

United States Senate

WASHINGTON, DC 20510-0908

January 17, 2023

The Honorable Antony Blinken
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20522

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20016

Dear Secretary Blinken, Attorney General Garland and Secretary Mayorkas:

As your agencies are scheduled to conduct a “law enforcement” dialogue with the Cuban regime, we request that you prioritize the Cuban people’s future and pursuit of freedom. Past experiences have shown that dialogues with authoritarian regimes, especially ones that do not respect the rule of law, detrimentally affect the Cuban people’s wellbeing and desire to live freely. Only a policy towards Cuba that will enforce democracy and the rule of law will serve as the best foreign policy tool for our national security. It also recognizes the importance of advancing human rights protections as core to our nation’s values. Cuba remains the only country in the Western Hemisphere that has never held free and fair elections or allowed open political participation. Engagement and dialogue with Cuba should only develop and expand once the average citizen on the island has the power to determine his or her own destiny.

As you know, former President Obama started the process of dialogues with the Cuban regime in the areas of trade, migration, law enforcement and other policy issues. While the prospect of cooperation with a close neighbor may seem appealing at first glance, it is imperative to go into this dialogue knowing that you will be meeting with the security forces of the same regime that favors to imprison, torture or kill its own people, harbor terrorists that threaten our allies, and has provided safe haven to those who break our laws. Due to these actions against our country, your predecessor re-designated Cuba as a state sponsor of terror and added the Ministry of the Interior to the Restricted List of Entities and Subentities.

As part of any dialogue with the regime, consistent with the 1992 Cuban Democracy Act and the 1996 Libertad Act, the following topics should be prioritized:

- Holding free and fair elections for Cuba’s governing institutions;
- Releasing all prisoners detained for “political crimes”;
- Withholding Cuban property until assets expropriated by the Cuban regime are returned to their rightful American and Cuban owners;

- Extraditing American citizens who have fled to Cuba to escape punishment for crimes committed on U.S. soil, including those responsible for murdering police officers and defrauding Medicare;
- Ceasing the weaponization of mass migration towards our shores;
- Stopping the sponsorship of foreign terrorist organizations operating in Colombia, Venezuela and elsewhere in Latin America.

Jose Daniel Ferrer García, internationally recognized human rights defender, political prisoner and leader of the Patriotic Union of Cuba (UNPACU) has now been jailed since the July 11, 2022 protests for simply speaking out against the Cuban regime. According to reports by independent Cuban civil society organizations, he has been beaten and tortured in front of his family. Engaging with the regime on other issues without raising the Ministry of the Interior's treatment of its people, including Jose Daniel Ferrer and journalist Lazaro Yuri Valle Roca. Also, Jorge Serrano Alfonso, who has been beaten and remains in poor health, Lorenzo Rosales Fajardo, a pastor sentenced to seven years in prison as well as Loreto Hernández García and Donaida Pérez Paseiro, both Yoruba priests sentenced to six years in jail. Other examples to raise include Angel Jesus Veliz, sentenced to seven years and Dixán Gaínza Moré, an UNPACU member sentenced to six years. Unfortunately, there are too many political prisoner cases to list. Should you not directly raise these instances would be a tacit endorsement of the regime's brutal treatment and human rights violations of ordinary Cubans. As such, we urge you to utilize the forthcoming dialogue with the Cuban regime to focus on advancing the desperately needed political and economic freedoms for the Cuban people.

Thank you in advance for your attention to this matter.

Sincerely,



Marco Rubio
U.S. Senator



Rick Scott
U.S. Senator