

## **Emergency Resolution Opposing US. Government's Re-Institution of "Trials for Travel" to Cuba**

Whereas the last NLG Convention unanimously adopted on October 24, 2015 an Emergency Resolution calling on the US Administration "to cease impending punitive actions and to instead act consistently for normalized relations with Cuba"; and

Whereas that resolution specifically called on the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) to "cease all impending threats and prosecutions of U.S. persons based on their previous travel to Cuba, including the threatened re-institution of 'trials for travel' " in the greater Washington DC area; and

Whereas, despite this the announced policy of the Administration to change its policy towards Cuba and to look forward rather than be imprisoned by the past, OFAC has now begun the process of resuming such administrative trials which had been abandoned after six years by the George W. Bush administration. Specifically, on July 26, 2016, OFAC served a complaint instituting proceedings against Albert Fox, as President of the Alliance for a Responsible Cuba Policy Policy Foundation (the Respondent), seeking a penalty of \$100,000 for participating in two short trips to Cuba in 2010 and 2011, and claiming that the Respondent improperly assisted other U.S. nationals on those two trips; and

Whereas, for the first time in some ten years, OFAC has recently appointed an Administrative Law Judge, from the U.S. Coast Guard in Baltimore, MD, to hear this and possibly other Cuba travel cases; and

Whereas this Respondent has been recognized as a key contributor in building a significant body of opinion in Florida for normalizing relations with Cuba, and has also been a critic of continuing to fund the OFAC office in Miami; and

Whereas OFAC's recent complaint twice cites the Respondent as being subject to penalties specifically for "attending meetings with Cuban officials that were not authorized," as if the U.S. government has the right to prevent persons subject to U.S. jurisdiction to freely meet and associate with whomever they please; and

Whereas this action threatens to establish a renewed precedent of intimidation against individuals and organizations which have broken from the hard line against Cuba in Florida and elsewhere;

THEREFORE BE IT RESOLVED that this convention of the National Lawyers Guild condemns any and all attempts to proceed with trials and penalty demands against US residents for exercising their right to travel to Cuba and also to associate with people and officials in Cuba.

The NLG further encourages its members, friends, and all other lawyers and workers in the legal field to oppose this and any further attempts at prosecuting US persons for traveling to Cuba or meeting with Cuban representatives -- by assisting in the defense, encouraging other organizations and firms to do so, and by publicizing this prosecution as contrary to the best interests of the people of the U.S. and of Cuba, and contrary to the policy of normalization announced by the Administration.

Implementation by the NLG Cuba Subcommittee, c/o Art Heitzer, Chair, [artheitzer@gmail.com](mailto:artheitzer@gmail.com), (414) 628-2547 or [414 273-1040, ext. 12](tel:414-273-1040). 633 W. Wisconsin Ave., Suite 1410, Milwaukee, WI 53203

Submitted by Art Heitzer, and on behalf of the NLG Cuba Subcommittee.

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