernal (Sancti Spiritus)
- 111) Ángel Suárez Rodríguez (Guantánamo)
- 112) Aniuska Jarrosay Rodríguez (Guantánamo)
- 113) Anneris Salazar Sera (Holguín)
- 114) Antonio Alonso Pérez (Santiago de Cuba)
- 115) Antonio Cruz Sánchez (Ciudad de La Habana)
- 116) Antonio Pérez Romero (Ciudad de La Habana)
- 117) Aracely Rodríguez Expósito (Holguín)
- 118) Arelis Sánchez Osoria (Guantánamo)
- 119) Ariel Cruz Meneses (Holguín)
- 120) Armando de la Caridad Giral Cuello (Guantánamo)
- 121) Armando Giral Pérez (Guantánamo)
- 122) Armando Rodríguez Lama (Ciudad de La Habana)
- 123) Arsenio Torres (Santiago de Cuba)
- 124) Arturo Montgomery Mackeever Yates (Ciudad de La Habana)
- 125) Aurelio Cabrera González (Sancti Spiritus)
- 126) Aymé Garcé Leiva (Santiago de Cuba)
- 127) Baniuska Ramos Luzardo (Holguín)
- 128) Bartolo Márquez Alcebo (Ciudad de La Habana)
- 129) Beatriz Gómez García (Matanzas)
- 130) Belkis Contreras Rodríguez (Villa Clara)
- 131) Benedicto Divas Bambino (Ciudad de La Habana)
- 132) Boris Rodríguez Jiménez (Ciudad de La Habana)
- 133) Brígida Milagros González (Ciudad de La Habana)
- 134) Calixto Ramón Martínez Arias (Ciudad de La Habana)
- 135) Caridad Burunate Gómez (Matanzas)
- 136) Caridad González González (Matanzas)



- 137) Caridad Guilarte Tantau (Guantánamo)
- 138) Carina Medina Moran (Guantánamo)
- 139) Carlos Alberto Pumar Mojeda (Ciudad de La Habana)
- 140) Carlos Alberto Reyes Casanova (Santiago de Cuba)
- 141) Carlos Arancel González Morera (Ciudad de La Habana)
- 142) Carlos Cainle Santos (Holguín)
- 143) Carlos Manuel Cárdenas González (Ciudad de La Habana)
- 144) Carmelo Rodríguez Rodríguez (Ciudad de La Habana)
- 145) Carmen del Pilar Alonso Samé (Santiago de Cuba)
- 146) Ciro Alexis Reyes Casanova (Villa Clara)
- 147) Claribel Almenares Mestre (Guantánamo)
- 148) Colasi Borroto Betancourt (Ciudad de La Habana)
- 149) Dagoberto Santana Marichal (Matanzas)
- 150) Dailyn Danubis Guerrero (Holguín)
- 151) Dairi Cantalapiedra Llorente (Guantánamo)
- 152) Damaris Figueredo Ramírez (Camagüey)
- 153) Damaris Moya Portieles (Villa Clara)
- 154) Danay Castro Sánchez (Ciudad de La Habana)
- 155) Dania Abad Pelegrín (Guantánamo)
- 156) Danielis Betancourt Leyva (Guantánamo)
- 157) David Álvarez Wuantón (Santiago de Cuba)
- 158) David Rodríguez Escalona (Holguín)
- 159) Delmis Echemendía Cruz (Santiago de Cuba)
- 160) Delvis Martínez Alvides (Holguín)
- 161) Dennis Jáuregui Correa (Ciudad de La Habana)
- 162) Dennis José Duju Herrero (Guantánamo)
- 163) Dianelys Almeida Vázquez (Holguín)
- 164) Diani Leiva Pérez (Holguín)
- 165) Diosvany Matos Osoria (Guantánamo)
- 166) Doraisa Correoso Pozo (Santiago de Cuba)
- 167) Edel Modesto Peralta Rouge (Sancti Spiritus)
- 168) Edelia Mayea Cruz (Matanzas)
- 169) Edile Moreno Fernández (Matanzas)
- 170) Edilio Morales Guivert (Ciudad de La Habana)
- 171) Eduardo Manuel González Mojena (Holguín)
- 172) Eduardo Pérez Martínez (Santiago de Cuba)
- 173) Eduardo Torres Hernández (Santiago de Cuba)
- 174) Eldris González Poso (Santiago de Cuba)
- 175) Eleonora Alejandrina Velásquez (Holguín)
- 176) Eliécer Aranda Matos (Guantánamo)
- 177) Eliécer Blanco Ferguson (Guantánamo)
- 178) Eliercelis Olivares Herrera (Guantánamo)
- 179) Elisa Milagros Rainiel Acosta (Guantánamo)
- 180) Elisabel Regla Alonso Castellanos (Ciudad de La Habana)
- 181) Elvis Batista Castillo (Guantánamo)
- 182) Emeterio Tomás Begerano Hernández (Ciudad de La Habana)

- 183) Emilia Valdés Márquez (Ciudad de La Habana)
- 184) Emilio Almaguer de la Cruz (Guantánamo)
- 185) Ener Grañas Leyva (Holguín)
- 186) Englys Mouly Dragué Raimel (Guantánamo)
- 187) Enrique Domínguez Iglesia (Ciudad de La Habana)
- 188) Enrique Estrada Peña (Guantánamo)
- 189) Enrique López Bermúdez (Camagüey)
- 190) Ericsson Rodríguez Bonet (Holguín)
- 191) Erinaldo Pérez Escalona (Santiago de Cuba)
- 192) Erismel Rodríguez Reina (Santiago de Cuba)
- 193) Ermogenes Inocencio Guerrero Gómez (Ciudad de La Habana)
- 194) Ernesto Díaz Silva (Ciudad de La Habana)
- 195) Ernesto Espinosa Lozano (Camagüey)
- 196) Ernesto Leonarda Soler Nieves (Ciudad de La Habana)
- 197) Ernesto Rodríguez López (Ciudad de La Habana)
- 198) Ernesto Ruiz Mendoza (Guantánamo)
- 199) Eugenio Manuel Estepe Bernal (Sancti Spiritus)
- 200) Fabio Gurry Díaz (Holguín)
- 201) Felix Reyes Gutiérrez (Villa Clara)
- 202) Fernando Díaz Hernández (Villa Clara)
- 203) Flores Borroto García (Ciudad de La Habana)
- 204) Frank Amaury Pérez Romero (Ciudad de La Habana)
- 205) Francisco Álvarez Rivera (Guantánamo)
- 206) Francisco Fuste Rodríguez (Santiago de Cuba)
- 207) Francisco Leiva Álvarez (Holguín)
- 208) Francisco María Mora Fuente (Ciudad de La Habana)
- 209) Francisco Osoria Claro (Guantánamo)
- 210) Francisco Rangel Manzano (Matanzas)
- 211) Frank Reyes Lopez (Villa Clara)
- 212) Freddy Nuñez Sarduy (Villa Clara)
- 213) Freddy Tito Romero (Ciudad de La Habana)
- 214) Fulgencio Fernández Fonseca (Santiago de Cuba)
- 215) Gabriel Camilo García Gómez (Ciudad de La Habana)
- 216) Gabriel Yosmar Díaz Sánchez (Granma)
- 217) Gertrudis Ojeda Suárez (Holguín)
- 218) Gillian Garrido Nuñez (Santiago de Cuba)
- 219) Giraldo Matos Velásquez (Guantánamo)
- 220) Gladis Leyva Martínez (Holguín)
- 221) Gonzalo Nicolás de La Barca Pedraza (Villa Clara)
- 222) Grisis Rene Saviñon (Guantánamo)
- 223) Gulliver Sigler González (Matanzas)
- 224) Gustavo Beltrán Estepe (Sancti Spiritus)
- 225) Héctor Hernández Román (Ciudad de La Habana)
- 226) Héctor López Pérez (Guantánamo)
- 227) Henry Sánchez Martínez (Santiago de Cuba)
- 228) Hernán Mesa Cabrera (Holguín)

- 229) Hilma Aguilera Tamayo (Ciudad de La Habana)
- 230) Himilsi Tei Cabrera (Santiago de Cuba)
- 231) Hugo Flores Ojeda (Guantánamo)
- 232) Hugo Prieto Quevedo (Pinar del Río)
- 233) Hugo Utria Tontón (Guantánamo)
- 234) Humberto Brulut Suárez (Guantánamo)
- 235) Humberto Martínez Almeida (Ciudad de La Habana)
- 236) Idael Rosales Rojas (Santiago de Cuba)
- 237) Idalmis Ruizánchez Hernández (Ciudad de La Habana)
- 238) Idania Aguilera Miranda (Holguín)
- 239) Ignacio Díaz Silva (Ciudad de La Habana)
- 240) Ignacio León Fonseca (Ciudad de La Habana)
- 241) Inet Trelles Altabas (Holguín)
- 242) Inimas Marcos Mondeja (Holguín)
- 243) Isabel Ramos Martínez (Ciudad de La Habana)
- 244) Ísael Torres Jomarrón (Holguín)
- 245) Isbel Morales Janis (Guantánamo)
- 246) Jackson García Brok (Ciudad de La Habana)
- 247) Jean Eduardo Troché Montoya (Santiago de Cuba)
- 248) Jemeis Nelida Giral Medina (Guantánamo)
- 249) Jenrry Verges Pérez (Ciudad de La Habana)
- 250) Jesús Álvarez Aguado (Camagüey)
- 251) Jesús Emilio Hernández Figueroa (Ciudad de La Habana)
- 252) Jesús García Fernández (Matanzas)
- 253) Jonny Antonio Colas Díaz (Guantánamo)
- 254) Jordan Mariño Fernández (Holguín)
- 255) Jorge Alberto Valdespino Gago (Ciudad de La Habana)
- 256) Jorge Félix Andarsio Hernández (Ciudad de La Habana)
- 257) Jorge Fernández Mora (Ciudad de La Habana)
- 258) Jorge López López (Guantánamo)
- 259) Jorge Luís Corrales Romero (Guantánamo)
- 260) Jorge Luis Ferrer Duruti (Santiago de Cuba)
- 261) Jorge Luís López Tamayo (Guantánamo)
- 262) Jorge Luis Pérez Leiva (Holguín)
- 263) Jorge Luís Raimon Tantau (Guantánamo)
- 264) Jorge Luis Rivas Marín (Holguín)
- 265) Jorge Manuel Macook Hernández (Ciudad de La Habana)
- 266) José Angel Lorenzo Otero (Santiago de Cuba)
- 267) José Antonio Ferrá Gómez (Holguín)
- 268) José Antonio Pérez Morel (Matanzas)
- 269) José Antonio Rivero Lafita (Ciudad de La Habana)
- 270) José Ávalos Pérez (Ciudad de La Habana)
- 271) José Batista Falcón (Santiago de Cuba)
- 272) José Castellano Pérez (Holguín)
- 273) José Enrique Martínez Ferrer (Santiago de Cuba)
- 274) José Francisco Tejera Díaz (Ciudad de La Habana)

- 275) José Lino Asencio López (Villa Clara)
- 276) José Manuel Ceballos Agramonte (Guantánamo)
- 277) José Miguel Robaina Winter (Guantánamo)
- 278) Juan Alberto Carmona Ceballos (Ciudad de La Habana)
- 279) Juan Carlos Bous Batista (Ciudad de La Habana)
- 280) Juan Carlos Carmona Ceballos (Ciudad de La Habana)
- 281) Juan Carlos Castellano Zamora (Ciudad de La Habana)
- 282) Juan Carlos Figueroa (Santiago de Cuba)
- 283) Juan Carlos Rodríguez Céspedes (Holguín)
- 284) Juan Enrique Medina García (Santiago de Cuba)
- 285) Juan Ramón García Ramírez (Holguín)
- 286) Juan Ricardo Formesa Brid (Guantánamo)
- 287) Julia Isabel Sabori García (Ciudad de La Habana)
- 288) Julián Guerra Berie (Ciudad de La Habana)
- 289) Julio Antonio García (Guantánamo)
- 290) Julio César Cabrera Bichot (Ciudad de La Habana)
- 291) Julio Cesar Pérez Zaldivar (Holguín)
- 292) Julio César Valcarcel Ballester (Santiago de Cuba)
- 293) Julio Emilio Álvarez Toledo (Ciudad de La Habana)
- 294) Julio Gómez Ochoa (Holguín)
- 295) Julio León Fonseca (Ciudad de La Habana)
- 296) Keily Cabrera Castellanos (Ciudad de La Habana)
- 297) Kenia Legrin Eguiet (Guantánamo)
- 298) Lázaro Antonio Pérez González (Ciudad de La Habana)
- 299) Lázaro Rosales Rojas (Santiago de Cuba)
- 300) Lázaro Sigler González (Matanzas)
- 301) Leidis Blanco Díaz (Ciudad de La Habana)
- 302) Leodan Montoya Hernández (Ciudad de La Habana)
- 303) Leonardo Cantillo Galván (Guantánamo)
- 304) Leonardo Pérez Franco (Santiago de Cuba)
- 305) Leonardo Pita Díaz (Ciudad de La Habana)
- 306) Leticia Vega Torres (Holguín)
- 307) Letsy Adela Saavedra Sánchez (Holguín)
- 308) Lianette Escalona Expósito (Holguín)
- 309) Liener Enamorado Pacheco (Guantánamo)
- 310) Lino Ubernel García Velásquez (Holguín)
- 311) Lisandro Rodríguez Bonet (Holguín)
- 312) Lissette González Rodríguez (Holguín)
- 313) Loreto Hernández García (Villa Clara)
- 314) Lucio Núñez Suaznaval (Ciudad de La Habana)
- 315) Luis Alberto Amita Sánchez (Ciudad de La Habana)
- 316) Luis Blay Yánez (Ciudad de La Habana)
- 317) Luis Enrique Lozada Igarza (Santiago de Cuba)
- 318) Luis González Medina (Provincia Habana)
- 319) Luis Martínez Pérez (Santiago de Cuba)
- 320) Llopis Danis Oliva (Ciudad de La Habana)

- 321) Maira Leiva Reyes (Ciudad de La Habana)
- 322) Maiteé de la Caridad Valenzuela Roig (Ciudad de La Habana)
- 323) Manuel García Guerra (Ciudad de La Habana)
- 324) Manuel Hernández León (Holguín)
- 325) Manuel Salinas Espinosa (Santiago de Cuba)
- 326) Manuel Sardiñas Sañu (Santiago de Cuba)
- 327) Marcelina Dora Lara Morales (Villa Clara)
- 328) Mari Blanca Ávila Expósito (Holguín)
- 329) María Alfonso Córdova (Guantánamo)
- 330) María de los Ángeles Valenzuela Roig (Ciudad de La Habana)
- 331) María de Lourdes Valenzuela Roig (Ciudad de La Habana)
- 332) María Hortensia Milán Pedroso (Ciudad de La Habana)
- 333) María Pérez Almaguer (Holguín)
- 334) Maricel Guilarte Tantau (Guantánamo)
- 335) Mariela Amita Sánchez (Ciudad de La Habana)
- 336) Mario Alberto Hernández Leyva (Ciudad de La Habana)
- 337) Mario Mateo Guinera (Ciudad de La Habana)
- 338) Marisol Caballero Escalona (Ciudad de La Habana)
- 339) Maritza Amita Sánchez (Ciudad de La Habana)
- 340) Maritza Rodríguez Martínez (Ciudad de La Habana)
- 341) Maritza Suárez Valdés (Ciudad de La Habana)
- 342) Marlene Pupo Fons (Holguín)
- 343) Marlenes Leyva Leyva (Holguín)
- 344) Marta Belkis Rodríguez (Ciudad de La Habana)
- 345) Marta Bravo Pérez (Villa Clara)
- 346) Máximo Roberto Fonseca Vizoso (Villa Clara)
- 347) Mayolis Prado Calderón (Guantánamo)
- 348) Meinardo de la Cruz Barcelé (Santiago de Cuba)
- 349) Miguel Angel Guilarte Leiva (Holguín)
- 350) Miguel Ángel López Herrera (Guantánamo)
- 351) Miguel Oliva Negrín (Ciudad de La Habana)
- 352) Miguel Rafael Cabrera Montoya (Santiago de Cuba)
- 353) Mildred Noemi Sánchez Infante (Holguín)
- 354) Minerva Ramos Meva (Camagüey)
- 355) Miralis Fuentes Reyes (Guantánamo)
- 356) Misleidis Fernández Romero (Ciudad de La Habana)
- 357) Moraima Montegudo Lafitta (Guantánamo)
- 358) Nancy García López (Camagüey)
- 359) Neldo Iván Echevarría Perdomo (Ciudad de La Habana)
- 360) Nelly Buzzy Ramirez (Holguín)
- 361) Nersa Fernández Fonseca (Santiago de Cuba)
- 362) Nieves Portilla De Armas (Matanzas)
- 363) Niover García Fournier (Guantánamo)
- 364) Niurka Caridad Ortega Cruz (Ciudad de La Habana)
- 365) Noel Gutiérrez Almaguer (Holguín)
- 366) Noel Rojas Milian (Ciudad de La Habana)

- 367) Norberto Raúl Cuitter (Ciudad de La Habana)
- 368) Norvis Otero Suárez (Ciudad de La Habana)
- 369) Obdulia Acanda Antigua (Matanzas)
- 370) Odalys Caridad Sanabria Rodríguez (Ciudad de La Habana)
- 371) Olennis Briñorte Estrib (Guantánamo)
- 372) Olimpio Antonio Suárez Martínez (Guantánamo)
- 373) Olivia Bonet Pupo (Holguín)
- 374) Omar Sánchez Reinoso (Santiago de Cuba)
- 375) Omar Suárez Rodríguez (Cienfuegos)
- 376) Orlando Bouch Alonso (Ciudad de La Habana)
- 377) Orlando Gutiérrez López (Santiago de Cuba)
- 378) Ortelio Hernández Ruiz (Camagüey)
- 379) Oscar Sierra Hernández (Ciudad de La Habana)
- 380) Osiris Hernández Cardoso (Ciudad de La Habana)
- 381) Osmany Espada Rodríguez (Holguín)
- 382) Osvani Echevarría García (Ciudad de La Habana)
- 383) Patricia Martín López (Ciudad de La Habana)
- 384) Pavel Maturell Morales (Santiago de Cuba)
- 385) Pedro Guillermo Sanabria Ramos (Ciudad de La Habana)
- 386) Pedro Jesús Callejas Lezcano (Pinar del Río)
- 387) Rafael Martínez Ferrerira (Ciudad de La Habana)
- 388) Rafael Martínez Leiva (Holguín)
- 389) Rafael Martínez Ruiz (Ciudad de La Habana)
- 390) Rafael Meneses Pupo (Holguín)
- 391) Rafael Rogelio Mur Zayas (Ciudad de La Habana)
- 392) Ramón Álvarez Arias (Santiago de Cuba)
- 393) Ramón Arbolaez Abreu (Matanzas)
- 394) Ramón Reyes Orama (Holguín)
- 395) Ramón Soto Costa (Camagüey)
- 396) Randy Caballero Suárez (Guantánamo)
- 397) Raúl Cantillo Pineda (Guantánamo)
- 398) Raúl Matos Savón (Guantánamo)
- 399) Raúl Parada Ramírez (Ciudad de La Habana)
- 400) Reinaldo Escandell Silva (Ciudad de La Habana)
- 401) Reinier Ariel Arocha Telles (Santiago de Cuba)
- 402) Reinier Leiva Hernández (Ciudad de La Habana)
- 403) Reinier Ríos Estrada (Santiago de Cuba)
- 404) Rene Alonso Galván (Guantánamo)
- 405) Rene Armando Hierrezuelo Arafet (Santiago de Cuba)
- 406) Reudy Matos Vallejo (Guantánamo)
- 407) Rey Antonio Fernández Forbes (Ciudad de La Habana)
- 408) Reynaldo Alexander García Pozo (Guantánamo)
- 409) Reynaldo Laborde García (Guantánamo)
- 410) Ricardo Velásquez Pérez (Holguín)
- 411) Robert Montero Tamayo (Santiago de Cuba)
- 412) Roberto Camilo Santiesteban Batista (Holguín)

- 413) Roberto Carlos Reyes Labrada (Holguín)
- 414) Roberto de La Rosa Estrada (Santiago de Cuba)
- 415) Roberto Fernández Fonseca (Santiago de Cuba)
- 416) Roberto Formigó Ortiz (Santiago de Cuba)
- 417) Roberto González Pelegrin (Guantánamo)
- 418) Roberto Leyva Leyva (Holguín)
- 419) Roberto Marcyllí Aguirre (Ciudad de La Habana)
- 420) Roberto Martínez Perdomo (Holguín)
- 421) Roberto Reyes Hernández (Ciudad de La Habana)
- 422) Roberto Rodríguez Mesa (Holguín)
- 423) Rodis Mustelier Caignet (Santiago de Cuba)
- 424) Rodney Antonio González Rodríguez (Santiago de Cuba)
- 425) Rodolfo Fernández Fonseca (Santiago de Cuba)
- 426) Rodolfo Ramírez Cardoso (Ciudad de La Habana)
- 427) Rogelio Tabio López (Guantánamo)
- 428) Rogelio Tabio Ramírez (Guantánamo)
- 429) Roilandis Pérez Bartolo (Guantánamo)
- 430) Roiny Brokan Odens (Guantánamo)
- 431) Rolando Díaz Silva (Ciudad de La Habana)
- 432) Rolando Luis Ramírez Cabrera (Ciudad de La Habana)
- 433) Rolando Muñoz Arana (Camagüey)
- 434) Rolando Reyes Bring (Santiago de Cuba)
- 435) Rolando Tudela Iribar (Guantánamo)
- 436) Ronald Ruz Rojas (Holguín)
- 437) Roque Emilio Martínez Angülo (Villa Clara)
- 438) Rosaida Ramírez Matos (Guantánamo)
- 439) Rubén Sanchez Vega (Santiago de Cuba)
- 440) Samuel Leblán Pavón (Santiago de Cuba)
- 441) Sara Marta Quevedo Vázquez (Villa Clara)
- 442) Sarai Guisado Paz (Ciudad de La Habana)
- 443) Silvia Paula Castro Sánchez (Ciudad de La Habana)
- 444) Teófilo Álvarez Gil (Camagüey)
- 445) Teresa Rodríguez Gómez (Santiago de Cuba)
- 446) Teresa Sales Rayo (Guantánamo)
- 447) Usbel Cabrera Rosales (Santiago de Cuba)
- 448) Vanesa Rodríguez Domínguez (Matanzas)
- 449) Víctor Cuello Milian (Ciudad de La Habana)
- 450) Víctor Quindelan Sánchez (Holguín)
- 451) Victoria Díaz Silva (Ciudad de La Habana)
- 452) Walter Cañete Cruz (Holguín)
- 453) Wilfredo Cruz Álvarez (Santiago de Cuba)
- 454) William Cepero Cordero (Santiago de Cuba)
- 455) William Rodríguez Paredes (Provincia Habana)
- 456) William Rufin Valenzuela (Ciudad de La Habana)
- 457) Yadira Rodríguez Bombino (Ciudad de La Habana)
- 458) Yamile Taple Leandro (Ciudad de La Habana)

- 459) Yamilia de la Torre Guerrero (Holguín)
  - 460) Yanorki Oberto Ferrera (Santiago de Cuba)
  - 461) Yaquelin Caballero Ibert (Guantánamo)
  - 462) Yaquelin Mejias Pérez (Guantánamo)
  - 463) Yaritza Rodríguez Céspedes (Holguín)
  - 464) Yasmani Nicle Abad (Ciudad de La Habana)
  - 465) Yelaine Martínez Caballero (Ciudad de La Habana)
  - 466) Yelena Garcés Nápoles (Santiago de Cuba)
  - 467) Yenisey Betancourt de Armas (Ciudad de La Habana)
  - 468) Yennly Hernández Rumbon (Ciudad de La Habana)
  - 469) Yenny Betancourt Morin (Ciudad de La Habana)
  - 470) Yipsys Izquierdo Ramos (Camagüey)
  - 471) Yisel Cruz Montejo (Pinar del Río)
  - 472) Yoan Manuel Rojas (Ciudad de La Habana)
  - 473) Yoan Mesa Saborí (Ciudad de La Habana)
  - 474) Yoandri Beltrán Gamboa (Guantánamo)
  - 475) Yoanis Sousa Moreno (Matanzas)
  - 476) Yoel Arteaga Cuello (Ciudad de La Habana)
  - 477) Yoel Imelis Hernández (Guantánamo)
  - 478) Yoel Mesa Saborí (Ciudad de La Habana)
  - 479) Yoennis Rodríguez Reyes (Guantánamo)
  - 480) Yolanda Santana Ayala (Holguín)
  - 481) Yonal Rodríguez Ávila (Holguín)
  - 482) Yordanis Bonal Bolívar (Guantánamo)
  - 483) Yorledis Duvalón Guivert Ortiz (Santiago de Cuba)
  - 484) Yosbel Cuellar González (Ciudad de La Habana)
  - 485) Yudelmis Fonseca Rondón (Holguín)
  - 486) Yudisleyvis Saavedra Sánchez (Holguín)
  - 487) Yuleysis Garcés Pérez (Santiago de Cuba)
  - 488) Yumed Ramos Reyes (Ciudad de La Habana)
  - 489) Yunier Casales Pérez (Santiago de Cuba)
  - 490) Yunier Reina Hernández (Ciudad de La Habana)
  - 491) Yuniesky Domínguez González (Santiago de Cuba)
  - 492) Yuvel Chacón Paján (Guantánamo)
  - 493) Zoila Hernández Díaz (Ciudad de La Habana)
  - 494) Zulema Lay Sangrona (Ciudad de La Habana)
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Mr. RIVERA. Also, Mr. Chairman, our colleague Albio Sires wanted to ask that his testimony be also submitted for the record.

Mr. GALLEGLY. Without objection.

[The information referred to follows:]

**Prepared Statement of the Honorable Albio Sires, a Representative in  
Congress from the State of New Jersey**

Mr. Chairman, Thank you for holding today's hearing on H.R. 2831, legislation aimed at reducing the abuse of the privileges given to Cuban immigrants in this country. As a Cuban immigrant, a representative of a large Cuban-American population, and a strong advocate for immigrant rights, I am pleased to have the opportunity to submit a statement on this topic. H.R. 2831 highlights the need to reform the current system to ensure that all help offered under the Cuban Adjustment Act (CAA) continues to be available for those who desperately need it.

I want to be clear; it is not my intention to attack immigrants. I support reforming the broken immigration system in the United States to benefit our economy, encourage family unity, and provide refuge to persecuted peoples. I also support providing federal assistance to immigrants in need. Because of these priorities, I believe we must uphold the CAA to protect Cubans seeking refuge while bringing parity to a system that has gotten out of control.

No other immigrants receive the advantages that Cuban immigrants receive under the CAA. Under current law, all Cuban immigrants have ability to adjust to permanent legal resident status after one year in the United States and obtain financial assistance from the United States under such programs as the Temporary Assistance for Needy Families program and the Supplemental Security Income program. The CAA was specifically designed to help Cuban refugees unable to return to Cuba, and those who need help should get it. However, presently all Cuban immigrants, refugees or not, fall under the CAA.

This law was not designed for those Cubans who wish to live in the United States and vacation in Cuba. Non-refugees are abusing the benefits offered under the CAA. This is the only case when refugee benefits are given to non-refugees. Under the CAA system and newly relaxed travel regulations, non-refugees can receive expedited permanent status and then simply return to Cuba whenever they like. If they qualify, these immigrants can even receive U.S. benefits that they may spend in Cuba. The Cuban Adjustment Act was designed to help Cubans safely and efficiently escape the Cuban regime. The law was not designed to aid U.S. dollars flowing to the Cuban Communist Party.

These abuses need to be addressed. Congress should consider legislation that differentiates between asylum seekers from Cuba and other types of Cuban immigrants. The United States should maintain its commitment to Cubans who rely on the protection of the United States by allowing threatened Cubans to receive the benefits under the CAA. All other Cuban immigrants should be treated the same as immigrants from other countries.

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Ms. LOFGREN. Mr. Chairman, I wonder if Mr. Bilbao's letter that he referenced might also be included in the record.

Mr. GALLEGLY. If Mr. Bilbao would like to add that, without objection, that will be made a part of the record of the hearing.

Mr. BILBAO. Thank you, Mr. Chairman.

[The information referred to follows:]

Members of Cuban Civil Society

Havana, Cuba

May 30, 2010

Honorable Members of the United States House of Representatives

Honorable Members of the Agriculture Committee of the House of Representatives  
United States House of Representatives

Washington, DC 20515

Honorable Representatives:

The members of Cuban civil society, who are signing this letter as individuals, have learned that you are currently considering the Travel Restriction Reform and Export Enhancement Act (H.R. 4645), to end travel restrictions on all Americans to Cuba and to remove obstacles to legal sales of United States agricultural commodities to Cuba.

We understand that this bill has the support of Republicans and Democrats in the Congress of the United States. We also know that for this bill to be considered by the full House of Representatives, it must first be passed through the House Committee on Agriculture.

We know that major non-governmental organizations support this bill, including, to name only a few: The United States Chamber of Commerce, the American Farm Bureau Federation, Amnesty International, Human Rights Watch, the United States Conference of Catholic Bishops, the Cuba Study Group and many other human rights organizations.

We share the opinion that the isolation of the people of Cuba benefits the most inflexible interests of its government, while any opening serves to inform and empower the Cuban people and helps to further strengthen our civil society.

We value the experience of all the western countries, including the United States, who favored opening and trade with all the countries of the former Eastern Europe. We are sure that isolation does not foster relationships of respect and support for people and groups around the world who are in favor of democratic changes in Cuba.

We would like to recall the memorable words of Pope John Paul II who, in his own life, had experienced a totalitarian and closed system: "Let Cuba open itself to the world and the world will open itself to Cuba."

Over time we have seen that the Cuban regime does not open itself fully to the world, nor to its own citizens, because what it fears most is an opening, of free trade and of free enterprise, and the direct flow of information and communication between peoples.

Those who oppose H.R. 4645 argue that lifting these restrictions would be a concession to the Cuban regime and a source of foreign income that could be used to repress the Cuban people. They also argue that given the ongoing violations of human rights and the repeated acts of repression, lifting these prohibitions would be an abandonment of Cuban civil society.

It is true that repression and systematic violations of Human Rights have recently increased in a cruel and public way. It is true that these funds could also be used to support and even worsen repression.

We believe, however, that if the citizens of the United States, like those of the rest of the world, increased their presence on our streets, visited the families of the political prisoners and other members of the nascent Cuban civil society they could: first, serve as witnesses to the suffering of the Cuban people; second, be even more sensitized to the need for changes in Cuba; and third, offer solidarity and a bridge to facilitate the transition we Cubans so greatly desire.

The supportive presence of American citizens, their direct help, and the many opportunities for exchange, used effectively and in the desired direction, would not be an abandonment of Cuban civil society but rather a force to strengthen it. Similarly, to further facilitate the sale of agricultural products would help alleviate the food shortages we now suffer.

Above all, we believe that defending each and every Human Right for all people must be an absolute priority, ahead of any political or economic consideration, and that no restriction of these rights can be justified on economic, political or social grounds. We believe that rights are protected with rights.

Because the ability to travel freely is the right of every human being, we support this bill. The current Cuban government has always violated this right and in recent years has justified its actions with the fact that the government of the United States also restricts its citizens' freedom to travel. The passage of this bill would remove this spurious justification.

Finally, Honorable Representatives, we strongly believe that the problems of Cuba and its path to freedom and democracy are a responsibility and a labor that belongs to all Cubans, those of us who live on the Island as well as those who suffer in exile in the Diaspora, who also love this nation we all share.

In the world today, all peoples of the earth are interconnected, even when their decisions are their sovereign right. These principles – of responsibility for our beloved country and of universal fraternity – encourage us to respectfully communicate our views to you with regards to this bill, because although it is the responsibility of Americans, it affects the Cuban people.

Thank you for your attention and respect.

*The following is the list of Cuban citizens who signed this letter, and which includes political prisoners, independent librarians, bloggers, independent journalists, magazine editors, clerics, intellectuals, artists, members of the civil society and of political organizations.*

1	Juan Juan	Almeida García	40	Olga Lidia	López Lazo
2	José Alberto	Álvarez Bravo	41	Yasnay	Losada Castañeda
3	Silvio	Benítez Márquez	42	Luis Ricardo	Luaces
4	Juan Carmelo	Bermúdez Rosabal	43	Juan A.	Madrazo Luna
5	Servando	Blanco Martínez	44	Aini	Martínez Valero
6	Félix	Bonne Carcassés	45	Katia Sonia	Martínez Véliz
7	Luis	Cáceres Piñero	46	Ricardo	Medina Salabarría,
8	Claudia	Cadelo de Nevis		Santiago	presbítero
9	Leonardo	Calvo Cárdenas	47	Manuel	Morejón Soler,
10	Eleanor	Calvo Martínez		Alberto	presbítero
11	Marcelo	Cano Rodríguez	48	Félix	Navarro Rodríguez
12	Cecilio	Castellanos Martí	49	Jorge	Olivera Castillo
	Dimas		50	Pablo	Pacheco Ávila
13	Miriam	Celaya González	51	Leonardo	Padrón Comptiz
14	Francisco	Chaviano	52	Héctor	Palacios Ruiz
		González	53	Gustavo	Pardo Valdés
15	Hortensia	Cires Díaz	54	Yisel	Peña Rodríguez
16	Martha	Cortizas Jiménez	55	Ana	Perdigón
17	Manuel	Cuesta Morúa		Margarita	
18	Roberto	De Miranda	56	Arturo	Pérez de Alejo
		Hernández	57	Juana	Pérez Estrella
19	Gisela	Delgado Sablón		Yamilia	
20	Reinaldo	Escobar Casas	58	Tomás	Ramos Rodríguez
21	Oscar	Espinosa Chepe	59	Soledad	Rivas Verdecía
22	Guillermo	Fariñas Hernández	60	José Conrado	Rodríguez Alegre,
23	Guedy Carlos	Fernández			presbítero
		Morejón	61	María	Rodríguez Bernal
24	Juan Carlos	Fernández		Esperanza	
		Hernández	62	Lázaro	Rosales Rojas
25	Karina	Gálvez Chiu	63	Elena	Rosito Yaruk
26	Livia	Gálvez Chiu	64	Yoani	Sánchez Cordero
27	Margarita	Gálvez Martínez	65	Fernando	Sánchez López
28	Julio César	Gálvez Rodríguez	66	Elizardo	Sánchez Santa
29	Joisy	García Martínez			Cruz
30	José Luis	García Paneque	67	Mayra	Sánchez Soria
31	Juan del Pilar	Goberna	68	Pedro	Scull
32	Ricardo	González Alfonso		Antonio	
33	Iván	Hernández Carrillo	69	Sergio Abel	Suárez García
34	Maikel	Iglesias Rodríguez	70	Virgilio	Toledo López
35	Irene	Jerez Castillo	71	Dagoberto	Valdés Hernández
36	Yusnaymi	Jorge Soca	72	Wilfredo	Vallín Almeida
37	Eugenio	Leal García	73	Alida	Viso Bello
38	Miriam	Leiva	74	Liset	Zamora
39	Gloria	Llopis Prendes			

Cuba, 30 de mayo de 2010.

A: Honorables Sres. Congresistas de los Estados Unidos de América.  
Honorables Miembros del Comité de Agricultura de la Cámara de Representantes.  
Congreso de los Estados Unidos de América.  
Washington, DC.

De: Personas que forman parte de la sociedad civil de Cuba.  
La Habana, Cuba.

Honorables señoras y señores:

Los miembros de la sociedad civil cubana que suscribimos esta carta a título personal, hemos sabido que actualmente Uds. están considerando un proyecto de ley (H.R. 4645) que levantaría las restricciones de viajes a Cuba para todos los estadounidenses, y facilitaría la venta de productos agrícolas a la Isla.

Este proyecto de ley tiene como título: "Ley de reforma a las restricciones de los viajes y promoción del comercio", tenemos entendido que cuenta con el apoyo de Republicanos y Demócratas en el Congreso. Sabemos además, que para que esta iniciativa sea considerada por el pleno, primero tendrá que ser aprobada por el Comité de Agricultura de la Cámara de Representantes.

Conocemos que importantes Organizaciones No Gubernamentales apoyan este proyecto de ley. Solo mencionaremos algunas: La Cámara de Comercio de los EEUU, el Buró de Agricultura de los EEUU, Amnesty International, Human Rights Watch, la Conferencia de Obispos Católicos de los EEUU, el Cuba Study Group y muchas otras organizaciones de derechos humanos.

Compartimos la opinión de que el aislamiento del pueblo de Cuba beneficia a los intereses más inmovilistas del gobierno, mientras que la apertura sirve para informar y empoderar a los cubanos y ayudar a un mayor fortalecimiento de nuestra sociedad civil.

Valoramos la experiencia de que todos los países occidentales, incluyendo a los EEUU, favorecieron la apertura y los intercambios con todos los países de la antigua Europa oriental. Estamos seguros de que el aislamiento no facilita las relaciones de respaldo y solidaridad de personas y grupos alrededor del mundo que están a favor del cambio hacia la democracia en Cuba.

A este respecto queremos recordar aquella memorable exhortación hecha en 1998 por el Papa Juan Pablo II quien había experimentado en su propia vida este tipo de sistema totalitario: "Que Cuba se abra al mundo y que el mundo se abra a Cuba".

Al paso del tiempo hemos comprobado que el régimen cubano no se abre plenamente ni al mundo ni a los propios cubanos porque a lo que más teme es a la apertura, a la libertad de comercio y a la libre empresa, al flujo de información y a la comunicación directa entre los pueblos.

Los que se oponen a este proyecto de ley, alegan que levantar estas prohibiciones representaría una concesión al régimen cubano y constituiría una fuente de ingreso de divisas que podría ser utilizada para reprimir al pueblo. También argumentan que, dadas las incesantes violaciones de derechos humanos y los repetidos actos de repudio, el levantar estas prohibiciones sería como abandonar a la sociedad civil cubana.

Es verdad que últimamente se ha incrementado la represión y la violación sistemática de los Derechos Humanos de forma cruel y pública. Es cierto que estos fondos también podrían utilizarse para sostener e incluso agravar esta represión.

No obstante, creemos que si los ciudadanos de los Estados Unidos, como los del resto del mundo, aumentarían su presencia en nuestras calles y pudieran visitar a los familiares de los presos políticos y otros miembros de la incipiente sociedad civil cubana, podrían: en primer lugar, ser testigos presenciales de los sufrimientos del pueblo cubano; en segundo, sensibilizarse aun más con la necesidad de los cambios en Cuba; y en tercer lugar, ser puentes solidarios y cercanos para favorecer la transición que deseamos muchos cubanos.

Esta presencia solidaria, el apoyo directo y otras muchas posibilidades de intercambio, usados eficazmente, y en la dirección deseada, en lugar de dejar abandonada a la sociedad civil en Cuba, podría fortalecerla de manera significativa. De igual forma facilitar aún más la venta de productos agrícolas podría contribuir a aliviar las penurias alimentarias de la población.

Por encima de todo esto, creemos y defendemos que el respeto a todos y cada uno de los Derechos Humanos para todos, es y debe ser una prioridad absoluta sobre cualquier decisión política y económica, y que ninguna restricción de cualquiera de esos derechos puede ser justificada por motivos económicos, políticos o sociales. Creemos que los derechos se defienden con derechos.

Como viajar libremente es un derecho de todo ser humano, apoyamos la aprobación de este proyecto de ley. El actual gobierno cubano ha violado siempre este derecho y, en los últimos años, esgrime a su favor que el gobierno de Estados Unidos también coarta la libertad de viajar a sus propios ciudadanos. Aprobar esta ley, eliminaría además, esta espuria justificación.

Por último, Honorables Sres. Congresistas, tenemos la firme convicción de que los problemas de Cuba y su camino hacia la libertad y la democracia son responsabilidad y tarea de nosotros los cubanos y cubanas que vivimos en la Isla, en comunión con los que sufren el exilio en la Diáspora y aman igualmente a la Nación que todos formamos.

En el mundo de hoy todos los pueblos de la tierra se interrelacionan, aun cuando se trate de sus decisiones soberanas. Este sentido de responsabilidad con nuestra querida Patria y de fraternidad universal, nos anima a comunicarles respetuosamente nuestras opiniones con relación a este proyecto de ley que, aunque es competencia de los norteamericanos, está relacionado con Cuba.

Agradecemos su atención y respeto.

*A continuación la lista de ciudadanos cubanos que firman esta carta u título personal, entre los que se encuentran presos políticos, bibliotecarios independientes, bloggers, periodistas independientes, editores de revistas, clérigos, intelectuales, artistas, animadores de la sociedad civil y miembros de organizaciones políticas*

1	Juan Juan	Almeida García	40	Olga Lidia	López Lazo
2	José Alberto	Álvarez Bravo	41	Yasnay	Losada Castañeda
3	Silvio	Benítez Márquez	42	Luis Ricardo	Luaces
4	Juan Carmelo	Bermúdez Rosabal	43	Juan A.	Madrazo Luna
5	Servando	Blanco Martínez	44	Aini	Martínez Valero
6	Félix	Bonne Carcassés	45	Katia Sonia	Martínez Véliz
7	Luis	Cáceres Piñero	46	Ricardo	Medina Salabarría, presbítero
8	Claudia	Cadelo de Nevis	47	Santiago	Morejón Soler, presbítero
9	Leonardo	Calvo Cárdenas		Manuel Alberto	Navarro Rodríguez
10	Eleanor	Calvo Martínez	48	Félix	Olivera Castillo
11	Marcelo	Cano Rodríguez	49	Jorge	Pacheco Ávila
12	Cecilio Dimas	Castellanos Martí	50	Pablo	Padrón Comptiz
13	Miriam	Celaya González	51	Leonardo	Palacios Ruíz
14	Francisco	Chaviano González	52	Héctor	Pardo Valdés
15	Hortensia	Cires Díaz	53	Gustavo	Peña Rodríguez
16	Martha	Cortizas Jiménez	54	Yisel	Perdigón
17	Manuel	Cuesta Morúa	55	Ana Margarita	Pérez de Alejo
18	Roberto	De Miranda Hernández	56	Arturo	Pérez Estrella
19	Gisela	Delgado Sablón	57	Juana Yamilia	Ramos Rodríguez
20	Reinaldo	Escobar Casas	58	Tomás	Rivas Verdecia
21	Oscar	Espinosa Chepe	59	Soledad	Rodríguez Alegre, presbítero
22	Guillermo	Fariñas Hernández	60	José Conrado	Rodríguez Bernal
23	Guedy Carlos	Fernández Morejón		María Esperanza	Rosales Rojas
24	Juan Carlos	Fernández Hernández	61	Lázaro	Rosito Yaruk
25	Karina	Gálvez Chiu	62	Elena	Sánchez Cordero
26	Livia	Gálvez Chiu	63	Yoani	Sánchez López
27	Margarita	Gálvez Martínez	64	Fernando	Sánchez Santa Cruz
28	Julio César	Gálvez Rodríguez	65	Elizardo	Sánchez Soria
29	Joisy	García Martínez	66	Mayra	Scull
30	José Luis	García Paneque	67	Pedro Antonio	Suárez García
31	Juan del Pilar	Goberna	68	Sergio Abel	Toledo López
32	Ricardo	González Alfonso	69	Virgilio	Valdés Hernández
33	Iván	Hernández Carrillo	70	Dagoberto	Vallín Almeida
34	Maikel	Iglesias Rodríguez	71	Wilfredo	Viso Bello
35	Irene	Jerez Castillo	72	Alida	Zamora
36	Yusnaymi	Jorge Soca	73	Liset	
37	Eugenio	Leal García	74		
38	Miriam	Leiva			
39	Gloria	Llopis Prendes			

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5/28/2012

To: Subcommittee on Immigration Policy and Enforcement  
Committee on the Judiciary  
House of Representatives

Members of the Committee: My name is Carlos Lazo. I am a Cuban-American. I am also a decorated veteran from the Iraq war. I know first-hand what travel restrictions do. In 2004, while serving in Iraq, I was prevented from visiting my children in Cuba during my two weeks of R&R due to the current travel restriction policies. I have previously testified before the US Congress in regards to the US travel policies toward Cuba, attesting to the negative impact that those restrictions have on American and Cuban families.

This letter is to respectfully ask you to reject the amendment to the Cuban Adjustment Act proposed by Representative David Rivera. This legislation will potentially hurt Cuban nationals who immigrate to the United States. For example, the United States could end up deporting or denying US citizenship to Cuban-American soldiers who are currently serving in Afghanistan, or for that matter, in any other place where the United States has a military presence, if those servicemen visit their families in Cuba. Men and women are putting their lives on the line for the United States, and yet, they are denied visitation to their own families – that to me, is un-American. Furthermore, you are asking Cuban-American residents who would like to serve our country in the armed forces, to choose between their duty to their adoptive country, the United States, and their love and responsibilities for their families who remained in Cuba. This legislation has the purpose of pandering to and pleasing a small and powerful sector of the Cuban community in the United States. This bill does not punish the Cuban government, and instead penalizes Cuban residents in USA who love their families and have chosen to help their families who remained on the island. This amendment is extreme and lacks common sense and the majority of Cuban-Americans oppose it.

Traveling to Cuba encourages the exchange of ideas between the people of Cuba and the people of the United States as well as provides opportunities to promote US values among the Cuban people. Who could be better ambassadors of democracy than Cuban-Americans who visit Cuba? Our Congress should create and support legislation in the best interest of the American people. Our Congress must produce legislation that promotes family values. Congressman Rivera's amendment does not do any of that, on the contrary; it is detrimental to the US foreign policy objectives. As a proud veteran of the United States army, and a Cuban-American, I respectfully ask you to reject this legislation.

Carlos Lazo  
15721 44th Ave West # A-4  
Lynnwood, WA 98087  
Phone: 206-290 8323  
Email: porcuba1@yahoo.com

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Mr. GALLEGLY. With that, that concludes the testimony. Again, I want to thank all the witnesses today. Without objection, all Members will have 5 legislative days to submit to the Chair additional written questions for the witnesses which will be forwarded and asked of the witnesses to respond in as timely a fashion as possible so we can make their comments a record of the hearing. Without objection, all Members will have 5 legislative days to submit any additional materials for inclusion in the record. And with that I again want to thank the witnesses. The Subcommittee stands adjourned.

[Whereupon, at 3:07 p.m., the Subcommittee was adjourned.]

