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## Policy Met Politics in Cuba Rules

Fla. Anti-Castro Forces Helped Shape Laws

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Early last year, Otto Reich shopped a new project to his boss, national security adviser Condoleezza Rice. A Havana-born hard-liner with a habit of picking verbal fights with Cuban President Fidel Castro, Reich believed the United States was unprepared for Castro's fall and needed a transition strategy.

Rice liked the idea. The White House was overwhelmed with preparations for invading Iraq, so she told her new special envoy for Latin America to proceed and promised to pay closer attention after the war. Reich and a close-knit team of State Department political appointees felt they had, at last, an insider's chance to undo Castro.

As Reich's initiative gathered steam, word kept reaching the White House that Cuban Americans in Miami felt that President Bush had broken his promises to challenge Castro more sharply. Worse, Republican political figures warned that Cuban Americans crucial to Bush's 537-vote margin in Florida in 2000 might stay home in 2004.

It was a matter, state Rep. David Rivera said, of "telling the White House we need some help down here. We need something to motivate people."

This confluence of policymaking and politics led to the tightest restrictions on Cuban Americans' interactions with the island in decades: a limit of one visit every three years, a sharp reduction in how much they can spend there and new curbs on the goods they can send. Cuba policy has historically been driven by domestic politics, but this episode -- in accounts given by participants and close observers in Miami and Washington -- offers an exceptional glimpse into how the two interact.

The policy, imposed this summer, prompted a revolt in Congress and angered some of the Cuban Americans it was intended to please; it also produced enough animosity, Democrats hope, to help throw Florida to Sen. John F. Kerry (Mass.).


Officials said critical political input came from the president's brother Jeb Bush, who is Florida's governor and an avid cultivator of the state's Cuban American population.

State Department officials confirmed that, in a Congress severely divided on how to produce democracy in Cuba, they reached out only to the three Cuban American Republican representatives from South Florida -- all strong proponents of the U.S. economic embargo against Cuba.

Assistant Secretary of State Roger F. Noriega, who managed the policy review, said he and his aides had numerous conversations with members of the White House political staff under Karl Rove, Bush's chief political adviser and a fierce supporter of travel limits. Politics played a "natural" role in shaping the strategy,

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Noriega said.

"Politics intersect with the policy. In a democracy, it always should," he said. The role of foreign policy experts at the National Security Council, said one participant, who spoke on the condition of anonymity, was "as great as, or greater than, the politics shop."

In fact, the opinions of the most hard-line administration figures and some members of the White House political staff dovetailed significantly, even if their ambitions for the policy were different: One was focused on Bush's reelection, the other on Castro's demise.

Defenders of the policy said discussions inside the administration were intense and final decisions were made by Bush. They describe him as convinced that the strategy would wound Castro and energize more voters than it alienated.

Former diplomat Wayne Smith, an opponent of sanctions, said: "I've been involved in U.S.-Cuba policy since 1958. This is the stupidest policy I've ever seen, bar none."

### **The Plan**

The story begins with Reich, a former lobbyist and diplomat. Bush named him assistant secretary of state for Latin America in 2001 after Jeb Bush recommended him and Rep. Lincoln Diaz-Balart (R-Fla.) -- a Cuban American hard-liner whose aunt was married to Castro -- appealed to Rove.

The Senate never confirmed him. Democrats blasted Reich as a divisive, one-issue figure, and the White House found no enthusiasm among moderate Republicans for a fight. When Reich's recess appointment expired, he moved to the NSC under Rice. With him, he carried his idea for developing a transition plan for Cuba.

By October 2003, Reich's proposal had taken shape as the President's Commission for Assistance to a Free Cuba, with Secretary of State Colin L. Powell and Cuban-born Housing Secretary Mel R. Martinez as co-chairmen. The commission would "plan for Cuba's transition from Stalinist rule to a free and open society, to identify ways to hasten the arrival of that day," Bush said in the Rose Garden.

The administration was not in good favor at the time with an important segment of the Cuban American community, according to political figures and analysts interviewed in Miami and Washington. Strongly anti-Castro activists believed that Bush had not delivered on promises to revise Clinton administration policy and crack down on Castro.

"There were tremendous expectations that something would happen in Cuba. Here was someone who was rough and tough," said Dennis K. Hays, former head of the State Department's Cuba desk. Yet nearly three years into Bush's term, Hays said, the disillusionment was powerful.

The last straw for some Bush supporters was the July 2003 decision to repatriate a dozen Cubans intercepted after hijacking a Cuban government boat. The State Department negotiated a promise from Cuba to impose 10-year prison terms instead of executing them.

Calling the negotiations "offensive and misguided," 13 Republican Florida legislators sent a letter to Bush -- with copies to Rove and Republican National Committee Chairman Ed Gillespie -- describing "great disappointment and outrage" over the lack of a comprehensive Cuba policy.

"We fear," they wrote, "the historic and intense support from Cuban American voters for Republican federal

candidates, including yourself, will be jeopardized."

Bush's commission, composed solely of government officials, first met in December. Martinez soon resigned to run for the U.S. Senate in Florida, leaving Powell in charge. Given a deadline to file a report in six months -- and barely six months before the November elections -- the authors worked fast.

Powell assigned Noriega to coordinate the effort. To run the crucial working group that would design plans to destabilize Castro, Noriega drafted his deputy, Daniel Fisk. Fisk was a fellow staff member to former senator Jesse Helms (R-N.C.), an ardent Castro opponent. The report's editor was Jose Cardenas, who worked for the Cuban American National Foundation when it dominated U.S. policy.

The staff consulted principally with individuals and groups whose hard-line opinions were well advertised. When others later objected, one U.S. official argued that "trying to wade through all the different people who had an interest in Cuba was going to be very complicated and was not necessarily going to make the report any better."

No issues were more sharply argued than the rules for remittances and travel to the island. The theory behind 40 years of U.S. sanctions is that economic hardship will squeeze Castro from power, or at least force change. But Reich, Noriega, Helms and others have long argued that prevailing restrictions were not strong enough to punish a government that profits enormously from travel dollars and money shipped to Cubans by relatives and friends abroad.

### **The Rules**

As the president's commission did its work, some of Bush's most vocal supporters in Miami called for a nonnegotiable end to trips to Cuba. Others said exiles should not be permitted to return to the island until they had received U.S. citizenship. At the time, Cuban Americans were officially restricted to one trip per year, but exceptions were routine.

Within the commission, one group argued that remittances -- then limited to \$100 a month -- should be eliminated. Someone else proposed a 90-day moratorium. Among those seeking a firm line were Noriega and Diaz-Balart, who noted in an interview, "I've been on the record for cutting as much of the flow of currency to the regime as possible."

Sources said members of the White House political staff pressed the mid-level State Department officials to push ever harder on Castro -- harder than even the veteran anti-Castro players had intended. They found themselves pushing back as they drafted their final recommendations.

For a final review by Powell, Rice and other Cabinet-level appointees on the presidential commission, Noriega's team produced a strongly worded document. It called for a 50 percent reduction in remittances and a cut in travel by Cuban Americans to once every three years, with no exceptions for illness or death in the family.

The travel rule would be adopted and approved by Bush, along with a cut from \$164 to \$50 in the amount Cuban Americans visiting relatives could spend per day. Also adopted was a prohibition on sending gift packages with such items as soap, deodorant, seeds and clothing.

The remittance decision proved the most difficult, participants said, and it fell to Bush.

As the pressure built, Reich and human rights activist Frank Calzon, one of Washington's most outspoken Castro opponents, urged decision makers not to go too far. Calzon's voice carried weight because no one could

accuse him of being soft on Castro.

Powell and Rice asked whether a cut in remittances would do more harm than good to Cubans and to U.S. policy.

Bush decided in a session in the White House's Roosevelt Room that cutting the remittances would risk an accusation that he was needlessly preventing money from reaching Cuban families. When the policy was released May 6, the administration declared that only immediate relatives could receive money but the amounts would stay the same.

"There was a clash. The guy who made the final decision on remittances was George W. Bush. The president said, 'No, I'm not going to hurt *abuelita*. That's not the purpose of this,' " said someone who was present, quoting Bush as using the Spanish diminutive for "grandmother."

When the policy was announced, the outcry from angry Cuban Americans registered loudest. Diaz-Balart and others dismissed the complainers as an insignificant minority, but the opposition made headlines.

"I get very offended with someone telling me how to engage with my family," said Ana Karim, 32, a Cuban American pastor in Richmond. "I don't want to go illegally, but if I need to go see my family because my uncle's not doing well or somebody's dying, I'll figure out a way to get there."

Kerry made a gamble of his own after seeing that the rules governing family visits and remittances had gone so far. Although candidates typically race to see who can talk the toughest, he staked out a more liberal position.

In a community that voted more than 4 to 1 for Bush in 2000, Democrats argued that Cuban American families and their Cuban relatives were being unfairly penalized. Vowing to organize a new voting bloc, leaders said enough Republican voters might stay home to tip the Florida race to Kerry.

Confusion defined the implementation of the regulations, which were hurried into place June 30 without the usual comment period. It quickly became clear that the administration had not considered all ramifications.

Countless Americans traveling in Cuba discovered they had lost permission to be there, while charter companies had lost permission to retrieve them. The U.S. administration granted a 30-day reprieve.

Cuban Americans accustomed to sending gift packages objected after being told they could no longer ship certain goods. The State Department said it would relax the rules to allow the shipment of toiletries -- only to reverse course again.

Hispanic and black representatives persuaded Powell to exempt from the new rules a program in Cuba for U.S. medical students. In a rebuke to Bush, the House voted 221 to 194 to block the administration from enforcing the restrictions on gift packages.

Officials now say all the regulations will be reviewed after a comment period that ended Aug. 16.

Reich, the man who started it all, was pleased that the U.S. government finally had a comprehensive strategy. So were Noriega and Fisk. All three told others that they anticipated the reaction. The benefits of the policy, they said, would justify the short-term pain.

Rivera, the Florida legislator, was also pleased, even if the policy was not as rigorous as he had wanted. "It's no coincidence," he said, "that the three major changes in Cuba policy came in election years."

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