

April 30, 2021

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C St NW
Washington, D.C. 20520

The Honorable Janet Yellen
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

Dear Secretary Blinken and Secretary Yellen,

The undersigned U.S. churches, faith-based and humanitarian organizations and allies are writing with regard to the Biden administration's review of the impact of sanctions on humanitarian response and the State Department's review of Cuba policy. Our organizations have a long history of working with Cuban civil society and religious organizations. Through our travel, personal relationships, and frequent communication with Cuban churches, individuals and organizations, we have first-hand knowledge of the difficulties faced by the Cuban people, and the many obstacles to providing them humanitarian and development support.

U.S. policy should not inflict harm or suffering on ordinary Cuban individuals and families. There are a number of regulatory and administrative changes that could improve food security, livelihoods, and economic growth in Cuba, while also supporting U.S. national security.

The first step toward these goals is to restore the Cuban Assets Control Regulations (CACR) and the Export Administration Regulations (EAR) regarding Cuba to their status on January 20, 2017.

Why Sanctions Should be Lifted

Our partner churches and organizations in Cuba report that economic sanctions amplified by the COVID-19-related economic downturn contribute to severe shortages of basic items, including food, hygiene items, and medicine. Small independent business owners and churches are particularly hard-hit. This is made worse by a new cap on remittances that many Cuban Americans use to support their families.

- *"I have never experienced anything like this," a Cuban pastor and civil society leader said, "I went to buy coffee, there wasn't any. I went to buy soap, there wasn't any. I went to buy milk, there wasn't any. When there are things, you have to get up at dawn and stand in long lines to buy them."*
- *"Close Cuban partners tell me of going many months without basic items like toothpaste or animal protein," the director of an NGO's Cuba program said, "They have excellent doctors and scientific capacity to investigate and respond to the pandemic, but they don't have Ibuprofen to relieve people's everyday pain."*

- Churches are suffering from limitations on international donations and remittances as the cost of basic goods and mandated minimum wage increases impact church budgets. One church anticipates a \$75,000 deficit in 2021, limiting outreach and support for children, the elderly, and the home bound.

Sanctions related to the embargo are making it more difficult for humanitarian organizations to respond to growing needs in Cuba. While a general license exempts many humanitarian items from sanctions, related travel and financial activities may be subject to sanctions. Humanitarian organizations also face overcompliance and de-risking from banks and suppliers.

Travel restrictions limit family connections, people-to-people engagement, and religious connections.

- U.S. citizens are finding it more difficult to visit their Cuban family members.
- Religious communities have been growing in Cuba over the past few years. Many religious denominations have churches in the U.S. and Cuba, and restrictions limit exchange between these churches.
- People-to-people exchanges help promote dialogue, education, and warmer relationships between the people of the U.S. and Cuba. Sanctions that restrict this travel limit these positive opportunities for engagement.

A lack of opportunities for investment and engagement may also represent a risk to U.S. national security and tensions with U.S. allies.

- Six retired senior military officers sent Trump Administration National Security Advisor H.R. McMaster an open letter urging the U.S. to maintain engagement with Cuba because it would “provide long-term national security benefits to the United States,” citing successful cooperation on counterterrorism, border control, drug interdiction, and environmental protection. “If we fail to engage economically and politically,” they warned, “it is certain that China, Russia, and other entities whose interests are contrary to the United States’ will rush into the vacuum.”
- The embargo may also negatively impact the United States’ relationship with other countries. United Nation members overwhelmingly support an end to the U.S.’s Cuba embargo, with 187 countries voting in 2019 in favor of a resolution calling for an end to the embargo.
- Canada, Spain and Mexico have imposed blocking statutes prohibiting citizens from complying with overly restrictive U.S. sanctions such as Title III of the Helms-Burton Act.

Policy Recommendations

Support an end to the U.S. embargo on Cuba and institute a new policy of engagement, which has been the most effective mechanism of advancing human rights and economic reform in the country.

Restore the Cuban Assets Control Regulations (CACR) and the Export Administration Regulations (EAR) regarding Cuba to their status on January 20, 2017. These changes would reduce the caps on cash remittances and increase travel and visa opportunities. OFAC and BIS are key to this process as they can prepare amendments to the CACR and EAR to reverse the Trump Administration sanctions, especially those restricting family ties, travel, and educational and cultural exchange.

Lift the State Sponsors of Terrorism designation, which further restricts foreign assistance and financial transactions. This designation is disproportionate and will only further worsen conditions in the country.

The National Security Council and those responsible for ongoing policy reviews -- both the general review of sanctions policy and the specific review of Cuba policy -- should ensure they understand the full scope of the impacts of current U.S. sanctions and secondary sanctions by reviewing their impact:

- On civilian populations, including access to clean water, sanitation and hygiene items, food supply, and materials necessary for public health such as medicines and medical devices,
- On the delivery of humanitarian and development projects in the country, and
- On financial institutions and suppliers working with humanitarian actors in sanctioned locations.

One NGO with offices in the U.S. and Canada was restricted by U.S. secondary sanctions from sending food and hygiene items from Canada to Cuba. While this shipment will likely be sent from the U.S., this represents a significant delay and complication to the delivery of urgently needed aid.

Address barriers to humanitarian work by ensuring OFAC has the resources needed to process humanitarian licenses in a timely manner and issue assurances that would mitigate de-risking or overcompliance from banks and suppliers.

- Treasury should ensure that guidance is regularly updated and that it is clear and rigorous in its humanitarian exceptions. Treasury should develop a formal mechanism to solicit input from NGOs on guidance, fact sheets and other formal statements relating to humanitarian access and financial access before they are published.
- Standards for approving licenses for humanitarian assistance and peacebuilding projects should be clearly defined, available to the public, consistent with humanitarian principles and be sufficiently flexible to ensure that applicants can conduct their activities with impartiality, speed and discretion.
- There should be greater interagency coordination between State, Treasury and Commerce in reviewing and approving humanitarian work.
- Considering the different needs and priorities of private industries and humanitarian NGOs, OFAC and BIS should consider naming a humanitarian sanctions coordinator within each agency to liaise with NGOs and act as a point of contact for questions, updates, and concerns

We are grateful for the Biden Administration's commitments to engagement in Cuba and support for humanitarian aid and COVID-19 response globally. We hope to be in close touch as we continue to support our partners in Cuba, promoting strong livelihoods, sustainable economic development, and peace.

Signed,

Alliance of Baptists
American Friends Service Committee
Chicago Religious Leadership Network on Latin America
Church World Service

The Episcopal Church
Evangelical Lutheran Church in America
Global Ministries of the Christian Church (Disciples of Christ) and the United Church of Christ
Latin America Working Group (LAWG)
Mennonite Central Committee U.S. Washington Office
National Council of Churches
Oxfam America
Presbyterian Church (USA)
Union for Reform Judaism
United Church of Christ, Justice and Witness Ministries
The United Methodist Church – General Board of Church and Society
Washington Office on Latin America (WOLA)

CC: Secretary of Commerce Gina Raimondo
Deputy Assistant Secretary, State Department, Emily Mendrala
House Foreign Affairs Committee Chairman Gregory Meeks
House Foreign Affairs Committee Ranking Member Michael McCaul
Senate Foreign Relations Committee Chairman Robert Menendez
Senate Foreign Relations Committee Ranking Member James Risch
Senate Committee on Banking, Housing, and Urban Affairs Chairman Sherrod Brown
Senate Committee on Banking, Housing, and Urban Affairs Ranking Member Patrick Toomey
House Appropriations Committee chair Rosa DeLauro
Senate Appropriations Committee chair Patrick Leahy
Senior Director for International Economics and Competitiveness, National Security Council,
Peter Harrell
Director for Western Hemisphere Affairs, National Security Council, Juan Gonzalez