

Testimony of
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Organizations, Human Rights and Oversight

Thank you Chairman Delahunt, Ranking Member Rohrabacher and distinguished members of the Committee for allowing me the privilege to testify before you today in support of H.R. 757, the 'Cuban-American Family Rights Restoration Act'.

My name is Francisco José Hernández, I am the President of the Cuban American National Foundation. I celebrated my seventy-second birthday only two weeks ago. Forty-nine of those years I have spent in a frontal struggle against the Castro revolution. Only three months after being in power, Che Guevara himself ordered the execution of my father after a Kangaroo trial that lasted only four hours condemning him to death. I participated in the Bay of Pigs invasion, was imprisoned in Cuba and after returning to the United States was granted a commission as a second lieutenant in the USMC by express orders of President John F. Kennedy. When asked by the Review Board why I had selected the Marines, I replied, "I want to be of the first to land back in Cuba". That was not to be, but later, along with Jorge Mas Canosa, I fought relentlessly to strengthen sanctions against the Castro regime and as recently as last May, Fidel Castro in one of his "reflections" criticized Senator Barack Obama for sitting beside me, the man he accuses, falsely, of plotting against his life, at the annual luncheon of the Cuban American National Foundation.

As you can see, Mr. Chairman, I am no Castro sympathizer, thereby my dismay at having to defend, not in Cuba, not against the Castro regime, but in the halls of the Congress of the United States, the right of Cuban-American families to comfort, support and protect each other, to be together in times of happiness and in times of sorrow, in times of wellness and in times of peril.

Mr. Chairman, the right of human families to support each other pre-dates the establishment of human societies and human governments. Their rights are inalienable and as such, should be protected, not interfered with, by governments, whether it is the government of the United States, or the Cuban regime. For that reason, the Cuban American National Foundation firmly opposed the restrictions imposed by the present Administration in the year 2004, limiting remittances to immediate family members and reducing family travel to once every three years.

Mr. Chairman, these restrictions are not only inhumane but they are also counterproductive to our desire to uplift the Cuban people in their struggle for democracy and clearly reveal the utter hypocrisy of a policy that prohibits families from helping one another yet facilitates trade and travel to American businessmen looking to make a profit.

Mr. Chairman, while we sit here deliberating on the shortcomings of the US-Cuba policy, just miles off the coast of Florida, the Cuban people are facing a humanitarian crisis of epic proportions, exacerbated by a regime impervious to the pain and suffering of its people. Hurricane's Gustav and Ike have caused massive devastation throughout Cuba—entire towns have disappeared, over 500,000 families have lost their homes, and several million Cubans are without water or electricity, unable to meet even their most basic needs. In the coming weeks, with a Cuban government unable and unwilling to confront the crisis, disease and malnutrition may spread and the desperation of a people who feel helpless and forgotten will reach the point where, as in the past, thousands will see no other alternative than to attempt the desperate journey to America's shores placing their lives and our national security at risk.

As this crisis unfolds, Mr. Chairman, we will be holding back, because of these asinine restrictions, the efforts and resources of over 400,000 Cubans who have arrived in the United States in the last ten years and who have immediate relatives on island. What would any of us do in their situation? Would we not answer the plight of our mother whose house has been destroyed or our children with no place to sleep or no food to eat? I know I would do whatever I needed to. Surely, the insanity of these restrictions will drive many of those 400,000 Cubans in South Florida and throughout the United States to resort to all kinds of illegal and risky schemes in order to help their families.

There is no question that the primary responsibility of responding to this growing crisis belongs to the Cuban regime, yet they have dismally failed at providing emergency aid to their own people. Their lack of action is indefensible yet not surprising—we have seen that in times of crisis they shrink into the shadows leaving the Cuban people to fend for themselves or as Cubans say "*resolver*". They do not feel compelled to act because their primary concern is not the well being of their people but their ability to remain in power. We have born witness to this over the course of 50 years as they placed innocent men and women before firing squads, as they've forced one fifth of Cuba's population into exile, and as they continue to lock away thousands of its bravest citizens in dark, torturous cells simply for speaking freely. Make no mistake, this was true under Fidel and will remain to be true under Raul Castro.

In the face of dealing with a regime that completely disregards the well-being of its own people and has turned down aid from the United States Government, the Cuban-American community stands anxious to assist our brethren on the Island. In an attempt to get direct aid to hurricane victims, the Cuban American National Foundation requested and was granted a license by the Office of Foreign Assets Control of the Department of Treasury. In less than two days, the response was so overwhelming that we met the ceiling of our \$250,000 license and were forced to put the program on hold while we await approval for an additional license. In a matter of hours, over 1,200 families in the most affected areas received an average of \$200, equivalent to more than a year's salary in Cuban pesos. This is the power of self-help, the power of person to person assistance, family to family support, a power that we must unleash, rather than chain down.

Mr. Chairman, it is indefensible and intolerable that this issue be used to play politics while lives hang in the balance and while the ability to assist exists. I must confess that as

a Cuban-American I feel ashamed that members of my own community, even in the face of this terrible crisis, continue to lobby the Administration and this Congress to forbid Cubans from helping fellow Cubans. That is why I am here today to urge you to find a way to suspend these restrictions on a permanent or a temporary basis. While we cannot force the Castro regime into providing a quick and even response to this crisis, we can unleash the goodwill and humanitarian support that the Cuban American community is eager to provide. Let us not fail the Cuban people once again. Thank you.

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