

United States Senate

WASHINGTON, DC 20510-0906

March 11, 2009

President Barack Obama
The White House
Washington, D.C. 20500

Dear Mr. President:

While I believe the use of omnibus appropriations legislation is the wrong vehicle to effect foreign policy changes and would prefer that any modifications result from a more deliberative process undertaken by the Executive Branch, I remain interested in working with you and your Administration to ensure that our policies support the aspirations of the Cuban people to live in freedom. To this end, I would like to offer some suggestions on implementation of the provisions in the omnibus legislation approved by the Congress.

In my view, this is not the time for uncertainty in our policy towards Cuba, especially as the regime in Havana strengthens the grip of the old guard and military over Cuban society. Further, I believe it is corrosive of respect for the rule of law to have regulations on the books that cannot be enforced. For these reasons, I was reassured by Secretary Geithner's letters of March 5 and 9, 2009, outlining the Treasury Department's interpretation of the cash-in-advance rules and providing assurances that the Department will continue to ensure that those traveling to Cuba for agricultural and medical product sales are legitimately entitled to do so.

On family travel, an area where I am personally sympathetic to the pleas of those with family in Cuba, I recommend that individuals still be required to obtain a specific license to travel more than once a year to Cuba to visit family. Additionally, I believe that limits should remain on the length of a family visit and the amount of per diem that can be spent in Cuba. Allowing family to visit Cuba more often responds to an understandable humanitarian impulse but should not become a revenue windfall for the regime. In this regard, if any consideration is given to changes in the amount that can be remitted to family in Cuba, the Cuban government should first be required to end the exorbitant fees – currently upwards of 20 percent per transaction – that it charges the recipients of remittances.

Mr. President, I appreciate your attention to this matter and look forward to working with you as your Administration reviews policy towards Cuba.

Sincerely,



Mel Martinez
United States Senator