US Relations with Cuba

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Following the 1959 Cuban Revolution and the rise of Fidel Castro’s communist government, relations between the United States and Cuba quickly deteriorated. US policymakers were particularly incensed by Cuba’s land reforms and nationalization of US companies on the island. Beginning in 1960, the Eisenhower administration and Congress began increasing trade restrictions on Cuba through a combination of executive orders and congressional legislation. In 1961, the United States officially closed its embassy in Havana and withdrew recognition of the island nation. In October of that year, Congress passed the Foreign Assistance Act, making all aid to Cuba illegal, and authorizing the president to impose a full trade embargo.

In 2006, Fidel Castro ceded authority to his brother, Raul, and in 2008, Raul officially succeeded Fidel as President of Cuba. The ascension of Raul Castro to power raised hopes in both the United States and Cuba for improved relations.\(^1\) Though Cuba has made some significant economic reforms in recent years, a 2009 Senate Foreign Relations Committee report highlights that the country still “regularly ranks at the bottom of most internationally recognized rankings on political and economic liberty.”\(^2\) Cuba has been accused of murdering human rights activists, and is currently holding American USAID contractor Alan Gross in prison on charges of subversive political activity.\(^3\) The detention of Mr. Gross continues to inflame US relations with Cuba, despite multiple efforts to secure his release. The United States also lists Cuba as a state sponsor of terrorism, although this is not a reflection of significant Cuban involvement in terrorism. According to the State Department’s 2013 Country Reports on Terrorism, “There [is] no indication that the Cuban government provided weapons or paramilitary training to terrorist groups.”

Critics of the US embargo on Cuba point to the inconsistencies between US policy towards Cuba and broader foreign policy. They question why the United States still maintains sanctions against the island, while openly trading with other communist governments it opposed during the Cold War such as China and Vietnam. This distinguishes US policy towards Cuba from US relationships with other communist governments. In fact, President Nixon and his predecessors eased trade restrictions against China in part due to the argument that trade would hasten democratic reforms. Such action is clearly inconsistent with policy towards Cuba.


History of Congressional Involvement in Cuba Policy

Congress has consistently played a major role in US foreign policy towards Cuba by tightening various trade, travel, and financial restrictions in response to changing political conditions. Though the executive branch has generally had more flexibility in altering the details of the restrictions, Congress has asserted its authority on the subject through a variety of legislation outlining the framework for US policy towards Cuba.

In 1992, Congressman Robert Torricelli introduced the Cuban Democracy Act, which eventually passed Congress and was signed by President Bush. The law—which solidified many of the practices undertaken by previous administrations—banned overseas subsidiaries of US companies from trading with Cuba. It also prevented US citizens from traveling to Cuba or sending remittances to the nation. Special interest groups proved key in rallying support for the Cuban Democracy Act. The Cuban American National Foundation (CANF)—which will be discussed in more detail—leveraged the politically active Cuban–American population in south Florida towards this end.

In 1996, following legislative efforts led by Republicans Jesse Helms of North Carolina and Dan Burton of Indiana, Congress passed the Helms-Burton Act, which significantly tightened the embargo on Cuba by sanctioning foreign corporations that conduct business with Cuba. Initially, the Helms-Burton Act was held up and tabled in the Senate by a Democratic filibuster, but headline-grabbing news put the measure back on the table months later after Cuban military jets shot down two private planes flown by a Miami-based anti-Castro organization, killing the two pilots. This event made it politically untenable for Democrats to continue opposing the bill, resulting in a 74-22 vote in the Senate. The events leading to the passage of the Helms-Burton Act highlight the influence of short-term crises on Cuba policy.

In 2000, spurred by agricultural interests, Congress adjusted the trade embargo by passing the Trade Sanction Reform and Export Enhancement Act. The Act allowed for the export of some specified agricultural and medical products to Cuba by American companies. The Senate Foreign Relations Committee had jurisdiction over the bill, but won passage by attaching it as a rider to the fiscal year 2001 Agricultural Appropriations Bill. Agricultural interests proved critical to the passage of the Trade Sanction Reform and Export Enhancement Act. Numerous organizations—including the National Association of Wheat Growers, National Association of Barley Growers, National Corn Growers Association, the Missouri Farm Bureau Federation, and countless others—lobbied on behalf of the bill because it would boost industry revenue by eliminating restrictions on agricultural exports. The George W. Bush administration enforced the embargo strongly. In 2002, Bush supported congressional Republicans by blocking efforts aimed at loosening the embargo. In contrast to President Bush, President Obama has significantly eased some restrictions on Cuba through

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5 Congressional Record, V. 146, Pt. 16, October 13, 2000, 23,110.

7 Ibid.

8 Perez-Stable and Covarrubias, The United States and Cuba, 87.
Executive Order. Obama has eliminated all restrictions on remittances to Cuba and family travel.\(^9\) However, the President has maintained economic sanctions against Cuba as well as the prohibition on general US citizen travel to the island. In 2009, there was a heated debate in Congress over language included in an omnibus appropriations bill that further eased Cuba travel and trade restrictions.\(^10\) Notably, Democratic Senator Menendez filibustered the appropriations bill because of his staunch opposition to a change in Cuba policy. His filibuster of the omnibus spending bill, which carried language easing travel and trade restrictions, was significant because of his defiance of Democratic leadership in favor of anti-Castro special interests.

In 2010, House Agriculture Committee Chairman Collin Peterson and Congressman Jerry Moran introduced the Travel Restriction Reform and Export Enhancement Act, and successfully garnered the support of 81 cosponsors.\(^11\) Over 130 organizations representing a variety of business interests, agricultural interests, and foreign policy think tanks supported the bill. Though the Agricultural Committee voted to send the bill to the floor, the measure eventually died when the House Financial Services Committee and Foreign Affairs Committee—who were also given jurisdiction over the bill—did not report the bill out of committee.\(^12\)

**Current Proposals**

There are a number of proposed bills in congressional committees that would eliminate or ease sanctions on Cuba. The United States-Cuba Normalization Act is the most recent bill, introduced by Congressman Bobby Rush of Illinois in May 2013. The bill would completely remove restrictions on Cuba. At the time of publication, the bill has not been reported out of committee. Similarly, H.R. 214 was introduced in January by Congressman Serrano of New York and was referred to seven different committees in the House including Foreign Affairs, Ways and Means, Energy and Commerce, Financial Services, Oversight and Government Reform Judiciary, and Agriculture. This bill lifts the Cuba embargo by amending the Foreign Assistance Act of 1961.

Furthermore, in February Congressman Rangel of New York introduced three complementary bills that would lift trade and travel, and promote US agricultural exports. H.R 872—the Free Trade with Cuba Act—was subsequently referred to the same seven House committees as Serrano’s bill. The bill would repeal all trade sanctions against Cuba. Rangel gained the support of 11 Democratic co-sponsors and introduced a matching bill—H.R. 871—the Export Freedom to Cuba Act of 2013, which would lift all travel restrictions relating to Cuba. The bill was referred to the House Foreign Affairs Committee. Additionally, H.R. 873—the Promoting American Agricultural and Medical Exports to Cuba Act of 2013—was referred to Foreign Affairs, Ways and Means, Judiciary, Agriculture, and Financial Services. In January, Congressman Serrano introduced H.R. 215, which would make it easier for Cubans to come play professional baseball in the United States.

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\(^12\) Ibid.
In examining recent proposals for easing Cuba sanctions, it is apparent that there is a small but committed contingent in the House of Representatives dedicated to the issue. This group is composed of, almost exclusively, Democrats. Congressmen Charlie Rangel and Jose Serrano are key leaders on the subject. Many of the bills put forward by this anti-embargo group in the House have been introduced numerous times during prior years. In almost every case the bills proposing an end to trade sanctions on Cuba never make it out of committee due to either opposition from the Chairman or from House and Senate leadership.

**Opposition and Interest Groups**

In the early 1980s, the Cuban American National Foundation (CANF) began to assert itself as a powerful interest group holding sway over US policy towards Cuba. CANF—a key player in today’s political debate on Cuba policy—modeled itself after the American Israel Public Affairs Committee (AIPAC). In fact, CANF staff received direct training from AIPAC on how to make the Cuba issue consequential in US domestic politics and how to open the issue to pressure from special interest groups. During this same time period, the naturalization rate for Cuban exiles rose, and the community—mostly based in Miami—“learned to parlay its economic power into the political arena.”

Over the years, CANF has been active in lobbying members of Congress to support hawkish policy against Cuba. The organization donates funds to congressman who advocate tough policies on the issue. CANF’s lobbying efforts have resulted in a number of legislative successes. CANF strongly supported a bill in 1984 that set up Radio Marti—a government sponsored radio station that broadcasts anti-Castro propaganda into Cuba. Even more notably, CANF played a major role during the passage of the Cuban Democracy Act in 1992, as well as the Helms-Burton Act in 1996.

Today, CANF operates throughout the United States by rallying anti-Castro supporters and raising money for the cause. During the 2012 election cycle, the US-Cuba Democracy PAC—run by CANF—donated $419,000 to 113 members of Congress. The concentration of Cuban Americans in Florida—traditionally a battleground state in presidential elections—poses a significant obstacle for advocates of reform. The Cuban community has historically been very politically active, making consideration of their views critical for politicians with national ambitions.

A number of key congressmen—particularly those representing Florida—pose significant roadblocks to the easing of sanctions. The Cuban Democracy Caucus—whose 18 members are generally on the forefront of fighting attempts to liberalize relations with Cuba—also poses an important obstacle.

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16 Ibid., 21.
Democratic Senator Menendez—Chairman of the Senate Foreign Relations Committee—represents the most powerful figure opposing an easing of sanctions against Cuba. Born to Cuban parents, Menendez is a staunch anti-Castro advocate and opposes any lifting of the embargo. Senator Menendez’s power over the Foreign Relations Committee—which typically has jurisdiction over bills dealing with Cuba—means that at the committee level he can kill any bill easing sanctions. In effect, Menendez alone has the power to prevent any anti-embargo legislation from reaching the floor of Congress.

Additionally, Cuban American Senator and 2016 presidential hopeful Marco Rubio staunchly opposes any easing of sanctions and would be a key roadblock towards ending the embargo. His prominent role on the Senate Foreign Relations Committee could compliment the influence of Senator Menendez and block liberalization efforts. During an interview, the Senator stated he would only support such measures when Cuba begins to open up its repressive political system. Rubio also affirmed his opinion that the embargo allows the United States an important point of leverage in promoting democratic reform in Cuba.18

Republican Congressman Mario Diaz-Balart, who represents a district in Miami-Dade County—also strongly opposes the easing of sanctions on Cuba. Congressman Diaz-Balart is a member of the Appropriations Committee and sits on the Subcommittee on State, Foreign Operations, and Related Programs, giving him a voice in the foreign policy debate. Congresswoman Ileana Ros-Lehtinen, the first Cuban American elected to Congress, has also staunchly opposed the lessening of restrictions on Cuba throughout her long tenure on the House Foreign Affairs Committee. She chaired the committee between 2011 and 2013, giving her a strong voice today on a body that has jurisdiction over bills dealing with Cuba policy. Finally, Democratic Congresswoman Debbie Wasserman Schultz represents a district in Florida and is strongly pro-embargo. Wasserman Schultz is the current head of the Democratic National Committee, giving her some influence to dissuade Democratic colleagues in Congress from supporting reform measures.

Political Outlook

In a 2011 poll of Cuban Americans conducted by the Cuban Research Institute, 44 percent of respondents said they oppose continuing the US embargo on Cuba. Furthermore, 65 percent of respondents said they either strongly or mostly favor allowing US companies to export food to Cuba.19 This indicates that opposition to a bill dealing solely with agricultural exports may be more limited. Overall, these numbers dispel the notion of a Cuban American community united around opposing any easing of restrictions on Cuba. Opinion within the Cuban American community has become more accepting over time of openings towards Cuba. Further underscoring this point is another poll conducted in 2008 by the University of Miami. The poll asked Cuban Americans to rank order what issues most influenced their vote in that year’s presidential election. The results of the poll showed US policy towards Cuba consistently in last place behind the Iraq war, the economy, healthcare and the cost of education.20

The Cuban American community in Florida—which has traditionally voted strongly Republican—also appears to be shifting towards the Democratic Party. Exit polls from the 2012 presidential election showed that Barack Obama received almost half of the Cuban American community’s vote in Florida.\textsuperscript{21} Though the Republican Party still holds the advantage, political attitudes have shifted considerably in recent years. In the 2000 election, 75 percent of Cubans in Florida voted for George W. Bush. Cuban Americans becoming less reliably Republican means that the community may be voting more on social and economic issues, rather than on policy towards Cuba. This suggests that in the coming years there will likely be less strident pro-embargo pressure on Washington lawmakers.

**Recommendation**

A realistic course of action that would bring the United States closer towards a complete normalization of trade relations with Cuba would involve lifting a number of restrictions on American industries seeking to export to Cuba. A bill containing provisions similar to parts of the failed 2010 Travel Restriction Reform and Export Enhancement Act would significantly ease trade restrictions for US agricultural companies seeking to export to Cuba, while maintaining the prohibition on Cuban imports into the US. The bill would further expand the variety of agricultural products permitted for export, as well as remove important financial and banking restrictions that have effectively made US agriculture less competitive in Cuba. Due to political opposition, this bill does not lift the travel ban on US citizens visiting Cuba.

Although a complete removal of the embargo would be the most desirable outcome from a business perspective, significant political obstacles remain. However, due to the changing voting behavior of the Cuban-American population, incremental easing of restrictions on Cuba today could lead the way for a complete lifting of the embargo in the not so distant future as opposition from the Cuban-American community dissipates. In pushing for the loosening of restrictions on agricultural exports to Cuba, it will be critically important to bring together a wide coalition that includes extensive representation from business interests. This will give credibility to the pro-business frame, attracting Republicans to a position that has been almost exclusively Democratic to date. The changing politics of the Cuban-American community and the power of business interests will be key to reforming this outdated and costly policy.

Making it easier for US agricultural companies to do business in Cuba would help regain a portion of the estimated $1.2 billion in foregone agricultural revenue due to the Cuba embargo and could pave the way for a complete lifting of the embargo.

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