

Statement by the Honorable Jo Ann Emerson
Member of Congress (MO-08)
Before the Committee on Foreign Affairs,
Subcommittee on International Organizations, Human Rights, and Oversight
Families Torn Apart: Human Rights and U.S. Restrictions on Cuban-American Travel
September 18, 2008

Chairman Delahunt and Ranking Member Rohrabacher, thank you for the invitation to join the Committee today and discuss an issue of great importance to many Cuban-Americans – the ability to travel and visit their families in Cuba.

The decision to separate families – a decision that is truly unfortunate and sad - is one that Congress must take a more active role in reviewing. I believe a reasonable examination of the family travel restrictions, and in particular the tightening of the restrictions in 2004, will show that they have done little to impact the Cuban regime while continuing the separation of Cuban-Americans from their families in Cuba.

I would like to share with you the story of a friend of mine - Carlos Lazo, a Cuban-American who came to this country on a raft. I met Carlos in the spring of 2005 after he had completed a tour of duty in Operation Iraqi Freedom. At the time, Carlos had two sons still living there; Carlos was also a sergeant in the Washington State National Guard.

Prior to his brigade's deployment in 2004, Carlos had visited his sons in Cuba frequently.

As a mother of two soldiers who have been deployed to Iraq, I can certainly sympathize with the strong desire to spend time with family that Carlos felt before his deployment. During his R&R, in June 2004, Carlos again sought to visit his family and travelled from the Middle East to Miami with the intention of flying on to Havana.

Again I can empathize; however, this is where our experiences differed. When my stepson arrived home for R&R, his family was waiting; when Carlos arrived in America, he was informed that our government had imposed new restrictions which not only redefined who was family but that also prevented the ability of this father to visit his sons.

After being denied the right to see his sons, Carlos then returned to the battlefield, where he served our country honorably, receiving the Bronze Star for his valor at the Battle of Fallujah. He continues to serve in the Washington State National Guard and has an unshakeable love for the country he risked so much to get to and then risked his life to defend.

While Carlos's story is in many ways unique, ultimately, it is all too common. Everyday, a significant event occurs in the life of a Cuban or a Cuban-American family: a birth, an illness, a wedding or a death – and these restrictions prevent those families from sharing the moments when they most need to be together. Times of celebration and mourning,

worries and reliefs – all the joys and burdens of life which only family share - are made less joyful or more difficult by the Code of Federal Regulations.

Family is one of life's unique blessings. To quote Desmond Tutu: "You don't choose your family. They are God's gift to you, as you are to them." Unfortunately, the Code of Federal Regulations has chosen who can be a Cuban-American's family and rations out that "gift" in three year intervals.

Congress however, is not without the ability to change these policies. At present, language is included in the Fiscal Year 2009 Financial Services Appropriations bill which would extend the definition of a "member of a person's immediate family" to include an aunt, uncle, niece, nephew or first cousin. This Appropriations bill would also decrease the amount of time between travel. Chairman Delahunt, as this Committee is well aware, has introduced stand-alone legislation, H.R. 757, which would restore the rights of Cuban-American citizens to travel to Cuba – a more ideal solution which would not require annual action.

As I mentioned earlier there are many joys and hardships for which Cuban-Americans cannot properly respond. The ongoing trauma Hurricanes Gustav and Ike inflicted on the Cuban people can now be added to the long list of life changing events. When a hurricane strikes in the United States the outpouring of assistance to relief organizations is overwhelming. Our nation, our communities and most importantly our families come together to respond to this scale of tragedy. Americans will risk their health, safety and property to look these loved ones in the eye, hug them, and help start the healing process. I am told more than 500,000 houses have been damaged in Cuba, 90,000 homes completely destroyed; and that the damage is in the billion of dollars.

Those of us blessed with family members would surely agree with Archbishop Tutu: they are gifts from God; our Government should not separate them – not during a time of joy, a time of hardship, and certainly not during a time of crisis.