

CUBADEMANDA

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April 5, 2021

Honorable Senator Robert Menéndez
Chairman of Senate Foreign Relations Committee
528 Hart Senate Office Bldg.
Washington, DC 20510:

Dear Senator Menéndez:

Cubademanda is a group of Cuban and Cuban-American attorneys who dream and work and for a Free Cuba. Knowing your commitment to our common cause, we impose on your time to underline two initiatives in Washington which, in our opinion, can make inroads to expedite the Island's transition to a representative democracy, without taxpayers' expense or partisan implications, as follows:

I. Fairness in Remittances. U.S. companies authorized by our State Department to deal with the Cuban Regime are forced to blatantly discriminate against American citizens sending humanitarian monetary aid to family members, including members of your New Jersey constituency. They are forced to apply a double standard to U.S. citizens, applying a 30-35% charge if the cash recipient opts to exchange the remittance to U.S. Dollars, and waiving all charges when they opt for Cuban Pesos, Euros or other currencies. Whether this surcharge is called a duty, or excise tax, it is confiscatory and greatly exceeds the maximum customary usury rate prevalent in the U.S., for instance the 16% New Jersey for written loans, and the 18% Florida usury rate in loans of less than \$500,000.00. American citizens are being taxed for being such, and using our legal tender.

This double standard also arbitrarily props up Cuba's currency, and violates the letter and spirit of The Omnibus Trade and Competitiveness Act of 1988, enacted to foster open and equitable market access, the reduction or elimination of barriers and other trade-distorting practices, a more effective system of international trading procedures, with transparency, trade and monetary coordination, fair trade practices, and safeguard measures, lowering specific trade barriers.

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Consequently, we respectfully allege that all legal remittances originating in the U.S. should be legally conditioned by U.S. Law to nondiscriminatory treatment, at the time of exchange, in the spirit of the Omnibus Act of 1988, state usury statutes, general notions of fair play and equal protection of the laws.

II. Orderly Immigration. The Cuban Family Reunification Parole Program, is currently suspended, and the Cuban Medical Professional Parole Program was canceled on January 12, 2017.

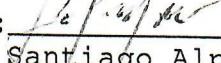
The Reunification Program allowed up to 20,000.00 annual visas to Cubans living in the Island. Many of the Cubans immigrants waiting in our Southern border or crossing the Florida Straight, at great risk, have family members who are U.S. citizens and/or lawful permanent residents eligible for parole under said Program.

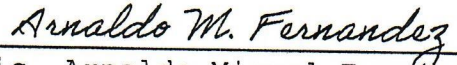
The Cuban Medical Program allowed legal entry to medical professionals conscripted to study or work in a third country under the direction of the Government of Cuba, with reasonable embedding requirements for admission into the United States.

Reinstating the two Programs will not require any consulate proceedings in the U.S. Embassy in Havana, or involve the Cuban Government. Such action would legally channel Cuban entries to our country, both for humanitarian reasons and for the benefit of the U.S., combat burdens and restrictions on the foreign trade of the United States, the imposition of inappropriate duties, and help eliminate unfair trade practices.

We stand by for any questions or comments. Thank you and remain,

Respectfully,
CubaDemanda

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