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**Statement of House Judiciary Committee Chairman Bob Goodlatte
Subcommittee on Courts, Intellectual Property, and the Internet
Hearing on Resolving Issues with Confiscated Property in Cuba, Havana Club Rum and Other
Property
(As Prepared/Statement Submitted for the Record)**

Chairman Goodlatte: At the core of the House Judiciary Committee priorities are the fundamental constitutional rights guaranteed to Americans such as freedom of speech, freedom of the press, freedom of religion, and freedom from having the government confiscate your property without compensation. Although the United States was initially one of only a few countries with such explicit guarantees for its citizens, more countries began to recognize such basic rights for their citizens as well. Decades after Soviet aggression created an Iron Curtain across Europe, Eastern Europeans rose up to reclaim their rights from governments that had long oppressed them.

Cuba's version of the Iron Curtain arrived in the 1960s, bringing property seizures of churches, homes, and businesses while locking up and even executing those who objected. Many were forced into exile in America. Some of the property seizures were for properties and assets that were owned in whole or in part by Americans including homes, businesses, and financial investments. No one - American, Cuban, or otherwise - was compensated for the seizures of their property.

In 1964, Congress directed the International Claims Commission, now known as the Foreign Claims Settlement Commission at the Department of Justice, to undertake a process to enable American citizens and businesses to submit evidence to prove their property seizure claims. Almost 6,000 claims submitted by Americans were certified with an estimated value in 1970's dollars of close to \$2 billion dollars. No money has ever been paid by Cuba to settle these or other claims.

Although these claims are grounded in numbers and paperwork, they reflect personal and direct losses to individuals and their families whether they were:

- Businesses whose shipments of merchandise were never paid for
- Family homes of those forced into exile in America
- Family businesses such as the Arechabalas
- Retirees who were counting on their investments in Cuban businesses to provide for their income

Reflecting the direct personal impact upon families, one of our witnesses here today is from a family that was forced into exile, leaving everything they had worked for behind in order to live in exile in Florida.

The Administration has long been interested in restoring diplomatic relations with Cuba, believing that reopening relations would lead to greater freedoms for Cubans. However, its tactics have been nothing short of bizarre. Just one year ago tomorrow, Congresswoman Ileana Ros-Lehtinen and I sent a letter to the Bureau of Prisons demanding answers to the Administration's efforts in facilitating the artificial

insemination of the wife of a convicted Cuban spy, Gerardo Hernandez, even though he was convicted on 13 counts, including conspiracy to commit murder. The answer from the Bureau of Prisons was less than illuminating. Only a few months ago, Gerardo Hernandez's sentence was commuted by President Obama after which he returned home to a triumphant meeting with Fidel Castro where he was unrepentant for his crimes.

Since the reopening of U.S.-Cuban diplomatic relations last summer, it appears little has changed for Cubans not favored by the regime. In September, members of a dissident group known as the Ladies in White were arrested as they traveled to see the Pope to advocate for human rights. In December, they were arrested again as they protested in support of basic human rights on the day known as United Nations Human Rights day.

This Administration has failed to aggressively seek compensation for property seized by Castro's regime and failed to stop the persecution of Cubans advocating for basic human rights. Meanwhile it has assisted a convicted Cuban spy to artificially inseminate his wife from a U.S. prison, something no other federal prisoner has been allowed to do.

Today's hearing will help shed light on the Administration's response, or lack thereof, to the confiscation of property, including trademarks, by the Castro regime. I look forward to the witnesses' testimony.