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More than a decade after the collapse of the Soviet bloc, United States policy toward Cuba remains rooted in an approach devised at the height of the Cold War, 40 years ago.

United States policy toward Cuba is dominated by the embargo, which includes economic sanctions and restrictions on travel to Cuba. The effect is to limit commercial, political and civilian relations between the U.S. and Cuba. The goal of the embargo, according to the State Department, "is to promote a peaceful transition to a stable, democratic form of government and respect for human rights" in Cuba.

U.S. policy toward Cuba also includes a second track meant to foster people-to-people contacts and encourage the development of civil society on the island. People-to-people initiatives include U.S. government-sponsored Radio and TV Martí broadcasts to Cuba; allowing private humanitarian donations and remittances to citizens of Cuba; and licensing certain Americans to travel to the island, including academics and representatives of nongovernmental organizations.

The embargo dates back to Fidel Castro's institution of repressive and anti-American policies shortly after he assumed power in 1959 – policies that included the expropriation of Americans' property in Cuba and the alignment of Cuba with the Soviet bloc. It led President Eisenhower, in October 1960, to establish the first provision of an economic embargo that continues to this day.

U.S.-Cuban relations deteriorated rapidly in the 1960s. In 1961 alone, diplomatic ties with Cuba were severed; the failed "Bay of Pigs" invasion occurred; Castro declared Cuba to be a Marxist-Leninist state; and the United States initiated Operation Mongoose, a plan of covert actions targeting Cuban leaders and infrastructure. October 1962 saw the Cuban missile crisis that stemmed from the Cuban government's allowing Soviet nuclear missiles on the island.

The United States continued to tighten the embargo in the early 1960s, making commercial relations with the island all but impossible for Americans. In February 1963, President Kennedy made it illegal for almost all Americans to travel to Cuba.

The 1970s and 1980s brought periodic initiatives toward improving relations between the two countries. Secret talks between the United States and Cuba over normalization of relations occurred during the Ford administration in 1974. In 1977 under President Carter, diplomatic ties were restored somewhat through the establishment of "Interests Sections" in each country, though the U.S. embargo remained.

Cold War ideological and political battles impeded progress toward normalization. It is widely believed that Cuban support of leftist insurgents in Angola ended U.S. interest in détente with Cuba in the 1970s. In the 1980s, the Reagan Administration initially pondered rapprochement with Cuba, but the possibility ended when Cuba worked with Marxist groups in Central American civil wars. Events such as the Mariel boatlift in 1980, in which 125,000 Cubans left the island for the United States, and the U.S. invasion of Grenada in 1983 -- crafted in part to thwart Cuban-aided development of a military airfield -- were characteristic of new frictions between the U.S. and Cuba.

The U.S. began to broadcast Radio Martí to Cuba in 1985, and TV Martí in 1990. The Cuban government began jamming the television broadcasts soon after they went on the air.

The collapse of the Soviet Union in 1989 and the end of the annual \$4 billion subsidy of Cuba in 1991 ended the Cold War context in which U.S. had formulated its policy toward Cuba. Nonetheless, the 1990s saw a significant tightening of the embargo, along with the simultaneous increase of people-to-people initiatives. In 1992, Congress passed the Cuban Democracy Act, which prohibits foreign-based subsidiaries of U.S. companies from trading with Cuba, but creates loopholes for travel to Cuba by a select group of U.S. citizens. The law allows private groups to deliver food and medicine to Cuba.

In 1994, another rafter crisis erupted, sending 30,000 Cubans toward U.S. shores. Subsequent U.S.-Cuban negotiations led to a set of migration accords, in which the two countries made commitments to promote safe, legal and orderly migration. The U.S. and Cuban governments still continue their regular talks on migration.

U.S.-Cuba relations took a dramatic turn for the worse in 1996, when Cuban MIG jetfighters shot down two U.S.-based civilian aircraft belonging to the Miami-based group Brothers to the Rescue, killing three U.S. citizens and one Cuban resident of the United States.

Shortly thereafter, President Clinton signed into law the controversial Cuban Liberty and Democratic Solidarity

Act, commonly known as Helms-Burton after its original Congressional sponsors. Helms-Burton enacts penalties on foreign companies doing business in Cuba; permits lawsuits (even by individuals who were Cuban citizens at the time) against foreign investors who make use of expropriated property seized by the Cuban government; and denies entry into the U.S. to such foreign investors and their family members. Acting under a waiver provision in the law known as Title III, Presidents Clinton and Bush have suspended implementation of the lawsuit measure at six-month intervals.

In the late 1990s, people-to-people initiatives continued to grow, nonetheless, as a central element of U.S. policy toward Cuba. In October 1995, President Clinton announced measures to allow nongovernmental organizations in the U.S. to fund projects in Cuba, and to allow U.S. AID funding to NGOs in the U.S. for Cuba-related projects.

Anticipating the visit of Pope John Paul II to Cuba in January 1998, President Clinton approved licenses for religious groups and media to use charter aircraft and a cruise ship to travel to the island. In 1998, the U.S. government took steps to expedite the sales and donations of medicines to Cuba, including the licensing of direct cargo flights. In January 1999, President Clinton expanded the categories and streamlined the issuance of licenses for those who seek to travel to Cuba; allowed Americans to send \$1200 per year in remittances to Cuba; broadened the categories of groups to whom sale of food and medical products could be made; and authorized direct charter passenger flights to Cuba from U.S. cities other than Miami. Charter flights now depart from Los Angeles and New York and fly to Havana and other Cuban cities.

President Clinton, nonetheless, continued the embargo -- even as nearly all other countries had maintained or established policies of engagement; even as the U.S. sought to expand markets and increased engagement with China and Vietnam; and even though the United Nations General Assembly consistently opposed U.S. policy toward Cuba.

President Bush has stated strong support for the embargo. In May 2001, the President said, "my administration will oppose any attempt to weaken sanctions against Cuba's government." Later, in July, the President reaffirmed his position and announced he would enhance and expand capabilities of the U.S. government to enforce the embargo. In addition, he expanded people-to-people initiatives by increasing support for human rights activists in Cuba and instructing the use of "all available means to overcome the jamming of Radio and TV Marti."

Divergence over U.S. policy toward Cuba is highly visible in the U.S. Congress. In the 106th Congress (1999-2000), members proposed legislation both to reduce and increase sanctions against Cuba. In the end, legislation passed that reflected both approaches. The Trade Sanctions Reform Act (TSRA), signed into law by President Clinton in October 2000, allowed the export of food and medicine to Cuba, but prohibited any U.S. financing, both public and private, of such exports. The legislation also codified the ban on travel to Cuba for tourism, which throughout its history had been mandated only by Executive Order.

In the first session of the 107th Congress (2001), members again introduced measures both to ease and tighten the embargo. Several key votes indicate growing support for ending the embargo. In July 2001, the House of Representatives voted by overwhelming majority to end funding of enforcement of the travel ban, and a December 2001 vote in the Senate indicated strong support for lifting restrictions on the finance of sales of U.S. agricultural products to Cuba. In 2002, there is much speculation that the travel ban could be eliminated or its enforcement defunded, and restrictions on trade with Cuba further reduced.

The 40-year-old embargo against Cuba has failed to achieve U.S. policy goals. Formulated during a Cold War era that ended years ago, the embargo has damaged U.S. economic, diplomatic and national-security interests. And it has unconstitutionally restricted Americans' freedoms. Long after the end of the Cold War, the Cuba Policy Foundation sees the time for change is now.