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THESIS

**SECURITY COOPERATION WITH CUBA:
THE IMPACT OF NORMALIZATION ON THE COAST
GUARD'S RELATIONSHIP WITH THE
CUBAN BORDER GUARD**

by

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March 2021

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**SECURITY COOPERATION WITH CUBA: THE IMPACT OF
NORMALIZATION ON THE COAST GUARD'S RELATIONSHIP WITH THE
CUBAN BORDER GUARD**

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ABSTRACT

This research examines the Coast Guard’s maritime security relationship with the Cuban Border Guard—before, during, and after normalization—through a qualitative case study comparison of five distinct mission areas: drug interdiction, migrant interdiction, search and rescue, marine environmental protection, and port security. By reviewing the aftereffects of the Trump administration’s rollback of U.S.-Cuba policy, specifically the impact on the Coast Guard-Cuban Border Guard security relationship, it is possible to recognize that such a policy reversal does not serve the national security interests of the United States. The operational focus of the Coast Guard’s maritime security cooperation with the Cuban Border Guard, combined with measured growth in mission areas of mutual concern, are key factors in the long-term success of this important relationship. With no significant concentration of bilateral security exchanges since 2018, the United States should take steps to reinvigorate law enforcement cooperation with Cuban authorities in areas such as counternarcotics, illegal migration, counterterrorism, and mass rescue operations.

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LIST OF ACRONYMS AND ABBREVIATIONS

AGR	Customs Authority (Cuba)
CAA	Cuban Adjustment Act
CANF	Cuban American National Foundation
CARICOM	Caribbean Community
CBM	confidence building measure
CBP	Customs and Border Protection
CGIS	Coast Guard Investigative Service
CITMA	Ministry of Science, Technology, and the Environment (Cuba)
CUPET	Cuba Oil Union (Cuba)
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DNA	National Anti-drug Department (Cuba)
DOD	Department of Defense
DOS	Department of State
FY	fiscal year
ICE	Immigration and Customs Enforcement
ILAS	Columbia University, Institute for Latin American Studies
IMO	International Maritime Organization
INCSR	International Narcotics Control Strategy Report
IOM	Intergovernmental Committee for European Migration
IPS	International Port Security
ISPS	International Ship and Port Security Code
ISRI	Center for International Policy Studies, Institute of International Relations (Cuba)
kg	kilograms
MINFAR	Ministry of the Armed Forces (Cuba)
MININT	Ministry of Interior (Cuba)
MINREX	Ministry of Foreign Relations (Cuba)
MINSAP	Ministry of Public Health (Cuba)
MITRANS	Ministry of Transport (Cuba)

MOU	Memorandum of Understanding
MRO	Mass Rescue Operations
MT	metric tons
MTOP	Wider Caribbean Region Multilateral Technical Operating Procedures for Offshore Oil Pollution Response
NORAD	North American Aerospace Defense Command
PSA	Port Security Advisory
SAR	search and rescue
TSA	Transportation Security Administration
USCG	U.S. Coast Guard
WOLA	Washington Office on Latin America

EXECUTIVE SUMMARY

Despite the ups and downs in the political and diplomatic relationship, bilateral cooperation between the United States and Cuba still needs to continue, if only because the countries are so close geographically and have many security and other interests in common. Enduring relationships, such as those between the Coast Guard and Cuban Border Guard, are a testament to what can be accomplished when common ground is established through areas of mutual security concern. As the only branch of the armed forces with law enforcement statutory authority, the Coast Guard's unique authorities improve international engagement and security cooperation in complex political environments. This distinctive instrument of U.S. soft power is not widely understood nor well documented, and the Coast Guard's longstanding relationship with the Cuban Border Guard is no exception.

This research examines the Coast Guard's maritime security relationship with the Cuban Border Guard—before, during, and after normalization—through a qualitative case study comparison of five distinct mission areas: drug interdiction, migrant interdiction, search and rescue, marine environmental protection, and port security. The Coast Guard's early, incremental successes with the Cuban Border Guard represent important foundational building blocks, positioning this well-established security relationship for considerable growth and expanded cooperation during the Obama administration's thaw in U.S.-Cuba relations. Furthermore, implications of the Coast Guard's relationship with the Cuban Border Guard as a model for use with other countries, especially those with political differences that otherwise limit constructive dialogue and cooperation, is also considered. Finally, by reviewing the aftereffects of the Trump administration's rollback of U.S.-Cuba policy, specifically the impacts on the Coast Guard-Cuban Border Guard security relationship, it can be recognized that such a policy reversal does not serve the national security interests of the United States.

The operational focus of the Coast Guard's maritime security cooperation with the Cuban Border Guard, combined with measured growth in mission areas of mutual concern, are key factors in the long-term success of this important relationship. The Coast Guard's

investment in the permanent in-person liaison position at U.S. Embassy Havana is another key factor that signals commitment to a cooperative relationship built on trust and mutual respect. Expanded cooperation between Coast Guard and Cuban authorities across multiple mission areas during normalization is also noteworthy. In fact, the Coast Guard-Cuban Border Guard relationship served as a catalyst for broader bilateral law enforcement cooperation. The United States and Cuba negotiated and signed multiple security arrangements, developed new frameworks for the exchange of information, and expanded security dialogues across the law enforcement spectrum.

With no significant concentration of bilateral security exchanges since early 2018, the United States should take steps to reinvigorate important dialogues on counter-narcotics, illegal migration, counterterrorism, and mass rescue operations, among others. Instead of using the still unexplained health incidents as an excuse to marginalize U.S.-Cuba relations, the United States should collaborate with Cuba's scientific and medical experts in the continued search for an explanation. The following recommendations encourage a return to increased law enforcement cooperation with Cuban authorities and best serve the national security interests of the United States:

(1) Renew counterdrug cooperation and information sharing. This renewal would likely lead to increased drug disruptions and interdictions, as well as deter further expansion of drug trafficking networks.

(2) Restore Embassy Havana diplomatic staffing, reestablish consular services, and return to commitments outlined in the migration accords. Although illegal migration from Cuba to the United States has continued to trend down substantially since the 2017 repeal of wet foot/dry foot, increased sanctions combined with the challenges of currency reunification, COVID-19, and the lack of accessible consular services have pressurized the possibility of another wave of illegal migration.

(3) Rekindle the periodic reciprocal exchange series between the Coast Guard and Cuban Border Guard. Search and rescue is a mainstay in this longstanding security relationship, but the last semi-annual technical exchange took place in January 2018. The

maritime safety and security implications associated with these areas of mutual concern are too significant to ignore.

(4) Now that the United States and Cuba have established a shared framework for oil spill response and contingency planning, continued cooperation in this relatively new but critical area of mutual security concern should be encouraged.

(5) Finally, regardless of whether maritime travel and trade builds back to normalization era levels under President Biden, port security cooperation must continue to play an important role moving forward.

Despite Trump's traditional hardline approach regarding Cuba, none of the 22 signed bilateral agreements stemming from normalization were vacated. The Biden administration should take this opportunity to renew bilateral security cooperation in areas of mutual concern, including the Coast Guard's longstanding relationship with the Cuban Border Guard.

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I am very thankful to have had the opportunity to serve as the Coast Guard liaison to Embassy Havana during such a significant period of change in U.S.-Cuba relations. Six resident Coast Guard liaisons served in Havana before I did, all of whom hoped change would come on their watch. Their dedicated, incremental efforts to build trust and mutual respect with the Cuban Border Guard paved the way for expanded security cooperation during the normalization of relations.

On occasions too numerous to count, Cuban people—military and civilian—expressed to me their sincere hope for a normal relationship between Cuba and the United States. The same words echoed every time, “We want the same thing as people from the United States, a normal relationship. Unfortunately, the political leadership on both sides has messed it up for all of us.”

This Naval Postgraduate School master’s degree program has been a challenging but rewarding experience. In particular, I want to thank my thesis committee, Erik Dahl, associate professor of National Security Affairs, and Hal Klepak, professor emeritus of history and strategy, Royal Military College of Canada; as well as my research and writing advisor, Lauren Wollman, director of research, Center for Homeland Defense and Security. They were always available to help me with my work, and I sincerely appreciate their recommendations and support.

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I. INTRODUCTION

The Obama administration's historic shift in U.S.-Cuba policy led to significant bilateral engagement and remarkable gains across numerous sectors during the first phase of normalization. Removing Cuba's designation as a state sponsor of terrorism, reestablishing diplomatic relations, and increasing travel, trade, and the exchange of information represented three major steps in the policy shift away from economic sanctions and other efforts to isolate Cuba.¹ Renewed medical and scientific research, the restoration of commercial air and cruise passenger travel, substantial growth in Cuba's entrepreneurial small business sector, and the repeal of the 1995 wet-foot/dry-foot illegal migration policy, represent other recent advances.

With so many positive developments during normalization, people would tend to think the bilateral security relationship would remain strong and multi-faceted with numerous mature relationships involving various U.S. government agencies and their Cuban counterparts. To the contrary, the significant expansion of cooperation across the security sector during normalization cooled dramatically during the Trump administration, which was accelerated primarily by the dramatic reduction in Embassy staff following the still unexplained health incidents that affected U.S. diplomats serving in Havana.² The last significant concentration of bilateral security exchanges took place in the first few months of 2018 and included dialogues on counter-narcotics, illegal migration, cybersecurity, preventing terrorism, oil spill response, and mass rescue operations.³ Similarly, consular

¹ Mark P. Sullivan, *Cuba: U.S. Policy Overview*, CRS in Focus No. IF10045 (Washington, DC: Congressional Research Service, 2017), 1, ProQuest.

² Geoff Thale and Marguerite Rose Jimenez, *Why the U.S. Should Deepen Security Cooperation with Cuba* (Washington, DC: Washington Office on Latin America, 2018), <https://www.wola.org/analysis/us-deepen-security-cooperation-cuba/>.

³ Sarah Marsh, "Cuba, U.S. Hold Talks on Law Enforcement despite Tensions," Reuters, January 19, 2018, <https://www.reuters.com/article/us-cuba-usa-idUSKBN1F902J>; Paul Guzzo, "Marine Science Collaboration Endures despite Political Chill between U.S., Cuba," *Tampa Bay Times*, March 7, 2018, https://tampabay.com/news/environment/Marine-science-collaboration-endures-despite-political-chill-between-U-S-Cuba_166093980/; "Cuba and the United States Strengthen Cooperation in the Field of Search and Rescue," Ministry of Foreign Relations, Republic of Cuba, March 8, 2018, <http://misiones.minrex.gob.cu/en/articulo/cuba-and-united-states-strengthen-cooperation-field-search-and-rescue>.

services all but shuttered as immigrant visa case processing moved to the U.S. Embassy in Georgetown, Guyana, and the coveted five-year multiple entry tourist visa was reduced to a single entry valid for three months, and only obtainable off island at other U.S. consulates.⁴

A. PROBLEM STATEMENT

Despite the ups and downs in the political and diplomatic relationship, bilateral cooperation between the United States and Cuba still needs to continue, if only because the countries are so close geographically and have many security and other interests in common. Although the bilateral security relationship has quieted considerably, all 22 bilateral agreements and memoranda of understanding remain in place.⁵ Enduring relationships involving aviation security (Transportation Security Administration (TSA)), maritime security (Coast Guard), and monthly military-to-military fence line talks in Guantanamo continue, albeit at a much slower pace.

Perhaps Randy Beardsworth correctly asserts, “the most well-established functional relationship between the two governments exists between the U.S. Coast Guard (Coast Guard) and Cuban Border Guard [Tropas Guardafronteras].”⁶ As the only branch of the military with law enforcement statutory authority, the Coast Guard’s unique authorities improve international engagement and security cooperation in complex political environments, specifically in the maritime domain. Surprisingly, this distinctive instrument of U.S. soft power is not widely understood nor well documented, and the Coast Guard’s longstanding relationship with the Cuban Border Guard is no exception.

⁴ Mario Penton, “Visas for Cubans Have a New Limit. The Change Affects U.S. Family and Shopping Trips,” *Miami Herald*, March 18, 2019, <https://www.miamiherald.com/news/nation-world/world/americas/cuba/article228075974.html>.

⁵ Marc Frank, “United States and Cuba Complete Deals as Trump Era Set to Begin,” Reuters, January 18, 2017, <https://www.reuters.com/article/us-cuba-usa-deals-idUSKBN1522C7>.

⁶ Randy Beardsworth, “U.S.-Cuba Functional Relationships: A Security Imperative,” in *9 Ways for U.S. to Talk to Cuba and Cuba to Talk to U.S.*, ed. Sara Stephens and Alice Dunscomb (Washington, DC: Center for Democracy in the Americas, 2009), 93–98.

B. RESEARCH QUESTION

By comparing Coast Guard-Cuban Border Guard cooperation before, during, and after normalization through the lens of five statutory missions: search and rescue (SAR), drug interdiction, migrant interdiction, marine environmental protection, and port security, what lessons can be learned about security cooperation with Cuba and its relevance to U.S. national security?

C. LITERATURE REVIEW

An extensive review of existing literature by scholars, leaders, and experts was conducted to determine the extent of documentation about the Coast Guard's role in establishing and strengthening U.S. security relationships with Cuba, and more broadly, written works advocating for security cooperation with Cuba. Beginning with scholarly works, such as those by Lars Schoultz and Hal Klepak, which trace the evolution of security cooperation in the Caribbean, and more specifically with Cuba, a narrative was constructed illuminating how U.S. perspectives on cooperation with Cuba have changed.⁷ Of particular interest were three distinct periods: following the Cold War thaw and collapse of the Soviet Union in the early 1990s, after the 1994–95 Cuban mass migration crisis (the Clinton administration's efforts to improve U.S.-Cuba relations), and leading up to the historic 2014 rapprochement.

Drilling down further, scholarly articles on defense and security cooperation abounded before normalization but are scarce during this momentous period of increased engagement. Conventional wisdom focuses primarily on defense engagement—also referred to as military-to-military—and highlights normalization goals and objectives touted as ways to engage the Cuban military or Ministry of the Armed Forces (MINFAR). Conversely, some experts direct their attention to the security aspects of collaboration by examining the Ministry of Interior (MININT) and its pervasive state security role,

⁷ Lars Schoultz, William C. Smith, and Augusto Varas, eds., *Security, Democracy, and Development in U.S.-Latin American Relations* (Miami, FL: North-South Center, University of Miami, 1994); Hal Klepak, "Cuban-U.S. Cooperation in the Defense and Security Fields: Where Are We? Where Might We Be Able to Go?," in *Debating U.S.-Cuban Relations: How Should We Now Play Ball?*, ed. Jorge I. Domínguez, Rafael M. Hernández, and Lorena G. Barberia, revised and updated (New York: Routledge, 2017), 82–100.

including the Cuban Border Guard component, a law enforcement cooperation that predominates. Regardless of how U.S. military and law enforcement experts interpreted the abundance of engagement opportunities during normalization, the Cuban government consistently represented its interests with delegations of Cuban security officials. Meanwhile, MINFAR components remained beyond the reach of U.S. engagement, seemingly reserved for another phase of normalization and trust building, the only exception being the legacy Guantanamo fence line talks. Although limited in number, writings focused on the security aspects of engagement routinely highlight the importance of the Coast Guard's role in bilateral security cooperation.

Margaret Crahan and Soraya Castro Mariño have assembled an essential collection of reports advocating for continued dialogue and cooperation in *Cuba-U.S. Relations: Normalization and Its Challenges*.⁸ This work stems from a partnership between Columbia University's Institute for Latin American Studies (ILAS) and Cuba's Center for International Policy Studies, Institute of International Relations (ISRI). In particular, two of the reports advocate for expanded security dialogue and point to the Coast Guard-Cuban Border Guard relationship as one to emulate.⁹

A third category of literature details diplomatic and political aspects of the bilateral relationship, including often agreed views on pressing defense and security matters voiced during numerous diplomatic exchanges, an important aspect of this retrospective narrative study. William LeoGrande and Peter Kornbluh provide an exhaustive history of back channel dialogue and negotiations between the United States and Cuba in their recent work, which advocates for diplomacy and dialogue, as well as rapprochement, and the eventual

⁸ Margaret E. Crahan and Soraya M. Castro Marino, eds., *Cuba-U.S. Relations: Normalization and Its Challenges* (New York: Institute of Latin American Studies, 2016).

⁹ Geoff Thale, "U.S.-Cuba Security Cooperation after D17: Opportunities and Challenges," in *Cuba-U.S. Relations: Normalization and Its Challenges*, ed. Margaret E. Crahan and Soraya M. Castro Marino (New York: Institute of Latin American Studies, 2016), 225–39; Soraya M. Castro Marino, "The New Era of Cuba-U.S. Relations: Breaking Down Axioms and Establishing Lasting Legacies," in *Cuba-US Relations: Normalization and Its Challenges*, ed. Margaret E. Crahan and Soraya M. Castro Marino (Washington, DC: Institute of Latin American Studies, Columbia University, 2016), 49–82.

elimination of economic sanctions.¹⁰ Melanie Ziegler’s scholarly analysis of various “confidence-building measures (CBMs)” designed to foster cooperation, particularly against drug trafficking and illegal migration, also affords clues about the Coast Guard’s efforts to cultivate its relationship with the Cuban Border Guard.¹¹ Although these works provide limited references to the Coast Guard’s role in security cooperation with Cuba, they highlight the value of established diplomatic channels and the regular exchange of information.

For decades, scholars and politicians have argued for and against the normalization of relations with Cuba. Recent memoirs by Ben Rhodes and Susan Rice, key principals of Obama’s national security team, set the stage for normalization and offer chapter-sized glimpses into the chain of decisions and events leading up to the December 17, 2014 announcements.¹² They also stress the significance of Obama’s historic visit to Havana. From a national security policy standpoint, they clearly consider the shift in U.S.-Cuba policy game changing and worth continuing. To find opposing academic views, it is necessary to reference literary works from the early 2000s, such as those written by Cuban-American conservative Jaime Suchlicki, former director of the Institute of Cuban and Cuban-American Studies, University of Miami.¹³ Thus, most recent literature supports normalization.

Other categories of literature included in this body of research are Congressional hearings on Cuba policy, Congressional Research Service reports, and original source documents, such as the Department of State’s (DOS) annual International Narcotics Control Strategy Reports (INCSRs). For instance, the February 26, 2015 hearing before

¹⁰ William M. LeoGrande and Peter Kornbluh, *Back Channel to Cuba: The Hidden History of Negotiations between Washington and Havana* (Chapel Hill, NC: University of North Carolina Press, 2015).

¹¹ Melanie M. Ziegler, *U.S.-Cuban Cooperation Past, Present, and Future*, Contemporary Cuba (Gainesville, FL: University Press of Florida, 2007), 37–87.

¹² Benjamin Rhodes, *The World as It Is: Inside the Obama White House* (New York: Random House, 2018); Susan Rice, *Tough Love: My Story of the Things Worth Fighting for* (New York: Simon and Schuster, 2019).

¹³ Jaime Suchlicki, *Cuba: From Columbus to Castro and Beyond*, 5th ed. (Washington, DC: Potomac Books, Inc., 2002).

the House of Representatives Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, regarding the Obama administration's new Cuba policy, provides context in the form of dissenting opinions from conservative organizations and hardliners opposed to the opening.¹⁴ The annual INCSRs trace the history of U.S.-Cuba counter-narcotics cooperation and help to dispel the hardline rhetoric, which sometimes surfaces, without evidence, to accuse the Cuban government of involvement in the illegal drug trade.¹⁵

D. RESEARCH DESIGN

Research for this thesis developed a case study comparison of Coast Guard-Cuban Border Guard cooperation before, during, and after normalization to document and analyze lessons learned about security cooperation with Cuba and its impact on U.S. national security. Recognizing the limited scholarship about this unique security relationship, coupled with the author's personal experiences as the Coast Guard liaison in Havana throughout the normalization period, the subject of this case study, as described by Thomas, is a combination of an outlier case and a local knowledge case.¹⁶ In other words, it is an outlier because it is an exceptional or special case, and the author's intimate knowledge of the relationship's inner workings provides a more detailed understanding of the case.¹⁷ This thesis begins by reviewing the changing perspectives of security cooperation with Cuba, specifically after the Cold War thaw and collapse of the Soviet Union in the early 1990s, following the 1994–95 Cuban mass migration crisis, and leading up to the historic opening during Obama's second term. Although limited in number, scholarly works, such as Castro Mariño's (mentioned previously in the literature review), were incorporated to provide the Cuban point of view. This chronological narrative, or diachronistic review as

¹⁴ *The President's New Cuba Policy and U.S. National Security: Hearing before the Subcommittee of the Western Hemisphere of the Committee on Foreign Affairs*, House of Representatives, 114th Cong., 1st sess., February 26, 2015, <https://www.govinfo.gov/content/pkg/CHRG-114hhrg93534/pdf/CHRG-114hhrg93534.pdf>.

¹⁵ The Department of State's annual International Narcotics Control Strategy Reports (INCSR) are available at: <https://www.state.gov/international-narcotics-control-strategy-reports/>.

¹⁶ Gary Thomas, *How to Do Your Case Study*, 2nd ed. (Los Angeles: SAGE, 2016), 98–110. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹⁷ Thomas, 98–110.

described by Bruner, helps to explain the origins of the Coast Guard’s relationship with the Cuban Border Guard.¹⁸

This review is followed by a detailed examination of the Coast Guard’s relationship with Cuban authorities conducted through the lens of five statutory missions: drug interdiction, migrant interdiction, SAR, marine environmental protection, and port security. Each mission’s historical context is considered, policy milestones and operational successes are highlighted, as well as limitations, and examples provided of expanded opportunities cultivated in each mission area.

Finally, critical observations obtained through interviews with a select group of experts, which represent firsthand diplomatic, law enforcement, policy, and academic perspectives about security cooperation with Cuba, and specifically, the Coast Guard-Cuban Border Guard relationship, are included as part of the research design. Since the literature review confirmed the limited number of firsthand accounts of this unique but important bilateral security relationship, the author identified several experts as interview participants. The author selected these experts because of their deep knowledge of, or intimate involvement with, U.S. efforts to expand security cooperation with Cuba.¹⁹

E. ARGUMENT

This thesis examines the positive and productive security relationship between the Coast Guard and Cuban Border Guard through the lens of five mission-specific case studies, particularly since the 1994–95 mass migration crisis. The Coast Guard’s early, incremental successes with the Cuban Border Guard in three areas of mutual security concern—drug trafficking, illegal migration, and SAR—represent important foundational building blocks in a longstanding but not well-known maritime security relationship. Despite complicated ups and downs at the political level of the U.S.-Cuba relationship, maritime security cooperation between the Coast Guard and Cuban Border Guard has

¹⁸ Jerome Bruner, “The Narrative Construction of Reality,” *Critical Inquiry* 18, no. 1 (October 1991): 6, <https://doi.org/10.1086/448619>.

¹⁹ This research plan was submitted to the Naval Postgraduate School Institutional Review Board and approved on August 28, 2020, under protocol NPS.2020.0051-IR-EP7-A.

continued unabated. Not surprisingly, this resilient relationship was well-positioned to expand during normalization as SAR coordination strengthened and the additional building blocks of marine environmental protection and port security developed.

Anchored by the recognized need for in-person collaboration, this shared commitment to a cooperative and respectful relationship, combined with the significant expansion of mission-related initiatives during the normalization process, highlighted the importance of cooperation and trust building in areas of mutual security concern. Furthermore, by reviewing the aftereffects of the Trump administration's rollback of U.S.-Cuba policy, specifically the impacts on the Coast Guard-Cuban Border Guard security relationship, it is possible to recognize that such a policy reversal does not serve the national security interests of the United States.

F. ORGANIZATION

This thesis consists of eight chapters, the first of which explains the primary research question and the significance of the Coast Guard's longstanding maritime security relationship with the Cuban Border Guard. Chapter II incorporates a brief contextual overview of the evolving regional security dynamics in the Caribbean after the collapse of the Soviet Union, which highlights the recognition of the illegal drug trade as the principal destabilizing threat to the region. Chapter II also acknowledges the promising but limited period of U.S.-Cuba security policy changes following the 1994–95 Cuban mass migration crisis and the gradual thaw leading up to the historic rapprochement during Obama's second term.

Using a case study approach, Chapters III and IV examine Coast Guard-Cuban Border Guard security cooperation through the mission areas or foundational building blocks of drug interdiction and migrant interdiction, respectively. Although the legacy SAR relationship is also considered a foundational building block, collaboration in this mission area was limited in scope until the normalization process encouraged expanded, more robust cooperation. Consequently, SAR collaboration is examined along with the Coast Guard's marine environmental protection (specifically, oil spill response) and port security missions in Chapters V–VII. Indeed, the early successes shared between these neighboring

maritime security services were incremental and developed gradually over time, but as confidence increased, and the political thaw unfolded, other building blocks of cooperation became possible between the Coast Guard and Cuban Border Guard.

Chapter VIII concludes the thesis by emphasizing the findings from the case study examinations of the five mission areas and suggesting areas for future research. Implications of the Coast Guard's relationship with the Cuban Border Guard as a model for use with other countries (by the Coast Guard or other law enforcement agencies), especially those with political differences that otherwise limit constructive dialogue and cooperation, is also considered.

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II. SECURITY COOPERATION AND NORMALIZATION

This chapter incorporates a brief contextual overview of the evolving regional security dynamics in the Caribbean after the collapse of the Soviet Union and highlights the recognition of the illegal drug trade as the perceived principal threat to stability. The chapter then points out the Coast Guard's quiet but significant placement of a resident liaison in Havana as part of U.S. efforts to bridge the security divide with Cuba. The chapter next acknowledges the promising but limited U.S.-Cuba security policy changes following the 1994–95 Cuban mass migration crisis (the Clinton administration's efforts to recalibrate the bilateral relationship) and the gradual thaw leading up to the historic rapprochement during Obama's second term. Recognizing the broad scope of security cooperation, the chapter goes on to define its use in the framework of this research. Finally, the chapter touches on the geopolitical challenges with Cuba and the significance of the Obama administration's dramatic U.S.-Cuba policy shift, especially the implications for U.S. foreign policy objectives with the wider Caribbean and Latin America.

A. NEW THREATS, NEW OPPORTUNITIES

As relations warmed between President Reagan and Mikhail Gorbachev, 1986 marked a shift from the Soviet Union to drug trafficking as the perceived primary security threat facing the United States. Although the collapse of the Soviet Union and the end of the Cold War prompted Congress to ramp up legislative efforts against Cuba (Cuban Democracy Act of 1992 and Cuban Democracy and Solidarity Act of 1996), the growing drug threat opened a window to security cooperation between the United States and Cuba.²⁰ Given its roles and responsibilities combating drug trafficking and illegal migration, the U.S. Coast Guard (Coast Guard) was at the forefront of this new paradigm.

According to Klepak, one of the most evident signs of this gradual change in strategic thinking was the placement of a Coast Guard liaison officer (referred to as the Drug Interdiction Specialist until 2014) at the U.S. Interest Section in Havana (for drug

²⁰ Klepak, "Cuban-U.S. Cooperation in the Defense and Security Fields," 84–85.

and migrant interdiction coordination).²¹ Although predominantly related to security issue under the purview of MININT and the Cuban Border Guard, access grew incrementally over the years as security cooperation improved between the Coast Guard and Cuban Border Guard. As Klepak emphasizes, “[The liaison officer] was given a degree of access to [the Cuban Border Guard] and other ...security operations and installations of the Cuban state that is often the envy of other countries’ defense attachés in the country, even those closely linked to Cuba by ideological or other ties.”²²

The secret to the long-term success of the Coast Guard liaison position, and Coast Guard-Cuban Border Guard cooperation in general, stems from the operational focus of the relationship. This critical observation was identified in the author’s interviews with select law enforcement and policy experts regarding their perspectives on security cooperation with Cuba. On October 28, 2020, the author interviewed Randy Beardsworth (retired Coast Guard captain who was a key member of the May 1999 exchange in Havana) about the Coast Guard’s longstanding relationship with the Cuban Border Guard. As Beardsworth explained, “It’s so important to the Cubans to have this trusted relationship. ...[and] that high level of trust developed because [the Coast Guard was] only concerned with the operational aspects of the relationship.” On January 12, 2021, the author interviewed Alan Bersin, Assistant Secretary Department of Homeland Security (DHS) International Affairs and Chief Diplomatic Officer (2012–2017). Similarly, Bersin described the operational nature of the relationship this way:

The Coast Guard in a very interesting way, one which was carried out professionally and discreetly, had very close relationships operationally with Cuban authorities. So it came as no surprise to me that the Coast Guard, having been the icebreaker...in terms of creating a practical operating relationship... would almost naturally and logically... [be] at the forefront [during normalization].

The Clinton Administration took a more pragmatic approach to U.S.-Cuba policy and made inroads with counter-narcotics cooperation, relaxed travel restrictions for Cuban-Americans to return to the island, and created a people-to-people carve out for academic

²¹ Klepak, 87.

²² Klepak, 87.

and cultural exchanges between the Cuban and American communities. As Suchlicki described, this U.S. inclination to begin a process of normalization was underpinned by policy changes contingent upon certain conditions changing in Cuba, an approach that Fidel Castro always considered insulting. That said, Castro seemed to be more willing to cooperate now that Cuba could no longer rely on the benefits of its relationship with the former Soviet Union. Unfortunately, this gradual thaw in U.S.-Cuba relations dampened considerably with the February 1996 shoot down of two Brothers to the Rescue (Hermanos al Rescate) planes by Cuban military aircraft off Cuba's north coast. With mounting pressure from the Cuban American National Foundation (CANF), Clinton reacted by signing the Cuban Democracy and Solidarity Act of 1996 (also referred to as the Helms-Burton Act) into law that introduced a range of new sanctions against Cuba and eliminated executive privilege over future decisions on lifting the embargo.²³

Thinking it would somehow lead to regime change, the George W. Bush administration reverted to the Reagan era hardline approach on Cuba. As Beardsworth emphasized during his interview with the author, "It nearly eliminated the Coast Guard liaison position in the process." Thankfully, the Bush administration's characterization of the Caribbean as America's third border in the fight against illegal drugs contradicted this notion, which served as justification to prevent the position's demise. As expressed in a Department of State press release, the Caribbean Community (CARICOM) and the Dominican Republic praised the Third Border Initiative and U.S. efforts to close security gaps against increasing drug related criminal activity. The multi-faceted program targeted enhanced cooperation across the spectrum: diplomatic, security, health, economic, environmental, and education.²⁴ Advocates of increased security cooperation with Cuba argued that established communications with Cuba's military were essential to U.S. and regional security should Cuba collapse into chaos. In 2006, General Craddock, the outgoing Commander, U.S. Southern Command, went on the record recommending a "stem-to-

²³ Suchlicki, *Cuba*, 201–4.

²⁴ Bureau of Public Affairs, "Joint Statement by the United States of America, the Caribbean Community (CARICOM) and the Dominican Republic on the Third Border Initiative," Department of State Archive, January 13, 2004, <https://2001-2009.state.gov/r/pa/prs/ps/2004/28136.htm>.

stern” review of U.S.-Cuba policy. His comments were uncharacteristic in that he was still actively serving, whereas others saved such comments until after retirement.²⁵ For instance, General Wilhelm, who preceded Craddock, probably said it best when he referred to Cuba as a “47,000-square-mile blind spot in [our] rearview mirror.”²⁶

Despite the widespread consensus to cooperate at the interagency level on matters of mutual concern, such as counter-narcotics, it took the 2015 reestablishment of diplomatic relations and the creation of a bilateral law enforcement working group to hearten broader security cooperation.²⁷ Castro Mariño compares the different levels of U.S.-Cuba normalization to a multi-layered highway interchange where the highest layer represents key leader engagements, such as Obama’s March 2016 visit to Havana or other exchanges involving Obama’s cabinet and Castro’s equivalent ministers (e.g., then Deputy Secretary of Homeland Security, Alejandro Mayorkas, met with Cuba’s Minister of the Interior, Major General Carlos Fernández Gondín, in October 2015, and agreed to expand bilateral cooperation in areas of mutual security concern).²⁸ One layer down in this highway interchange analogy is dialogues involving senior political and diplomatic officials, where negotiations are required to resolve complicated issues.²⁹ The Bilateral Commission, for example, consisting of senior officials from DOS and Cuba’s Ministry of Foreign Affairs, was established to steer and prioritize a multitude of initiatives across multiple sectors.³⁰

At the lowest level of this highway interchange analogy, we find exchanges based on existing agreements or areas of mutual concern, such as the law enforcement and

²⁵ Pablo Bachelet, “SOUTHCOM General: Cuba Policy Needs a Fresh Look,” *Miami Herald*, May 26, 2006, Final edition.

²⁶ Bachelet.

²⁷ Klepak, “Cuban-U.S. Cooperation in the Defense and Security Fields,” 89–90.

²⁸ Castro Marino, “The New Era of Cuba-U.S. Relations,” 53–54; “Cuba, U.S. Agree on Need to Cooperate on Security,” Agence France-Presse, October 29, 2015, <https://infoweb-newsbank-com.libproxy.nps.edu/resources/doc/nb/news/158C89ACC428D990?p=AWNB>.

²⁹ Castro Marino, “The New Era of Cuba-U.S. Relations,” 53–54.

³⁰ Castro Marino, 53–54; Roberta Jacobson to the Secretary, “U.S.-Cuba Bilateral Talks, January 22, Havana, Cuba,” Cable 15 Havana 33, February 25, 2015, <https://foia.state.gov/Search/Results.aspx?searchText=Cuba&beginDate=20141217&endDate=20210117&publishedBeginDate=&publishedEndDate=&caseNumber=>.

security sector, where dialogues expanded to include port security, human smuggling, secure trade and travel, legal cooperation, and counter-terrorism.³¹ The Coast Guard and Cuban Border Guard, which met sporadically from 1999 through 2013 (only in Cuba), were now meeting semi-annually to discuss operational topics ranging from counterdrug and illegal migration to mass rescue operations and small vessel security (the Coast Guard first hosted Cuban Border Guard officials in early January 2015 in Key West, Florida).³² As Castro Mariño emphasizes, the signing of the bilateral Counternarcotics Arrangement on July 22, 2016, was the best example of law enforcement and security sector cooperation.³³

B. DEFINING SECURITY COOPERATION

Security cooperation includes a broad spectrum of activities with foreign defense and security forces that promote U.S. national security interests and foreign policy objectives, while developing partner nation capabilities and supporting contingency operations for U.S. military forces. The Department of Defense (DOD) is the established lead agency for activities or operations involving foreign military or defense components. However, complicated or limited security relationships, such as the U.S. military's interactions with Cuba's armed forces, are organized by DOS through the interagency developed Integrated Country Strategy (ICS).³⁴ Although defense cooperation is limited to monthly fence line talks at the U.S. naval base in Guantanamo, security cooperation involving other U.S. agencies and organizations occurs regularly in areas of shared security concern, such as law enforcement, counterterrorism, environmental protection, and SAR. For the purposes of this research, it is important to note the utility of the Coast Guard as a military branch operating under DHS, which provides DOD and DOS with unique

³¹ Castro Marino, "The New Era of Cuba-U.S. Relations," 54–56.

³² The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

³³ Castro Marino, "The New Era of Cuba-U.S. Relations," 53–54; Bureau of Public Affairs, "Counternarcotics Arrangement Signed during Third Counternarcotics Technical Exchange between the United States and Cuba," Department of State, July 22, 2016, <https://2009-2017.state.gov/r/pa/prs/ps/2016/07/260396.htm>.

³⁴ U.S. Joint Chiefs of Staff, *Security Cooperation*, Joint Publication 3-20 (Washington, DC: U.S. Joint Chiefs of Staff, 2017), v–vi, https://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/jp3_20_20172305.pdf.

authorities and capabilities to support security cooperation. With 11 statutory missions supporting various aspects of maritime safety, maritime security, and marine environmental protection, the Coast Guard is oftentimes a “door opener” for national security and foreign policy objectives.³⁵

C. GREATER REGIONAL COOPERATION

Although the collapse of the Soviet Union marked the end of the Cold War, it can be argued that the last remnant faded with the Obama administration’s push for the normalization of relations with Cuba. Obama’s dramatic thaw in U.S.-Cuba policy was certainly about changing the playbook within the limits of the trade embargo, but it was also an effort to improve wider U.S. cooperation with the Caribbean region and Latin America. As LeoGrande explained, “Obama’s opening to Cuba was undertaken in part because of the deterioration in U.S. relations with Latin America caused by the old policy, and his December 17, 2014, announcement received universal and enthusiastic endorsement throughout the hemisphere.”³⁶ Tulchin and Espach made similar assertions 20 years ago when they advocated for the reintegration of Cuba into Caribbean regional affairs,

If the United States continues to soften gradually its approach toward the Castro regime, Cuba’s democratic Caribbean neighbors, its European trade partners, and Canada will expect the Cuban government likewise to loosen its domestic controls and political freedoms. ...change in Cuba – whether the economy becomes a thriving economic competitor to the industries of other Caribbean nations, or the country lapses into political chaos – carries potential threats to the security of the region. ...In the long term future, a thriving, stable Cuba cooperatively active in regional initiatives and

³⁵ U.S. Coast Guard, *U.S. Coast Guard International Training Handbook*, 16th ed. (Washington, DC: U.S. Coast Guard, 2016), 14, https://www.dco.uscg.mil/Portals/9/DCO%20Images/Final_ITH_Edition_16.pdf?ver=2019-02-14-134717-687.

³⁶ William M. LeoGrande, “No Time to Lose: Navigating the Shoals of the New U.S.-Cuba Relationship,” in *Cuba-U.S. Relations: Normalization and Its Challenges*, ed. Margaret E. Crahan and Soraya M. Castro Marino (Washington, DC: Institute of Latin American Studies, Columbia University, 2016), 33.

institutions could significantly increase the leverage of the region in its extraregional affairs.³⁷

Ambassador Jeffrey DeLaurentis, Chargé d’Affaires Embassy Havana, 2014–2017, and a cornerstone of the Obama administration’s normalization efforts, also emphasized Cuba’s importance in the regional context. During an interview with the author on December 30, 2020, he described it this way,

There was a consensus within the administration that the policy toward Cuba had failed to achieve its objectives, and Cuba was changing. The policy that needed to be put in place was one that could more effectively impact that change. Added to this was the fact that neighbors in the Western Hemisphere, even among our closest allies, were telling us that this was a situation that had to be fixed, that it was interfering in our agenda for the region, and it was disrupting the common agenda we were trying to build with other countries in the region.

Finally, as Susan Rice, Obama’s national security advisor, lamented in her recent memoir, the U.S. decades-old Cuba policy had done nothing to change the political or economic equation on the island. Instead, “the U.S. was reviled by much of Latin America as a Goliath trying in vain to squeeze the life out of a Davidian Cuba. Our dated Cuba policy was a ball and chain dragging down our broader efforts to strengthen U.S. ties to Latin America and the Caribbean and to bolster the wave of democratic progress that had washed over large swaths of the region.”³⁸

D. CONCLUSION

Two lessons stand out from this broad-brush overview of the changing nature of security in the Caribbean and Latin America, not only from a regional perspective, but more importantly, in terms of how Cuba fits into the puzzle. The significance of the Coast Guard’s maritime security relationship with the Cuban Border Guard will become clear in the chapter case studies that follow, but it is important to begin with the understanding that the secret to the relationship’s longevity lies in the operational focus and measured growth

³⁷ Joseph S. Tulchin and Ralph H. Espach, “Looking Ahead: Regional Relations in the Post-Cold War Era,” in *Security in the Caribbean Basin: The Challenge of Regional Cooperation*, ed. Joseph S. Tulchin and Ralph H. Espach (Boulder, CO: Lynne Rienner Publishers, 2000), 208–9.

³⁸ Rice, *Tough Love*, 407–8.

in mission areas of mutual security concern. Additionally, the increasing awareness can be seen amongst U.S. policymakers and security professionals of Cuba's importance to a more integrated, multilateral regional security framework.

III. SECURITY COOPERATION THROUGH DRUG INTERDICTION

The previous chapter provided background and context regarding the evolving regional security dynamics in the Caribbean after the collapse of the Soviet Union, focusing in particular on the ebb and flow of the U.S.-Cuba relationship during the Clinton and Obama presidencies. The operational nature of the Coast Guard's security relationship with the Cuban Border Guard was also identified as the key factor to its long-term success.

This chapter presents the first of five mission-area case studies and examines U.S.-Cuba maritime security cooperation through the lens of drug interdiction. It begins with a brief summary of the devastating opioid epidemic currently threatening U.S. national security, and in stark contrast, compares Cuba's surprising success at keeping illegal drugs from becoming a significant consumption or transshipment problem. Next, the chapter traces Cuba's transformation from alleged Medellín drug cartel transshipment connections to cooperating with the United States in the fight against drug trafficking. It then considers a number of counterdrug policy milestones, including the July 2016 signing of the U.S.-Cuba counternarcotics arrangement, and summarizes several drug interdictions that underscore the benefits of bilateral law enforcement cooperation in this important area of mutual security interest. The chapter acknowledges some of the obstacles to counterdrug cooperation caused by the Trump administration's Cuba policy shift and concludes with a recommendation for renewed cooperation and information sharing against this shared security challenge.

A. CURRENT PERSPECTIVE

Shortly after the collapse of the Soviet Union and the end of the Cold War, drug trafficking was identified as one of the principal threats to U.S. national security. Although overshadowed by the war on terror in the last two decades, drug trafficking has continued to threaten U.S. security, and regained priority focus in the last few years because of the devastating opioid epidemic facing the United States. Of the 750,000 Americans who died

from drug overdoses from 1999 to 2018, opioids contributed to an estimated 46,000 drug overdose deaths in 2018 alone.³⁹

Despite the opioid focus, the use of cocaine and amphetamine type stimulants is also causing major problems. Cocaine trafficking from Colombia north to Central America and the United States continues to present significant challenges to law enforcement and security forces across the region. Of the reported 1,311 metric tons (MT) of cocaine seized globally in 2018, 85 percent was seized in the Americas (1,114 MT). Although the bulk of trafficking routes have shifted from the Caribbean to the Eastern Pacific over the last 10–15 years, an estimated 90 percent of Colombian-produced cocaine is destined for the United States. From 2014–2018, cocaine seizures in the North America sub-region tripled from 91 MT to 272 MT. Several contributing factors should be considered when examining the exponential increase in cocaine seizures from 2008 to 2018 (71 percent increase), including the expansion in manufacturing and trafficking, largely attributed to the suspension of aerial eradication efforts in Colombia. The increased quantity of seizures is also attributed to greater cooperation with international law enforcement partners.⁴⁰

With such widespread consequences, it is unusual that Cuba does not contend with the same significant consumption and transshipment problems associated with the illegal drug trade. Even though Cuba is situated squarely between Colombia (the number one cocaine producing country) and the United States (the number one consumer of cocaine), Cuba does not have a significant drug problem. As indicated in the Department of State’s annual report of global narcotics control, “Cuba is not a major consumer, producer, or transit point of illicit drugs.”⁴¹

³⁹ Centers for Disease Control and Prevention, “New Data Show Significant Changes in Drug Overdose Deaths,” CDC Newsroom, March 19, 2020, <https://www.cdc.gov/media/releases/2020/p0318-data-show-changes-overdose-deaths.html>.

⁴⁰ United Nations Office on Drugs and Crime, *Drug Supply: World Drug Report 2020*, vol. 3 (Vienna, Austria: United Nations, 2020), 26–29, <https://wdr.unodc.org/wdr2020/en/drug-supply.html>.

⁴¹ Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 2019* (Washington, DC: Department of State, 2019), 146, <https://www.state.gov/wp-content/uploads/2019/04/INCSR-Vol-INCSR-Vol.-I-1.pdf>.

To put it in perspective, Cuban authorities seize an average of two MT of illegal drugs annually (combined air and maritime), the majority of which is maritime seizures of marijuana found washed up along Cuba’s southeastern coast (from disrupted marijuana smuggling runs between Jamaica and the Bahamas). Cuban authorities seized 2.72 MT of illegal drugs in the maritime domain (2.5 MT marijuana and 225 kilograms (kg) cocaine) and another 30 kg at international airport checkpoints in 2016 (an average yearly total for illegal drug seizures in Cuba).⁴² 2017 saw the highest seizure totals in recent years, with Cuban authorities recovering 244 bales or 4.57 MT of illegal drugs that washed up along their shores (97 percent of which was marijuana) that was jettisoned from an estimated 63 go-fast vessels.⁴³

B. HISTORICAL CONTEXT

Cuba is certainly a bright spot today in terms of a successful campaign against the illegal drug trade, but its reputation on this front was not always positive. In the 1980s and 1990s, unsubstantiated allegations periodically surfaced attempting to connect the Castro brothers to the Medellín drug cartel.

In what would become a defining moment in Fidel Castro’s personal war on drugs, Army Division General Arnaldo Ochoa Sanchez, a revered and decorated war hero who led the Cuban military brigades to victory in Angola, was tried along with three high-ranking state security officials before a 1989 special tribunal. All four were convicted and executed by firing squad for conspiring to smuggle large quantities of cocaine through Cuba to the United States.⁴⁴ In addition, the upper echelon leadership of the Ministry of

⁴² Oscar Figueredo Reinaldo, Thalia Fuentes Puebla, and Angelica Arce Montero, “Drogas en Cuba: de la prevención al enfrentamiento [Drugs in Cuba: From Prevention to Confrontation],” CubaDebate, November 14, 2019, <http://www.cubadebate.cu/especiales/2019/11/14/drogas-en-cuba-de-la-prevencion-al-enfrentamiento-video/>; Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 2018* (Washington, DC: Department of State, 2018), 146, <https://www.state.gov/wp-content/uploads/2019/04/2018-INCSR-Vol.-I.pdf>.

⁴³ Gobierno de Cuba [Government of Cuba], “El gobierno dice que ha incautado 4.787 kilogramos de drogas en 2017 [Government Says It Seized 4,787 Kilograms of Drugs in 2017],” Diario de Cuba, January 28, 2020, https://diariodecuba.com/cuba/1511344161_35478.html.

⁴⁴ Rex A. Hudson, ed., *Cuba: A Country Study*, 550–152, 4th ed. (Washington, DC: Federal Research Division, Library of Congress, 2002), 85, <https://www.loc.gov/item/2002018893/>; Klepak, “Cuban-U.S. Cooperation in the Defense and Security Fields,” 85–86.

Interior was purged due to related corruption charges between 1989 and 1992, including General Jose Abrantes Fernandez (Minister of the Interior), who was sentenced to 20 years in prison for his alleged involvement.⁴⁵ In April 1991, following news reports about U.S. allegations of his involvement in drug trafficking, Raul Castro sat down with Mario Vazquez Rana, the director of *El Sol de Mexico*. During the groundbreaking three-part interview, he emphatically denounced accusations that Cuba's leaders were involved in drug trafficking, describing Cuba as "uno de los paises mas antidroga del mundo (one of the most anti-drug countries in the world)."⁴⁶

As the war on drugs intensified into the 1990s, Cuba continued to be viewed with scrutiny because of its inability to thwart recurring airdrops to awaiting fast boats that used Cuba's northeast territorial waters as cover from U.S. law enforcement authorities. Although most of these transshipments made their way north to the Bahamas and the United States, unrecovered cocaine bales would sometimes wash up on Cuba's shores, presenting a challenge to Cuban security forces charged with policing a cash-strapped society.⁴⁷ Furthermore, unfounded allegations continued to surface in the press, including the sensational December 1998 news story about the seizure of seven tons of cocaine hidden in containers in the port of Cartagena, Colombia. Although the shipment's final destination was Spain, the vessel's next port of call was Havana, leading some to conclude that Cuba had to be involved in the transshipment.⁴⁸

⁴⁵ Frank O. Mora, "Cuba's Ministry of Interior: The FAR's Fifth Army," *Bulletin of Latin American Research* 26, no. 2 (April 2007): 223, <https://doi.org/10.1111/j.1470-9856.2007.00221.x>; Hudson, *Cuba*, 297.

⁴⁶ Review of *R. Castro Niega Nexo con narcos [R. Castro Denies Nexus with Narcos]*, by Mario Vazquez Rana, *El Nuevo Herald [Miami Herald Spanish Language Edition]*, April 24, 1993, Final edition, sec. Front, 1A.

⁴⁷ Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 1998* (Washington, DC: Department of State, 1998), 182–83, <https://books.google.com> (search INCSR 1998 Cuba).

⁴⁸ Juan O. Tamayo, "Confiscan droga que iba a Cuba—Colombia halla en barco 7 toneladas de cocaina [Drugs Going to Cuba Confiscated—Colombia Finds 7 Tons of Cocaine on Boat]," *El Nuevo Herald [Miami Herald Spanish Language Edition]*, December 5, 1998, final edition; Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 1999* (Washington, DC: Department of State, 1999), 206, <https://books.google.com> (search INCSR 1999 Cuba).

With Clinton making overtures for increased contact with Cuba in January 1999, Castro reinforced his campaign to improve Cuba's international image. After all, how could the United States wage a war against drugs and engage in bilateral negotiations with a country alleged to be involved in the transshipment of illegal drugs. Castro further underscored how serious Cuba was about the matter, inviting Colombia's President Andres Pastrana to Havana for the signing of Cuba's 24th bilateral counterdrug agreement.⁴⁹ While Cuban-American hardliners doubled down with amplified pro-embargo rhetoric and messaging about the alleged drug connection, the U.S. drug czar, Barry McCaffrey, stated that Cuba was cooperating with the United States in the fight against drug trafficking and had no tolerance for the international drug trade.⁵⁰

Less than one month later, Drug Enforcement Administration (DEA) and Coast Guard officials traveled to Havana for a first ever counterdrug dialogue with their Cuban counterparts. Despite no formal agreement by year's end, both parties acknowledged the need for a structured, more cooperative counterdrug relationship.⁵¹ Based on the Beardsworth interview, in addition to upgrading the legacy fax communications channel to telephone, both parties agreed to establish a resident Coast Guard liaison position in Havana (initially referred to as Drug Interdiction Specialist), develop operational radio communications protocols, and cooperate case-by-case on counterdrug-related matters. The tide had certainly turned as Clinton chose not to add Cuba to the State Department's annual "majors" list of drug producing or transshipment countries.⁵² Castro had finally succeeded in changing the counterdrug narrative in Cuba's favor.

⁴⁹ Anita Snow, "Colombia Seeks Castro's Guidance," *Associated Press*, sec. International, January 15, 1999, <https://infoweb.newsbank.com/resources/doc/nb/news/1416B1C09A121E38?p=AWNB>.

⁵⁰ Shaun Tandon, "U.S.: Cuba Willing to Aid Drug Fight," *Associated Press*, sec. International, May 8, 1999, <https://infoweb.newsbank.com/resources/doc/nb/news/1416DFB6B9445EB0?p=AWNB>.

⁵¹ Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 2000* (Washington, DC: Department of State, 2000), 206, <https://books.google.com> (search INCSR 2000 Cuba).

⁵² Tamayo, "Confiscan droga que iba a Cuba [Drugs Going to Cuba Confiscated.]"

C. POLICY MILESTONES AND OPERATIONAL SUCCESSES

One of the earliest and still largest examples of U.S.-Cuba counterdrug cooperation involved Cuba's October 1996 seizure of eight tons of cocaine hidden aboard the coastal freighter *LIMERICK*, a Honduran-flagged vessel attempting to smuggle drugs from Colombia into the United States. During the initial Coast Guard boarding (in international waters off the northeast coast of Cuba), *LIMERICK* drifted into Cuban territorial waters, which prompted a Coast Guard notification to the Cuban Border Guard and ultimately a dockside search of the vessel in Santiago de Cuba by Cuban authorities. DEA and Justice Department officials were permitted to gather evidence, and the United States credited Cuba with finding the cocaine haul after its extensive search. This unprecedented cooperation between U.S. and Cuban law enforcement authorities concluded with testimony from four Cuban officials at the Florida trial of the vessel master and chief engineer; both Colombian defendants were successfully prosecuted and sentenced to 30 years in prison for drug smuggling.⁵³

With the prevalence of a growing drug smuggling problem around Cuba, Castro's government also took steps to increase penalties for drug-related crimes. In February 1999, Cuba's counterdrug laws got an overhaul (Articles 190–193 of Law No. 62, Cuba's penal code). All previous drug-related penalties were doubled; those caught with drugs that washed ashore who failed to report them faced four to 10 years in prison. Growing or distributing marijuana also carried a sentence of four to 10 years and the confiscation of all property involved (often including the family home). Condoning one of these crimes resulted in four to 10 years. Crimes involving larger quantities of drugs, such as those associated with transshipment operations in Cuba, meant eight to 20 years in prison. Simple possession of marijuana, which prior to 1999 was legal but frowned upon, now carried a penalty of six months to two years in prison. Finally, if Ochoa's 1989 execution failed to

⁵³ Douglas Farah, "In This Case, Cuba-U.S. Teamwork Netted Big Score," *Washington Post*, May 25, 1999, A12, Proquest Historical Newspapers; Peter Kornbluh, "Cuba, Counternarcotics, and Collaboration: A Security Issue in U.S.-Cuban Relations," *Cuba Briefing Paper Series*, Cuba Project, Center for Latin American Studies, Georgetown University, December 2000, 1–11.

remove all doubt, government officials found to be involved in the distribution of drugs would now face 30 years or death.⁵⁴

Cuba's zero tolerance policy is omnipresent throughout government institutions. Cuba's equivalent to the DEA, the Ministry of the Interior's National Anti-Drug Department (DNA—Dirección Nacional Antidroga), serves as the principal law enforcement authority combating the illegal drug trade. The Cuban Border Guard is the lead authority in the maritime domain (also a component of the Ministry of the Interior), and Customs (AGR—Aduana General de la República) serves as the lead agency at all international airports. In addition, an investigative component of the National Police supports transnational criminal investigations. Cuba's Armed Forces serves as a key operational force multiplier at the national level, while community level citizen watch committees (Comite de Defensa Revolucionaria) monitor their respective neighborhoods and a sharp lookout along Cuba's 3,570 miles of coastline. The National Drug Commission serves as the interagency coordinating mechanism for the Ministries of Justice, Interior, Foreign Relations, and Public Health.⁵⁵

Besides increasing penalties for drug-related crimes in 1999, Cuba also unveiled *Operación Aché* (Operation Hatchet), an interagency standing operational counterdrug campaign focused primarily on preventing coastal incursions by drug smuggling vessels. It continues in earnest to this day and is now in its third iteration, *Operación Aché III*.⁵⁶ One of the more recent examples of this longstanding, comprehensive counterdrug campaign approach spanned 2015 and 2016.

In July 2015, Cuban law enforcement authorities conducted a successful counterdrug surge operation in the vicinity of Niquero and Cabo Cruz along the southeast

⁵⁴ Asamblea Nacional del Poder Popular [National Assembly of Popular Power], "Codigo penal de la República de Cuba [Penal Code of the Republic of Cuba]," Public Law 62, 190–193 (1999): 87–89, <http://www.parlamentocubano.gob.cu/index.php/documento/codigo-penal-2/>.

⁵⁵ Bureau for International Narcotics and Law Enforcement Affairs, *Department of State, INSCR 1999*, 204.

⁵⁶ Daniel Palma Alvarez, "Breve revisión de la lucha contra el narcotráfico en Cuba (2004–2018): historia, cifras y perspectivas de mejora [Brief Review of the Fight against Drug Trafficking in Cuba (2004–2018): History, Figures and Perspectives for Improvement]," Programa Cuba, August 2019, <https://www.programacuba.com/breve-revision>.

coast. Local community reporting suggested Jamaican marijuana traffickers were attempting to establish a stash location and hub of operations with the support of complicit Cuban nationals, the goal being to increase the volume of marijuana smuggled into the Bahamas; 295 kg marijuana and \$31,000 for the finance of future smuggling operations was seized by Cuban authorities. In May 2016, the Granma provincial criminal tribunal convicted 11 Cuban nationals for their involvement in this scheme to distribute illegal drugs; sentences ranged from 15 to 30 years in prison and included Cuba's successful extradition from Jamaica of the Cuban national considered the principal organizer of this drug trafficking operation.⁵⁷

Real-time tactical information sharing between the Coast Guard and Cuban Border Guard has resulted in multiple interdictions, including the August 2015 arrest of three Bahamian nationals attempting to smuggle marijuana from Jamaica to the Bahamas. Acting on a tip relayed through the Coast Guard liaison, Cuban authorities located the three suspected smugglers and their beached go-fast boat along Cuba's easternmost coast between Baracoa and Punta de Maisi. Ultimately, the suspected smugglers were extradited to the Bahamas and tried in Bahamian courts for drug trafficking.⁵⁸

Normalization included a focus on bilateral security initiatives, including numerous key leader engagements and a series of technical exchanges nested under an umbrella Law Enforcement Dialogue. Perhaps the most significant visit for the Coast Guard-Cuban Border Guard relationship occurred when Admiral Paul Zukunft, the Commandant of the Coast Guard, traveled to Havana from August 13–15, 2015, for meetings with Cuban Border Guard counterparts and to represent DHS at the U.S. Embassy flag raising ceremony. The bilateral engagement was conducted on the margins of the flag raising

⁵⁷ Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 2017* (Washington, DC: Department of State, 2017), 142, <https://www.state.gov/wp-content/uploads/2019/04/2017-INCSR-Vol.-I.pdf>; "Sancionan a 11 ciudadanos Cubanos por delito de tráfico de drogas [11 Cuban Citizens Sentenced for Drug Trafficking Crimes]," *Vanguardia*, July 29, 2016, <http://www.vanguardia.cu/de-cuba/6862-sancionan-a-11-ciudadanos-cubanos-por-delito-de-trafico-de-drogas>.

⁵⁸ Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 2016* (Washington, DC: Department of State, 2016), 143, <https://2009-2017.state.gov/documents/organization/253655.pdf>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

ceremony. Admiral Zukunft and his Cuban counterpart, Brigadier General Lazaro Román Rodríguez, discussed various maritime security challenges and opportunities for increased cooperation between organizations.⁵⁹

During an interview with the author on January 11, 2021, Admiral Zukunft shared his impressions about this historic first visit of a general officer to Havana since the revolution:

What really struck me first was being invited into the Ministry of Interior headquarters. Then, to find out that there had not been a four star general or flag officer in that building since Batista. It was more than just lip service by our hosts. They really wanted to move this relationship forward in a fast way... [They had] high expectations that something very tangible would come out of not just a flag raising ceremony, but this relationship [with the Coast Guard].

Having met with maritime security leaders from all over the globe while serving as Commandant, Admiral Zukunft also remarked that he, “was surprised at how forthcoming his hosts were in sharing information... [They] really came across as sincere to me.”

The series of law enforcement technical exchanges met once or twice a year and included cooperation on topics, such as counternarcotics, counter-terrorism, human smuggling, money laundering, and cybercrime. Despite numerous attempts and various proposals from both sides, a formal bilateral counterdrug arrangement between the United States and Cuba remained elusive until 2016. As Castro Mariño emphasized, the longstanding relationship between the Coast Guard and Cuban Border Guard, particularly the trust and cooperation cultivated following the Clinton administration’s placement of the resident Coast Guard liaison in September 2000, laid the groundwork to ensure the counternarcotics technical exchange was productive from the start.⁶⁰ The second exchange was hosted at DEA Headquarters in early December 2015 and marked the first time a U.S.-Cuba counterdrug specific dialogue convened in the United States. Over the next several months, both governments negotiated and finalized the text of the *U.S.-Cuba Operational Cooperation Arrangement to Counter Illicit Traffic in Narcotics and Psychotropic*

⁵⁹ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

⁶⁰ Castro Marino, “The New Era of Cuba-U.S. Relations,” 56.

Substances, which was signed in Havana on July 21, 2016 during the third counternarcotics technical exchange. The U.S. delegation included representatives from the Coast Guard, DEA, Immigration and Customs Enforcement (ICE), and DOS.⁶¹

D. HOLD WHAT YOU'VE GOT

Despite the Trump administration's efforts to rollback U.S.-Cuba normalization, the Coast Guard and Cuban Border Guard continued to cooperate operationally in the fight against drug trafficking. Another first in the bilateral security relationship occurred on July 7, 2018, when Coast Guard officials transferred a representative drug sample and case package to Cuban authorities (the transfer took place in conjunction with an unrelated migrant repatriation). The evidence, collected from 611 pounds of jettisoned marijuana recovered by Coast Guard cutter *VIGILANT* and Port Security Unit 309 in early June near the Guantanamo Bay naval station entrance, enabled Cuban authorities to prosecute two Jamaican nationals detained that same afternoon by the Cuban Border Guard. The close coordination between the Coast Guard Seventh District and Cuban Border Guard command centers enabled the near simultaneous interdiction and apprehension of the smugglers and their go-fast vessel in Cuban waters.⁶²

The well-established success of the Coast Guard-Cuban Border Guard relationship helped pave the way for better coordination between the drug enforcement authorities of both countries. In conjunction with the July 2016 signing of the bilateral counterdrug arrangement, the DEA established direct communication channels with Cuba's DNA. The exchange of information on numerous drug investigations, coupled with law enforcement cooperation and the subsequent arrests of U.S. fugitives by Cuban authorities, was certainly encouraging.⁶³ The 4th and last counternarcotics technical exchange was hosted by DEA

⁶¹ Bureau of Public Affairs, "Counternarcotics Arrangement Signed"; Bureau for International Narcotics and Law Enforcement Affairs, *Department of State, INSCR 2019*, 146.

⁶² Bureau for International Narcotics and Law Enforcement Affairs, 146; Benjamin Gross, "PSU 309, Coast Guard Cutter Vigilant Team Up to Interdict Illegal Drugs," *Coast Guard Compass*, July 23, 2018, <https://coastguard.dodlive.mil/2018/07/ps3-309-coast-guard-cutter-vigilant-team-up-to-interdict-illegal-drugs/>.

⁶³ Bureau for International Narcotics and Law Enforcement Affairs, *Department of State, INCSR 2017*, 142; Bureau for International Narcotics and Law Enforcement Affairs, *Department of State, INSCR 2018*, 146.

in Washington, DC on January 19, 2018. A range of topics was discussed, including money laundering, use of the internet to sell and distribute, and the opioid epidemic in the United States. Both delegations provided an overview of their drug prevention programs.⁶⁴

E. CONCLUSION

The periodicity of law enforcement cooperation slowed during the second half of Trump's presidency, but there is renewed optimism as the U.S. transitions to President Biden. Law enforcement and counterdrug cooperation have long been areas of mutual interest for the United States and Cuba, and despite Trump's traditional hardline approach, none of the 22 signed bilateral agreements were vacated. Renewed cooperation and information sharing between the United States and Cuba will likely lead to increased drug disruptions and interdictions, as well as curb further expansion of drug trafficking networks.

⁶⁴ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

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IV. SECURITY COOPERATION THROUGH MIGRANT INTERDICTION

The previous chapter looked at the opioid epidemic currently impacting U.S. national security and compared Cuba's successful efforts to keep drug consumption and transshipment from gaining footholds on the island. It also summarized the history of counterdrug cooperation between the United States and Cuba, as well as the important building block the drug interdiction mission has been to U.S.-Cuba law enforcement cooperation, particularly between the Coast Guard and Cuban Border Guard.

This chapter examines illegal migration and the migrant interdiction mission, another foundational building block in the U.S.-Cuba maritime security relationship, particularly after the most recent mass migration when more than 30,000 Cubans took to the sea in the summer of 1994. It begins with an overview of the wet foot/dry foot policy and the unintended consequences of normalization as Cubans speculated about its possible elimination. The chapter then provides historical and political context for how Cuban migration has evolved since the beginning of the revolution in 1959. It next highlights the cooperative efforts of the Coast Guard and Cuban Border Guard to counter this complex maritime security challenge, as well as the dramatic impact of the Obama administration's 2017 repeal of wet foot/dry foot. The chapter concludes with some policy considerations for the Biden administration, including an example of how enhanced investigative cooperation between the Coast Guard and Cuban authorities may disrupt human smuggling operations that continue to threaten safe and orderly migration.

A. UNINTENDED PULL FACTOR

The Obama administration's 2015 reestablishment of diplomatic relations between the United States and Cuba spurred a comprehensive review of the bilateral relationship, including the reexamination of U.S. immigration policy toward Cuba. The politics surrounding Cuban immigration have evolved considerably since the beginning of the revolution in 1959. What began as migrants fleeing political persecution changed

considerably with the collapse of the Soviet Union, as the majority of Cuban migrants left the island in search of economic opportunities.

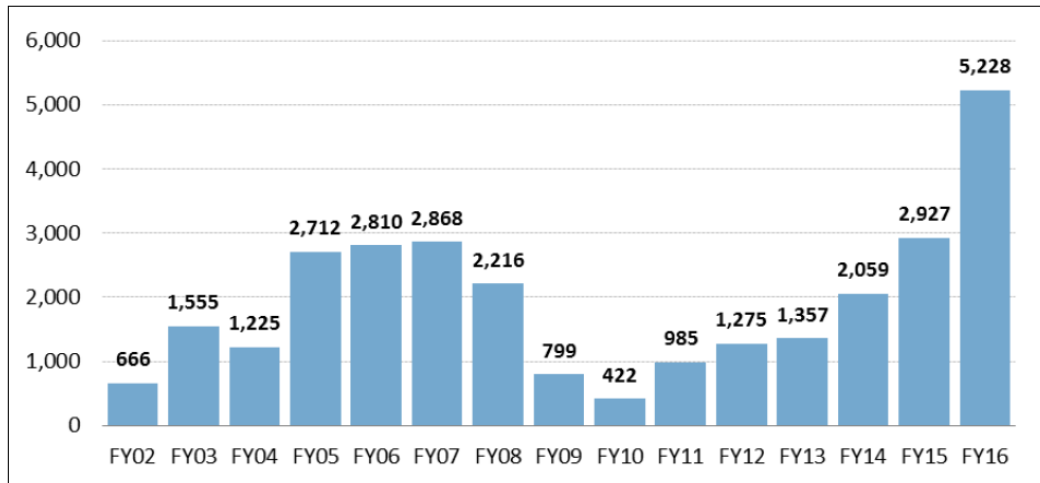
Although normalization encouraged positive changes like expanded entrepreneurial opportunities in Cuba's nascent private sector, it also contributed to unintended consequences, such as increased illegal migration as Cubans speculated about the possible elimination of the Cuban Adjustment Act (CAA) and the wet foot/dry foot policy. This uncertainty about how much longer Cubans would enjoy special immigration status fueled a significant increase in illegal migration to the United States from 2014 through the end of calendar year 2016.⁶⁵ Fiscal year 2014 concluded with almost 25,000 Cuban migrants making dangerous land and sea crossings trying to reach the United States, a two-fold increase over fiscal year 2012 numbers.⁶⁶ Maritime interdictions of Cuban migrants by the Coast Guard increased exponentially from 2,059 in fiscal year 2014 to 5,228 in fiscal year 2016, a 60 percent increase in the Florida Straits (Table 1).⁶⁷

⁶⁵ Susan Eckstein, "The Impact of the Cuban American Community on U.S. Policy toward Cuba," in *Cuba-US Relations: Normalization and Its Challenges*, ed. Margaret E. Crahan and Soraya M. Castro Marino (Washington, DC: Institute of Latin American Studies, Columbia University, 2016), 140.

⁶⁶ Mark P. Sullivan, *Cuba: Issues and Actions in the 114th Congress*, CRS Report No. R43926 (Washington, DC: Congressional Research Service, 2017), 65–66, ProQuest; Frances Robles, "In Ricketty Boats, Cuban Migrants again Flee to U.S.," *New York Times*, sec. U.S., October 9, 2014, <https://www.nytimes.com/2014/10/10/us/sharp-rise-in-cuban-migration-stirs-worries-of-a-mass-exodus.html>.

⁶⁷ Sullivan, 65.

Table 1. U.S. Coast Guard Maritime Interdictions of Cuban Migrants.⁶⁸



During the first 30 years of the revolution, Cubans who emigrated to the United States distanced themselves from their relatives back home. “[T]he hundreds of thousands who [immigrated] during the first two decades... adamantly opposed ties with their fellow Cubans who had stayed behind and sided with the revolution.”⁶⁹ This deeply divided mindset between the Cuban exile community in the United States and those who stayed behind changed almost overnight with the collapse of the Soviet Union. During this period of severe economic hardship, commonly referred to as the Special Period, Cuba’s economy declined by more than 30 percent. In response to the island’s economic crisis, the Cuban government relaxed its policies by encouraging Cuban American remittances and return visits. Increasing numbers of ordinary Cubans began to reach out to their families abroad in search of dollars (remittances quickly became their main source of income).⁷⁰

Current U.S. policy governing Cuban migration has its origins in the CAA. The last Cuban mass migration of 1994 resulted in the signing of the 1994 and 1995 U.S.-Cuba migration accords, and included a provision widely referred to as the wet foot/dry foot

⁶⁸ Source: Sullivan, 65.

⁶⁹ Susan Eckstein, “Cubans without Borders: From the Buildup to the Breakdown of a Socially Constructed Wall across the Florida Straits,” in *Cuba in a Global Context: International Relations, Internationalism, and Transnationalism*, ed. Catherine Krull (Gainesville, FL: University Press of Florida, 2014), 289, <https://doi.org/10.5744/florida/9780813049106.003.0018>.

⁷⁰ Eckstein, 289–91.

policy that reversed U.S. migration practices for Cuban migrants interdicted at sea. Indeed, the reestablishment of diplomatic relations between the United States and Cuba, led to a thorough reexamination of U.S. immigration policy toward Cuba, and resulted in the historic January 2017 repeal of wet foot/dry foot. Suddenly, the impetus or pull factor encouraging countless unsafe irregular departures disappeared. No longer would landing on U.S. soil guarantee the customary special status to which illegal migrants had become so accustomed.

B. HISTORICAL CONTEXT

This section provides historical and political context for how Cuban migration has evolved since the beginning of the revolution in 1959. Initially, Presidents Eisenhower and Kennedy categorized all Cuban immigrants arriving in the United States as political refugees. Cubans were subject to a “newly invented category exempt from the normal rules” and assisted through the Migration and Refugee Assistance Act of 1962.⁷¹ Later that same year, Kennedy suspended regular commercial flights from Cuba to the United States. The resulting internal immigration pressure ultimately led to Fidel Castro opening the port of Camarioca in September 1965 and inviting Cuban exiles to come by boat and pick up their relatives. This opening quickly turned into the first Cuban mass migration crisis as thousands of fleeing Cuban refugees overwhelmed the U.S. immigration system. President Johnson “sought an accommodation” with Cuba by reversing Kennedy’s decision to suspend regular air service; a predetermined number of Cubans would be able to immigrate each year to the United States by air (these so-called “freedom flights” operated until 1973).⁷²

As Sandels and Valdes point out in their historical summary of U.S. immigration policy toward Cuba:

Before 1966, [Cubans] were admitted on a temporary humanitarian basis because it was assumed in Washington, DC that the revolutionaries would

⁷¹ Robert Sandels and Nelson Valdes, “The Cuban Adjustment Act: The Other Immigration Mess,” CounterPunch Weekend Edition, August 28, 2015, <https://www.counterpunch.org/2015/08/28/the-cuban-adjustment-act-the-other-immigration-mess/>.

⁷² Sandels and Valdes.

soon be overthrown obviating the need for a permanent solution. There was no special legislation to regularize Cubans illegally arriving under the ad hoc systems then in place. Congress attempted to rectify that with passage of the Cuban Adjustment Act on November 2, 1966. The legislation was supposed to bring order to the process.⁷³

The CAA granted Cubans an excepted status compared to immigrants from other countries. Immigration officials admitted new arrivals as long as they could articulate fear of persecution if repatriated to Cuba. After a one-year parole period, Cuban immigrants would be eligible to adjust their status to that of a permanent resident. The actual policy reads as follows:

That, notwithstanding the provisions of section 245(c) of the Immigration and Nationality Act, the status of any alien who is a native or citizen of Cuba and who has been inspected and admitted or paroled into the United States subsequent to January 1, 1959 and has been physically present in the United States for at least two years (today only one year), may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence.⁷⁴

Unfortunately, the policy “encouraged” illegal immigration and the system quickly became overwhelmed, which resulted in “wholesale admission, the issuance of work permits, financial assistance and other benefits”⁷⁵

In late March and early April 1980, thousands of Cubans sought political asylum at the Peruvian Embassy in Havana. The situation rapidly deteriorated, and the Peruvian government, with support from Venezuela, Costa Rica, and the United States, sought assistance from the Intergovernmental Committee for European Migration (IOM) to develop a resettlement plan. Attempting to deflect the negative international spotlight, Castro opened the port of Mariel to anyone wishing to depart Cuba. Further, Castro seized on President Carter’s pledge “to provide an open heart and open arms” to Cuban migrants,

⁷³ Sandels and Valdes.

⁷⁴ An Act to adjust the status of Cuban refugees to that of lawful permanent residents of the United States, and for other purposes, Public Law 89-732, *U.S. Statutes at Large* 80 (1966): 1161.

⁷⁵ Sandels and Valdes, “The Cuban Adjustment Act.”

fueling the second and largest mass migration of more than 125,000 Cubans over the next six months.⁷⁶

The third and most recent mass migration from Cuba occurred in the summer of 1994, when more than 30,000 took to the sea. Tensions mounted in late July following a number of vessel hijackings as Cubans attempted to flee the island's devastating Special Period. Anti-government protests in early August along Havana's seaside drive, better known as the Malecón, prompted Castro to weaponize mass migration once more by proclaiming that state security would not prevent Cubans from departing on homemade rafts. U.S. immigration facilities quickly exceeded capacity in South Florida, which forced Clinton to reverse U.S. migration policy that until then had extended an open door to all Cubans attempting to enter the United States. On August 19, 1994, he announced that all Cubans interdicted at sea would be taken to the U.S. naval base in Guantanamo, Cuba. With approximately 15,000 Haitian migrants already housed in a separate Guantanamo migrant camp, the Clinton administration quietly worked behind the scenes to broker an agreement with Castro's Cuba.⁷⁷

The first round of bilateral migration talks culminated in the September 1994 migration accord, in which the United States and Cuba agreed to "facilitate safe, legal, and orderly Cuban migration to the United States." The agreement also stipulated the United States would grant a minimum of 20,000 immigrant visas to Cubans each year, a provision of the 1984 migratory agreement the United States had failed to uphold. In the May 1995 migration accord, the United States agreed to parole the more than 30,000 Cubans occupying the U.S. naval base in Guantanamo to the United States. The resulting 1994 and 1995 migration accords marked the first time the two governments successfully cooperated to produce a security agreement with the mutual interest of controlling illegal migration.⁷⁸

⁷⁶ Gretchen Bolton, "Immigration Emergencies: Learning from the Past, Planning for the Future," in *U.S. Commission on Immigration Reform* (Washington, DC: U.S. Government Printing Office, 1994), 909–910, <https://repositories.lib.utexas.edu>; Edward Walsh, "U.S. Will 'Open Arms' to Cuban Exiles, Carter Says," *Washington Post*, May 6, 1980, <https://www.washingtonpost.com/archive/politics/1980/05/06/us-will-open-arms-to-cuban-exiles-carter-says/d607800c-8785-4420-b09a-e02ed6ac1ffe/>.

⁷⁷ Ziegler, *U.S.-Cuban Cooperation Past, Present, and Future*, 50–52; Sullivan, *Cuba: Issues and Actions in the 114th Congress*, 44.

⁷⁸ Sullivan, 64–65.

Henceforth, the Coast Guard would repatriate Cubans interdicted at sea to Cuba, unless they could establish a credible fear of persecution. To receive permanent residency status under the CAA, they would now have to reach U.S. shores physically. With this change, Cuban migrants no longer welcomed the sight of a Coast Guard cutter on the horizon; what used to mean an escort to the United States now signaled a probable return to Cuba.⁷⁹ As noted in Sullivan’s research, “[The] so-called ‘wet foot/dry foot’ policy has been criticized by some as encouraging Cubans to risk their lives in order to make it to the United States.”⁸⁰ A decade into the wet foot/dry foot policy (2005), Ted Henken summarized it this way:

On the U.S. side, the [U.S. Interest Section] in Havana has repeatedly sought to discourage potential Cuban rafters from departing, yet the same government rewards those who make it across successfully by allowing them to stay. The U.S. also seeks to prosecute migrant smugglers for the crime of transporting illegal immigrants to the U.S., yet allows those who pay them to obtain parole and eventual legal residency if they reach land. Finally, the U.S. government places an increasingly harsh economic embargo on Cuba, yet ignores the fact that the embargo itself contributes to conditions whereby more people will seek to emigrate by any means available, contradicting our efforts to achieve a safe, legal, and orderly migration policy.⁸¹

As information sharing about illegal departures improved between the Cuban Border Guard and Coast Guard, it became increasingly difficult for rafters and small fishing boats to run the law enforcement gauntlet across the Florida Straits. Coupled with wet foot/dry foot policy dynamics, tactics changed in the late 1990s as Cuban migrants started betting on Cuban American smugglers in go-fast boats. Smugglers commanded \$8,000–\$10,000 per person, a price that even Cuban American family members could hardly afford. Smugglers would often leave migrants to swim for shore from shallow waters along the Florida Keys. With stakes now hinging on Cubans reaching dry land, the

⁷⁹ Dennis L. Noble, *The U.S. Coast Guard’s War on Human Smuggling* (Gainesville, FL: University Press of Florida, 2011), 201.

⁸⁰ Sullivan, *Cuba: Issues and Actions in the 114th Congress*, 64.

⁸¹ Ted Henken, “Balseros, Boteros, and El Bombo: Post-1994 Cuban Immigration to the United States and the Persistence of Special Treatment,” *Latino Studies* 3, no. 3 (November 2005): 411, <https://doi.org/10.1057/palgrave.lst.8600159>.

Coast Guard and U.S. Customs faced many unpredictable situations, including the highly publicized “Surfside Six” landfall north of Miami Beach on June 29, 2006. As news helicopters hovered overhead and crowds gathered on the beach, Coast Guard personnel used water cannons and pepper spray in an attempt to stop the six Cuban migrants from swimming to shore. Hundreds of Cuban American protestors blocked traffic on MacArthur Causeway adjacent to the Miami Beach Coast Guard base. Less than 24 hours later, all six were released from custody to awaiting revelers along Calle Ocho.⁸²

Cuban migrant smuggling involving go-fast vessels reached its peak in 2007 as a combination of new law enforcement tactics and legal adjustments turned the tables on human smuggling networks in South Florida. In August 2016, for example, a 45-count indictment was unsealed in South Florida federal courts, accusing five men of organizing human smuggling ventures from Cuba to the United States. The Coast Guard stopped at least three go-fasts connected to this smuggling organization between November 2005 and April 2006, including the final attempt when two of the smugglers refused to stop until disabling shots were fired (35 Cuban migrants were found hiding in the forward cabin).⁸³

C. POLICY MILESTONES AND OPERATIONAL SUCCESSES

The trust shared today between the Coast Guard and Cuban Border Guard developed incrementally over decades. As Noble describes, the resident Coast Guard liaison position, established in September 2000 to increase counterdrug cooperation and combat illegal migration, was also borne out of necessity for closer coordination following the 1996 Brothers to the Rescue shoot down.

Despite numerous warnings from the Cuban government through various channels (formal and informal), the Clinton administration failed to recognize the seriousness of Fidel Castro’s admonitions. On February 24, 1996, Castro had finally had enough of the unauthorized entries into Cuban airspace and ordered Cuban military jets to shoot down

⁸² Rick Bragg, “Cubans Now Choosing Smugglers over Rafts,” *New York Times*, July 21, 1999, ProQuest Historical Newspapers.

⁸³ Vanessa Blum, “Men Charged with Smuggling Cubans into Florida,” *McClatchy—Tribune News Service*, August 18, 2006, ProQuest Historical Newspapers.

the Brothers to the Rescue planes. Two of the three planes did not return to South Florida, and four Cuban Americans lost their lives that fateful afternoon. Founded in 1991 by Cuban exile José Basulto, Brothers to the Rescue assisted the Coast Guard in the search for thousands of rafters crossing the Florida Straits. After the 1994 mass migration crisis subsided, Basulto's humanitarian mission evolved, becoming increasingly provocative as his small planes repeatedly violated Cuban airspace, on occasion even dropping anti-Castro propaganda over Havana proper.⁸⁴

The controversial incident fueled at sea protests and memorial services by Cuban Americans. Worried about incursions into Cuban territorial waters and another international incident, the Coast Guard sent a Seventh District (Miami) staff officer to Havana on periodic "circuit rides" to help foster better communication with the Cuban Border Guard (and to assess the potential for a permanently staffed resident position).⁸⁵

In the 1994 migration accord, Cuba agreed to prevent unsafe departures while the United States agreed to interdict rafters at sea and transfer them to the temporarily established migrant camps. The 1995 accord established the direct repatriation mechanism still used today for Cuban migrants interdicted at sea. Semi-annual migration talks combined with Coast Guard-Cuban Border Guard operational coordination and technical exchanges have deepened the shared understanding of the challenges and complexities inherent to countering illegal migration along the U.S.-Cuba maritime border. A key factor contributing to the Coast Guard's success intercepting illegal migrants over the last 25 years has been Cuban Border Guard notifications. Despite this positive information sharing aspect, it is sometimes misconstrued that Cuban authorities are not willing to stop illegal departures. As Noble emphasized, "Cuban [officials are] not going to put their people in 'harm's way [in order to take the undocumented migrants] off their rafts, or shoot at [smuggling] go-fast boats."⁸⁶ Notifying the Coast Guard and enabling the migrant interdiction five hours to a few days later, when they are tired and less likely to be

⁸⁴ LeoGrande and Kornbluh, *Back Channel to Cuba*, 305–13.

⁸⁵ Noble, *The U.S. Coast Guard's War on Human Smuggling*, 216.

⁸⁶ Noble, 221.

aggressive, is a preferable alternative to the potential risk associated with forcing them to stop.⁸⁷ For every illegal departure reported by the Cuban Border Guard, shore patrols and local citizenry reporting thwart two to three times as many.⁸⁸

The surge in Cuban migrants arriving along the United States southwest border from 2014 through 2016 is attributed, in part, to the Cuban government changing its “long-standing policy of requiring an exit permit... for Cubans to travel abroad.”⁸⁹ Prior to the January 2013 change, it was rare for Cubans to receive permission to travel off the island. As emphasized in the beginning of this chapter, the Obama administration’s thaw in U.S. relations with Cuba was another contributing factor to the increase in Cuban migration, as many Cubans believed the CAA would soon go away. In response, Washington was aggressive with strategic messaging in an effort to squelch such rumors, stating repeatedly the Obama administration had no plans to change U.S. immigration policy with regard to Cubans.⁹⁰ Unfortunately, this messaging did little to assuage illegal migration, as Cubans grew increasingly desperate. The Coast Guard faced a wide range of very difficult maritime interdiction scenarios (wet foot), including self-inflicted gunshot wounds, as some migrants opted to shoot themselves in the lower left abdomen in extreme hopes of being airlifted by helicopter to medical facilities in South Florida (dry foot).⁹¹

Although the Obama administration’s public messaging suggested no changes were afoot, high-level negotiations were taking place between U.S. and Cuban officials in conjunction with other 2016 bilateral dialogues. For instance, Ambassador Kristie Kenney, Counselor of the State Department, headed the U.S. delegation during the third Bilateral

⁸⁷ Noble, 221.

⁸⁸ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

⁸⁹ Sullivan, *Cuba: Issues and Actions in the 114th Congress*, 9.

⁹⁰ Mimi Whitefield, “Havana: U.S. Immigration Policy for Cubans Needs to Change,” *Miami Herald*, January 21, 2015, <https://www.miamiherald.com/news/nation-world/world/americas/cuba/article7866573.html>.

⁹¹ “7 Cuban Migrants with Gunshot Wounds Interdicted at Sea,” *Associated Press*, March 27, 2016, <https://infoweb.newsbank.com/resources/doc/nb/news/15BE104BC439C598?p=AWNB>.

Commission held in Havana on May 16, 2016.⁹² Then Deputy Secretary of Homeland Security, Alejandro Mayorkas, who was also part of this U.S. delegation, attended the Bilateral Commission and met separately with his Cuban security counterparts ahead of the second Law Enforcement Dialogue on May 17, 2016. Deputy Secretary Mayorkas's visit came on the heels of the historic signing of a memorandum of understanding between the Department of Homeland Security, Cuba's Ministry of Interior, and Cuba's Customs Authority, a security cooperation arrangement first discussed during Mayorkas's October 2015 visit to Havana.⁹³ On the margins of these May 2016 bilateral exchanges, Ambassador Kenney and Deputy Secretary Mayorkas quietly engaged in the beginnings of a series of negotiations that would ultimately repeal wet foot/dry foot.⁹⁴

On January 12, 2017, President Obama announced the immediate termination of the special status afforded Cubans migrants who stepped foot on U.S. soil.⁹⁵ The Joint Statement Communique between the United States and Cuba Concerning Normalizing Migration Procedures:

...[outlined] certain measures which were agreed in order to promote migration between the two countries that is safe, legal and orderly. Actions agreed in the Joint Statement [included] the return of Cubans attempting to migrate illegally to the United States, the end of the wet foot/dry foot policy and the parole program for Cuban health care professionals, and application to Cuban nationals of the same migration procedures and standards that are applicable to nationals of other countries.⁹⁶

⁹² Ministry of Foreign Relations, Republic of Cuba, "Press Release Issued by the Cuban Delegation to the Third Meeting of the Cuba-U.S. Bilateral Commission. Havana, May 16, 2016," *Relaciones bilaterales Cuba-EE.UU.* [Bilateral Relations Cuba-U.S.], May 16, 2016, <http://cubaeeuu.cubaminrex.cu/article/press-release-issued-cuban-delegation-third-meeting-cuba-us-bilateral-commission-havana-may>.

⁹³ Bureau of Public Affairs, "United States and Cuba to Hold Second Law Enforcement Dialogue in Havana, Cuba," Department of State, May 13, 2016, <https://2009-2017.state.gov/r/pa/prs/ps/2016/05/257195.htm>.

⁹⁴ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

⁹⁵ Karen DeYoung, "Obama Ends Cuban Migrants' Special Status," *Washington Post*, January 13, 2017, A1, ProQuest Historical Newspapers.

⁹⁶ "Statement Regarding Joint Statement Communique between the United States and Cuba Concerning Normalizing Migration Procedures," Department of State, January 12, 2017, <https://foia.state.gov/>.

In an instant, the pull factor contributing to illegal migration from Cuba evaporated. The Coast Guard went from interdicting more than 5,000 Cuban migrants in fiscal year 2016 to just over 2,000 in fiscal year (FY)17, the majority of which were interdicted between October 1, 2016, and January 11, 2017 (before the policy's end). FY18 interdictions totaled a mere 200 by August 14. Dramatic declines also occurred at and between ports of entry along the southwest border (58,269 in FY16; 20,955 in FY17; 6,044 in FY18 (as of August 21)).⁹⁷ For the first time in more than 20 years, the maritime flow of migrants (Cuban, Haitian, and Dominican combined) was such that Coast Guard and other U.S. law enforcement resources could be balanced against other security priorities.

D. EXPANDED OPPORTUNITIES (HUMAN SMUGGLING INVESTIGATIONS)

As Geoff Thale points out in his comprehensive summary of U.S.-Cuba security cooperation, additional areas for expanded collaboration between the Coast Guard and Cuban Border Guard may become available. For instance, investigative cooperation may disrupt the transnational criminal organizations that continue to threaten safe and orderly migration with human smuggling operations by go-fast boats across the Florida Straits and Yucatan Passage.⁹⁸

Recent investigative cooperation between the Coast Guard Investigative Service (CGIS) and Cuban authorities into a transnational human smuggling organization and the death of an estimated 13 Cuban migrants in the Eastern Caribbean is an excellent example of this form of enhanced security cooperation. On July 9, 2016, go-fast vessel *BLUE SPIRIT* capsized while smuggling an estimated 15 Cuban nationals from St. Maarten to the U.S. Virgin Islands. Two days later, a Good Samaritan found the only survivors clinging to the capsized vessel hull (two smugglers and two Cuban nationals). During the December 2016 Coast Guard-Cuban Border Guard semi-annual technical exchange, CGIS agents briefed Cuban authorities on the human smuggling investigation, sparking an 18-month

⁹⁷ Mark P. Sullivan, *Cuba: U.S. Policy in the 115th Congress*, CRS Report No. R44822 (Washington, DC: Congressional Research Service, 2019), 68–69, <https://crsreports.congress.gov/product/pdf/R/R44822>.

⁹⁸ Thale, “U.S.-Cuba Security Cooperation after D17,” 234.

collaborative effort that culminated in CGIS receiving authorization to interview one of the two Cuban survivors in Havana (May 2018).⁹⁹

E. CONCLUSION

In response to the still unresolved health incidents affecting U.S. diplomats serving in Cuba, the Trump Administration all but closed the Embassy Havana in October 2017.¹⁰⁰ Since then, consular services have been severely limited with immigrant visa processing occurring at the U.S. Embassy in Georgetown, Guyana, while Cubans applying for non-immigrant or tourist visas, or simply in need of a renewal, must schedule through and travel to U.S. embassies or consulates in other countries. Consequently, the U.S. agreement under the 1994 migration accords to issue 20,000 immigrant visas annually was last honored in 2016. Furthermore, the last round of semi-annual migration talks took place in Washington, DC in July 2018.¹⁰¹ Although illegal migration from Cuba to the United States has continued to trend down substantially, the Biden administration should consider the restoration of Embassy Havana diplomatic staffing (to September 2017 levels), the reestablishment of consular services, and a return to full participation in the semi-annual U.S.-Cuba migration talks. These measures will go a long way to releasing some of the pressure that has steadily increased within the populace since the downsizing of Embassy Havana in October 2017.

⁹⁹ “Coast Guard Ends Search for Migrants of Capsized Vessel off the British Virgin Islands,” Saint Martin News Network, July 17, 2016, <https://smn-news.com/st-maarten-st-martin-news/22948-coast-guard-ends-search-for-migrants-of-capsized-vessel-off-the-british-virgin-islands.html>; “Dutch Coast Guard Arrest U.S. Wanted Man in St. Maarten Waters,” *721News* (blog), February 16, 2017, <https://www.721news.com/top-story/dutch-coast-guard-arrest-u-s-wanted-man-st-maarten-waters/>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹⁰⁰ Frances Robles, “U.S. Diplomats with Mysterious Illness in Cuba Had Inner-Ear Damage, Doctors Say,” *New York Times*, 44, December 12, 2018, <https://www.nytimes.com/2018/12/12/world/americas/cuba-embassy-attacks.html>.

¹⁰¹ Sullivan, *Cuba: U.S. Policy in the 115th Congress*, 38–45.

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V. SECURITY COOPERATION THROUGH SEARCH AND RESCUE

The previous two chapters examined the Coast Guard's drug and migrant interdiction missions, emphasizing their foundational role in cultivating the Coast Guard-Cuban Border Guard maritime security relationship. Although the legacy SAR relationship is also considered as a foundational building block, collaboration in this mission area was limited in scope until the normalization process encouraged expanded, more robust cooperation. Consequently, SAR is examined along with the Coast Guard's marine environmental protection (specifically, oil spill preparedness and response) and port security missions in the following three chapters. Indeed, the early successes shared between these neighboring maritime security services were incremental, developing gradually over the time, but as confidence increased and the political thaw unfolded, these additional building blocks of security cooperation became possible between the Coast Guard and Cuban Border Guard.

The first section of this chapter considers the beginnings of Coast Guard-Cuban Border Guard SAR cooperation during the Carter administration and summarizes today's seamless command center-to-command center voice communications and coordination. The second section reviews two successful Coast Guard overflights of Cuban airspace in support of SAR efforts in the Caribbean Sea. The third section highlights operational improvements in bilateral SAR cooperation brought about by the Obama administration's policy shift with Cuba, attributed, at least in part, to the benefits of established semi-annual Coast Guard-Cuban Border Guard technical exchanges. The final section showcases the expanded scope of bilateral SAR coordination, specifically the establishment of a Mass Rescue Operations (MRO) dialogue between the Coast Guard and Cuban SAR authorities.

A. SEARCH AND RESCUE BUILDS TRUST

SAR is more than just the Coast Guard's legacy "bread and butter" mission. Areas of mutual interest, such as SAR, are starting points or bridges to building trust in challenging or adversarial relationships with foreign countries. In 1978, the Carter

administration first encouraged Coast Guard cooperation with the Cuban Border Guard as part of confidence building steps aimed at normalizing relations with Cuba. The two sides met in Havana that January and discussed improving communications and SAR coordination.¹⁰² Although Cuba's military adventures in Angola and Ethiopia sidelined the Carter administration's normalization efforts, this early Coast Guard-Cuban Border Guard dialogue led to the establishment of a teletype communications channel for SAR coordination and the beginnings of security cooperation.¹⁰³

Communications via message evolved from teletype to email over the years, but established voice communications protocols remained elusive until the spring of 2015. Spurred by the December 2014 U.S.-Cuba normalization announcements, the Coast Guard and SAR Cuba (Cuba's whole-of-government construct for aeronautical and maritime SAR coordination) finalized bilateral SAR operational procedures with the exchange of diplomatic notes. In addition, vessel-to-vessel and command center-to-command center communications protocols were established that significantly improved Coast Guard-SAR Cuba response coordination. These newly approved procedures eliminated the legacy requirement to route SAR-related messages through respective foreign ministries for review and approval. In less than six months, Coast Guard and Cuban Border Guard command centers progressed from limited direct voice communications to routinely contacting each other by telephone for SAR coordination.¹⁰⁴

B. CLEARING THE AIRSPACE

It seems simple enough, but something as benign as obtaining aircraft overflight authorization from another country can significantly affect the odds for shipwreck survivors. Years of cooperation between the Coast Guard and Cuban authorities, coupled with the January 2017 U.S.-Cuba SAR agreement, enabled the Seventh Coast Guard District (Miami) to obtain aircraft overflight clearance quickly from Cuba's foreign

¹⁰² Norm Howard, ed., *Gist* (Washington, DC: Bureau of Public Affairs, Department of State, 1975), 29–30; LeoGrande and Kornbluh, *Back Channel to Cuba*, 410.

¹⁰³ LeoGrande and Kornbluh, 223–24; Beardsworth, “U.S.-Cuba Functional Relationships,” 94.

¹⁰⁴ Thale, “U.S.-Cuba Security Cooperation after D17,” 231. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

ministry during a September 2018 response. With 28 Jamaican fishermen forced to abandon their burning 130-foot fishing vessel deep in the Caribbean basin, the Coast Guard and Colombian Navy were racing against time. As Captain Shawn Koch, chief of incident management for the Seventh District, explained, “This [overflight authorization] cut off at least two additional hours of flying [the Clearwater based HC-130 Hercules] around the western tip of Cuba.”¹⁰⁵ Thanks to the prompt cooperation from Cuban authorities, the HC-130 aircrew was able to locate the fishermen during the initial aircraft sortie, who were clinging to debris and the capsized vessel’s hull. After dropping life rafts from the HC-130, the Coast Guard coordinated the successful rescue of all 28 survivors with assistance from nearby motor tanker *CHALLENGE POLLUX*. The Colombian Navy then transferred the SAR survivors ashore in San Andres, Colombia for medical care.¹⁰⁶ The importance of quickly obtaining overflight clearance of Cuba to the success of this rescue effort was not lost on the HC-130 lead pilot. As Commander Troy Glendye stated, “The fact that we were able to do that for this case was monumental.”¹⁰⁷

The first instance of a Coast Guard overflight of Cuban airspace in support of SAR occurred September 5, 2014. Larry and Jane Glazer, Rochester real estate developers, passed out at the controls of their TBM-900 aircraft while flying at 25,000 feet on their way to Naples, Florida. With the plane proceeding southeast on autopilot, the Coast Guard coordinated an HC-130 Hercules overflight of Cuba, arriving in the search area shortly after the plane disappeared from radar (approximately 14 miles north of Jamaica). While no one survived, the Coast Guard’s ability to work directly with Cuban authorities ensured the HC-130 was on scene shortly after the crash. North American Aerospace Defense Command (NORAD) scrambled two F-16 fighter jets to follow the plane as it tracked south along the Florida Coast; the fighter jets broke off from their escort at the boundary of Cuba’s territorial airspace. Even without established diplomatic ties, the relationship

¹⁰⁵ “2019 Tribute to the 7th Coast Guard District: Rescue Coordination Center Miami,” April 18, 2019, Coast Guard Foundation, video, 3:50, <https://www.youtube.com/watch?v=JemakiscYdU>.

¹⁰⁶ Coast Guard Foundation; “Rescued Jamaican Fishermen Return Home,” *CANANews (Barbados)*, September 27, 2018, <https://infoweb.newsbank.com/resources/doc/nb/news/16EB72685C131E58?p=AWNB>.

¹⁰⁷ Coast Guard Foundation, “2019 Tribute to the 7th Coast Guard District.”

between the Coast Guard and Cuban authorities served as the benchmark for cooperation in areas of mutual interest. Although established protocols existed for coordinating SAR cases with Cuba, this case predated the historic announcements by Presidents Obama and Castro by a few months. The uncertainty of this first ever SAR overflight of Cuba caused some senior Coast Guard officials to question the safety of the HC-130 aircrew. Despite the lack of diplomatic relations and no formal SAR agreement, the Coast Guard HC-130 received timely overflight clearance and transited Cuban airspace without incident.¹⁰⁸

C. INCREASED SEARCH AND RESCUE COORDINATION

As normalization initiatives expanded in scope, the Coast Guard and Cuban Border Guard benefited from consistent semi-annual technical exchanges from January 2015 through January 2018, including fruitful discussions that enhanced SAR collaboration. On January 18, 2017, the bilateral SAR operational procedures (first agreed upon in 2015) got an upgrade as representatives from the U.S. and Cuban governments signed the *Agreement on Maritime and Aeronautical Search and Rescue* at the Hotel Nacional in Havana. As the Department of State explained, “The purpose of this Agreement is to strengthen cooperation in the field of maritime and aeronautical search and rescue in order to enhance effectiveness and efficiency in assisting persons in distress and to act in furtherance of obligations under international law.”¹⁰⁹ Although the Trump administration opted not to further normalization efforts, and the various bilateral security dialogues were shelved because of safety concerns over the unexplained health incidents that affected U.S. diplomats, SAR cooperation continued to prosper from this collaborative foundation. A few operational examples the author considers emblematic of this increased SAR cooperation are included as follows.

¹⁰⁸ “U.S. Suspends Search for Downed Plane near Jamaica,” *Agence France-Presse*, September 8, 2014, <https://infoweb.newsbank.com/resources/doc/nb/news/1503C7123389FD03?p=AWNB>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹⁰⁹ Department of State, “Statement Regarding the Agreement between the Government of the United States of America and the Government of the Republic of Cuba on Maritime and Aeronautical Search and Rescue,” June 5, 2017, <https://foia.state.gov/>.

1. Man Overboard

The Coast Guard received excellent support from Cuban authorities during the extensive search for a 23-year-old man who fell overboard in the early morning hours of March 15, 2017, from cruise ship *CARNIVAL VICTORY*. The incident occurred 33 miles northwest of Pinar del Rio, Cuba, as the cruise ship was transiting the Yucatan Passage on its way from Key West to Cozumel. Search assets included Coast Guard cutter *CHARLES SEXTON*, a Miami based HC-144 Ocean Sentry aircraft, and Cuban Border Guard patrol vessels, which combined to search nearly 3,500 square miles for more than 16 hours. The command center-to-command center coordination, aircraft overflight authorizations, and Cuban Border Guard surface asset support all reflect the strong SAR cooperation shared between the United States and Cuba.¹¹⁰

2. Missing Fishermen

On May 17, 2017, the Cuban Border Guard command center contacted the Seventh District command center requesting SAR support for an overdue 22-foot vessel with two fishermen on board. The fishing vessel *ANA MARTA*, which departed Santa Cruz del Norte, east of Havana, had failed to return to report as planned. The Coast Guard dispatched an HC-144 Ocean Sentry aircraft from Air Station Miami, which marked the first time the Seventh District launched a ready aircraft in direct support of a Cuban SAR case. Following receipt of a radio distress call almost 24 hours later, a Coast Guard Station Islamorada boat crew rescued the fishermen approximately 17 miles south of Grassy Key. The fishermen reported being adrift for three days after losing propulsion on May 15, 2017. Due to a combination of deteriorating weather, poor condition of the vessel, and an unknown heart condition of the older fisherman, Station Islamorada transferred both fishermen ashore as

¹¹⁰ Carli Teproff, “Coast Guard Suspends Search for Carnival Cruise Passenger Who Went Overboard near Cuba,” *Miami Herald*, March 23, 2017, <https://www.miamiherald.com/article140461783.html>; Andy Newman, “Coast Guard Searching for Carnival Cruise Passenger Who Went Overboard near Cuba,” *Miami Herald*, March 22, 2017, <https://www.miamiherald.com/news/business/tourism-cruises/article140053028.html>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

SAR survivors for medical evaluations at Mariners Hospital. The two fishermen ultimately made their way back home to Cuba.¹¹¹

3. Overloaded Haitian Sail Freighter

Shortly after midnight on April 7, 2018, Coast Guard cutter *RELIANCE* located an overloaded Haitian migrant vessel in international waters southeast of Moa, Cuba. Cutter *RELIANCE* embarked 50 of the 127 Haitian migrants crammed aboard the unstable 70-foot sail freighter without incident. The remaining 77 migrants refused to comply as they continued on a northwesterly course into Cuban territorial waters. Thanks to close coordination between the Seventh District and Cuban Border Guard command centers, Cuban authorities safely interdicted the remaining 77 migrants and brought them ashore for medical evaluations. Eventually, all 127 migrants were repatriated to Haiti.

D. EXPANDED OPPORTUNITIES (MASS RESCUE OPERATIONS)

During the December 2016 Coast Guard-Cuban Border Guard semi-annual technical exchange, Cuban officials requested Coast Guard authorities return to Havana in the spring of 2017 for an MRO focused exchange with SAR Cuba. Widely regarded as experts of land-based disaster preparedness in advance of approaching hurricanes, Cuban authorities recognized that their MRO experience in the maritime domain was limited. To their MRO credit, 19 crewmembers were hoisted by helicopter from the container ship *HANSA BERLIN* on August 26, 2012. The 474-foot Liberian flagged vessel suffered an engine casualty in heavy seas produced by tropical storm Isaac, and ran aground near Mariel, Cuba. With large capacity passenger vessels routinely plying waters in close proximity to Cuban shores, and increasing numbers of cruise ships calling on Cuban ports (especially after the removal of prohibitions on U.S. cruise ships in May 2016), SAR Cuba recognized the importance of expanded SAR cooperation to include MRO dialogue.¹¹²

¹¹¹ “Rescatan a dos pescadores Cubanos tras tres días a la deriva [Two Cuban Fishermen Rescued after Three Days Adrift],” *El Nuevo Herald [Miami Herald Spanish Language Edition]*, May 20, 2017. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹¹² “So the Hansa Berlin REALLY DID Run Aground on Cuba’s Coast,” gCaptain, September 4, 2012, <https://gcaptain.com/hansa-berlin-grounding-photo/>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

SAR Cuba was established by Law No. 278 in 2006 (commission and framework), integrating Civil Defense and all aspects of air and maritime coordination. Cuba's Ministry of Transport (MITRANS) is the designated authority for the whole-of-government approach to SAR coordination; other ministries and organizations include MINFAR, Ministry of Communications, MININT, Ministry of Justice, Ministry of Foreign Relations (MINREX), Public Health (MINSAP), Ministry of Tourism, Civil Defense, and the fisheries industry. MINFAR serves as the central coordinator for air and maritime SAR and plays a more active role when foreign vessels or aircraft are the subject of the SAR response. The aviation coordination center (CCA) and maritime coordination center (CCM) are subordinate. Cuba is further divided by region with three aviation response centers and nine maritime response centers.¹¹³

The first MRO technical exchange was hosted in Havana in May 2017 and was the first U.S.-Cuba security dialogue involving senior decision makers from MINFAR (aside from the legacy fence line talks at the U.S. naval base in Guantanamo). Coast Guard and SAR Cuba authorities shared ideas and best practices in a collective effort to strengthen SAR cooperation, specifically in terms of MRO response coordination. The visit also marked the first time since 2005 that Coast Guard officials visited Cuba's maritime coordination center at the Cuban Border Guard headquarters in Havana. The author considers this unusual access a reciprocal result of Cuban authorities being able to visit the Seventh District Command Center during the Coast Guard-Cuban Border Guard technical exchange in June 2016 (the first time the technical exchange series was held in Miami). Both delegations agreed that the increased passenger vessel traffic between South Florida and Cuba warranted closer attention, and they agreed to schedule a series of additional MRO exchanges to deepen the SAR relationship.¹¹⁴

¹¹³ Consejo de Ministros de la República de Cuba [Council of Ministers of the Republic of Cuba], "Sistema Aeronautico y Maritimo de Búsqueda y Salvamento de la República de Cuba [Aeronautical and Maritime Search and Rescue System of the Republic of Cuba]," Public Law 278, Articles 1–24 (2006), 1–11, <https://www.icao.int/NACC/Documents/Meetings/2014/SARSEMINAR/SAR-P04Complemento.pdf>.

¹¹⁴ Ministerio de Relaciones Exteriores, República de Cuba [Ministry of Foreign Relations, Republic of Cuba], *Memoria Anual 2017 [Annual Report 2017]* (Havana, Cuba: Ministerio de Relaciones Exteriores [Ministry of Foreign Relations], 2017), 83, <http://www.minrex.gob.cu/sites/default/files/2019-08/memorias/Memoria%20Anual%20MINREX%202017.pdf>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

Representatives from SAR Cuba traveled to Key West in March 2018 to participate in an MRO tabletop exercise co-hosted by the Seventh Coast Guard District and Norwegian Cruise Lines (Figure 1). The 10-member Cuban delegation included officials from MINREX, MININT (Cuban Border Guard), Civil Defense, and the ministries of public health and tourism. Plans for a third MRO technical exchange in Havana before the end of 2018 soured with the combination of Trump administration prohibitions on cruise ship travel to Cuba and travel precautions stemming from the unexplained health incidents affecting U.S. diplomats.¹¹⁵



Figure 1. U.S. Coast Guard, Search and Rescue Cuba, and Norwegian Representatives in Key West.¹¹⁶

¹¹⁵ Ministry of Foreign Relations, Republic of Cuba, “Cuba and the United States Strengthen Cooperation in the Field of Search and Rescue.”

¹¹⁶ Source: Cuba’s Representative Office Abroad, “Cuba and the United States Strengthen Cooperation in the Field of Search and Rescue,” Cuba’s Ministry of Foreign Relations, Republic of Cuba, accessed April 18, 2020, http://misiones.minrex.gob.cu/sites/default/files/imagenes/editoreeu/articulos/ejercicio_de_mesa_sar_06_marzo_0.jpg.

Without question, safety of life at sea has long been a shared interest of the Coast Guard and Cuban Border Guard. Even during periods of very divisive politics, SAR communication and operational coordination has remained strong between these neighboring maritime services. On December 2, 2020, the author spoke with Geoff Thale, President of the Washington Office on Latin America (WOLA), regarding the Coast Guard's cooperation with Cuba. He first learned about the Coast Guard's relationship with the Cuban Border Guard during a 2007 visit to Havana. Despite the fact that the political relationship was not good at all toward the end of the Bush administration, he was struck by the friendly working relationship he observed between the Coast Guard liaison and his Cuban counterparts. As Thale explained, "[WOLA] took more interest in [Coast Guard-Cuban Border Guard cooperation] because it seemed like, even at a time when there was a lot of tension, here was this practical place where there was collaboration going on."

E. CONCLUSION

The Biden administration would do well to reinvigorate the Coast Guard-Cuban Border Guard semi-annual technical exchange series. As one of only a few Western Hemisphere countries with a truly integrated, whole-of-government approach to SAR, Cuba shares the U.S. goal of reinforcing international SAR standards, both air and maritime, with regional neighbors. Similarly, renewed attention should be dedicated to the mass rescue operations dialogue begun in 2017, another shared interest that has significant implications to maritime safety and security.

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VI. SECURITY COOPERATION THROUGH MARINE ENVIRONMENTAL PROTECTION

Although relatively new to the U.S.-Cuba security cooperation arena, marine environmental protection, or more specifically, oil spill preparedness and response, has become another important building block between the Coast Guard and Cuban authorities. Like SAR in the previous chapter, oil spill response cooperation with Cuba predates the Obama era normalization, and not until the reestablishment of diplomatic relations did this area of maritime security collaboration really come into its own.

The chapter begins with a brief summary of Cuba's initial venture into deep ocean oil exploration and the scramble that followed as U.S. oil spill response authorities and offshore oil industry safety experts tried to maneuver around the economic embargo, still scarred from the catastrophic 2010 Deepwater Horizon spill and worried about how to prevent a similar scenario from playing out with Cuba in the Florida Straits. The subsequent section examines Coast Guard led efforts to develop oil spill response coordination protocols with Cuban authorities, first through a productive multilateral forum, and then a constructive bilateral oil spill preparedness and response relationship spurred by U.S.-Cuba normalization. The final section highlights the cooperative path forward in this new arena of oil spill response and emphasizes the wider applicability of this bilateral coordinating instrument to shared environmental threats in the maritime domain.

A. PREVENTING ANOTHER DEEPWATER HORIZON

An estimated five billion barrels of untapped oil reserve exists under the ocean floor off Cuba's northwest coast, and for more than a decade, Cuban authorities have been conducting offshore oil exploration through partnerships with Spain, Russia, Malaysia, and Venezuela, to name a few.¹¹⁷ As Booth further explains, Cuba got the attention of U.S. regulatory and environmental response agencies in February 2012, when it began drilling

¹¹⁷ William Booth, "Cuban Drilling Causes U.S. to Scramble," *Washington Post*, March 2, 2012, ProQuest Historical Newspapers; Guy Chazanin, "Exit by Repsol Rocks Cuban Oil Hopes," *Financial Times*, May 30, 2012, <https://infoweb.newsbank.com/resources/doc/nb/news/13F1BDCC0769EB30?p=AWNB>.

offshore exploratory wells in partnership with Repsol, a Madrid headquartered deep ocean drilling company. With the massive Deepwater Horizon oil spill disaster in the Gulf of Mexico not even two years old, U.S. authorities worried about the environmental and economic consequences should a similar blowout occur in Cuban waters, approximately 60 miles south of the Florida Keys.¹¹⁸

To make matters worse, the U.S. economic embargo against Cuba complicated cooperation, forbidding U.S. oil industry and spill response experts from partnering with Cuba, and limiting direct U.S.-Cuba government cooperation. In fact, only limited environmental cooperation existed between U.S. non-governmental organizations, academic institutions, and Cuba's scientific community prior to Deepwater Horizon. The very first dialogue that addressed the environmental concerns associated with Cuba's expanding oil and gas sector was nurtured by the Environmental Defense Fund.¹¹⁹ To avoid stiff penalties associated with the embargo, Repsol's sophisticated Scarabeo 9 semi-submersible drilling rig was constructed with less than 10 percent of U.S. manufactured components, including the critically important blowout preventer. In the event of a blowout, the closest capping stack—not U.S. manufactured—was in Scotland, at least one week from delivery to the offshore site. Moreover, disposal of oil collected from such a spill would also be hampered by the embargo.¹²⁰

B. POLICY MILESTONES AND OPERATIONAL SUCCESSES

As Guzzo describes, to open an official government-to-government path to dialogue with Cuban authorities and technical experts, Coast Guard environmental response authorities and contingency planners proposed a multilateral engagement framework comprised of government and oil industry experts from Mexico, Jamaica, Cuba, the Bahamas, and the United States. With backing from the International Maritime

¹¹⁸ Booth, "Cuban Drilling Causes U.S. to Scramble."

¹¹⁹ LeoGrande, "No Time to Lose," 21; Emily A. Peterson, Daniel J. Whittle, and Douglas N. Rader, *Bridging the Gulf: Finding Common Ground on Environmental and Safety Preparedness for Offshore Oil and Gas in Cuba* (New York: Environmental Defense Fund, 2012), 26, https://www.edf.org/sites/default/files/EDF-Bridging_the_Gulf-2012.pdf.

¹²⁰ Booth, "Cuban Drilling Causes U.S. to Scramble."

Organization (IMO), this multilateral oil spill response forum first met in 2011. After three years of productive meetings, the participating countries finalized the *Wider Caribbean Region Multilateral Technical Operating Procedures for Offshore Oil Pollution Response (MTOPI)*, a series of mutually agreed upon oil spill response coordination protocols. The procedures also streamlined the process for vessels and equipment to move across borders to assist in the affected country's territorial waters.¹²¹ As Mary Landry, the Coast Guard's Director of Incident Management and Preparedness Policy described in her written Congressional testimony, MTOPI encouraged the development of a coordinating network capable of working across multiple countries to manage a large-scale spill in the Caribbean region effectively.¹²²

During the first week of December 2014, just two weeks before Presidents Obama and Castro announced the historic shift in U.S.-Cuba policy, MTOPI representatives gathered in San Antonio, Texas on the margins of the annual industry led Clean Gulf conference. As Josefina Vidal, Director General, U.S. Directorate, MINREX, explained during the initial U.S.-Cuba bilateral talks on January 22, 2015, Cuba recognized the importance of continued collaboration in the Coast Guard-led working group. Oil spill response was (and still is) a critical topic for all MTOPI stakeholders because of the potential for catastrophe across the entire Caribbean and Gulf of Mexico region.¹²³

As the United States and Cuba reestablished diplomatic relations in July 2015, oil spill response continued to track as a focus area of mutual security interest. That October, approximately 120 key industry and government leaders met in Havana for the Safe Seas—Clean Seas symposium, a two-day conference developed by Hunt Petty LLC and hosted by Unión Cuba Petróleo (CUPET). Highlights included the latest policy developments enabling Cuba to trade with U.S. companies in targeted equipment and service areas,

¹²¹ Paul Guzzo, "U.S., Cuba Join Caribbean Nations in Oil Cleanup Pact," *Tampa Tribune*, March 18, 2014, <https://infoweb.newsbank.com/resources/doc/nb/news/14C9FD81C20541F8?p=AWNB>.

¹²² *The Federal Radionavigation Plan, H.R. 1684, the Foreign Spill Protection Act of 2015, and H.R. --, the National Icebreaker Fund Act of 2015: Hearing before the Subcommittee on Coast Guard and Maritime Transportation of the Committee on Transportation and Infrastructure*, House of Representatives, 114th Cong., 1st sess., 2015, 38, <https://www.govinfo.gov/content/pkg/CHRG-114hhrg95651/pdf/CHRG-114hhrg95651.pdf>.

¹²³ Roberta Jacobson to the Secretary, "U.S.-Cuba Bilateral Talks, January 22, Havana, Cuba," 6.

specifically U.S. oil exploration products designed to ensure safe drilling practices and effective emergency response to oil spills.¹²⁴ During the conference, the Coast Guard delegation met with MINREX officials to coordinate a bilateral meeting in conjunction with the 2015 Clean Gulf conference, hosted in New Orleans that November. MINREX officials expressed the Cuban government's desire to further a possible bilateral oil spill response agreement with the United States. Although amenable to meeting under the multilateral MTOP construct, both delegations envisioned a future bilateral agreement (with diplomatic relations now reestablished) designed to expedite coordination for offshore oil spill response, similar to agreements the United States has with Mexico, Canada, and Russia. The MEXUS Plan, as the bilateral U.S.-Mexico agreement is known, stemmed from the 1979 blowout of a Mexican oil rig that affected the Texas coastline.¹²⁵

Ironically, the Coast Guard found itself once again on the leading edge of U.S.-Cuba security cooperation and pressed forward with a bilateral oil spill response dialogue less than 24 hours after Donald Trump's surprising 2016 election victory. While the Cuban population pondered what this unexpected result might portend for continued U.S.-Cuba normalization, Coast Guard and State Department officials met in Havana with Cuban delegates from MITRANS, Ministry of the Interior, Civil Defense (Disaster Risk Reduction), and MINREX to negotiate the final text of a bilateral oil spill response agreement. Not two months later on January 9, 2017, Ambassador Jeffrey DeLaurentis, Chargé d'Affaires Embassy Havana, and Vice Minister Eduardo Rodríguez Dávila, MITRANS, signed the U.S.-Cuba oil spill preparedness and response agreement on behalf of their respective governments. Accordingly, the United States and Cuba agreed to work together to prevent and respond to potential oil spills in the Gulf of Mexico and Florida Straits.¹²⁶

¹²⁴ Bill Loveless, "U.S., Cuba Eye Offshore Drilling Possibilities," *USA Today*, October 26, 2015, First edition. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹²⁵ Peterson, Whittle, and Rader, *Bridging the Gulf*, 20. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹²⁶ Bureau of Public Affairs, "United States and Cuba Sign Bilateral Oil Spill Preparedness and Response Agreement," Department of State, January 9, 2017, <https://2009-2017.state.gov/r/pa/prs/ps/2017/01/266726.htm>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

The oil spill response agreement identified the Ministry of Transport and Civil Defense as Cuba’s designated authorities, with the Coast Guard leading U.S. coordination efforts. As part of the agreement, both countries agreed to develop a coordination plan, the initial draft of which was negotiated in Fort Lauderdale in March 2018. In addition to the designated authorities, Cuba’s delegation included representatives from the Ministries of Science, Technology, and the Environment (CITMA); Energy and Mines, Interior (Cuban Border Guard), and MINREX. The U.S. delegation was comprised of Coast Guard and State Department subject matter experts. The bilateral coordination plan, simply referred to as the CUBUS Plan, was signed by the Coast Guard’s Deputy Commandant for Operations in December 2019, following a thorough review by the National Security Council and State Department. In March 2020, the Minister of Transportation and Chief of Civil Defense signed on behalf of the Cuban government.¹²⁷

C. NOT JUST DEEP OCEAN OIL RIGS

COVID-19 has prevented further engagement in this important area of maritime cooperation, but Coast Guard and Cuban authorities are optimistic the first meeting under the CUBUS Plan will take place in summer 2021. In addition to establishing coordination protocols and oil spill response procedures, the CUBUS Plan encourages the exchange of operational and scientific information and outlines a framework for joint contingency planning and a series of periodic response exercises.¹²⁸

Although deep ocean oil exploration and the potential for a catastrophic platform blowout was the driving force behind the bilateral U.S.-Cuba oil spill response agreement and subsequent CUBUS Plan, it is important to note the wider applicability of this bilateral coordinating instrument to shared environmental threats in the maritime domain. Just remember the February 2016 marine casualty involving motor tanker *KRITI AMBER*,

¹²⁷ “Cuba and the United States Advance in the Bilateral Cooperation against Discharges of Hydrocarbons and Other Harmful or Potentially Hazardous Substances,” Ministry of Foreign Relations, Republic of Cuba, March 8, 2018, <http://misiones.minrex.gob.cu/en/articulo/cuba-and-united-states-advance-bilateral-cooperation-against-discharges-hydrocarbons-and>; Jeff Platt, Matt Richards, and Jimmy Knudsen, “International Capacity Building for Improved Maritime Environmental Response,” *The Coast Guard Journal of Safety and Security at Sea: Proceedings of the Marine Safety and Security Council* 77, no. 3 (Winter 2020): 89.

¹²⁸ Platt, Richards, and Knudsen, 89.

disabled and adrift in the Florida Straits 13 miles south of Sombrero Key, Florida. For approximately 48 hours, Cuban authorities quietly assisted *KRITI AMBER* with towing vessel *HURACANI*, dispatched from Matanzas, Cuba. The motor tanker was fully loaded with crude oil and drifting uncomfortably close to the fragile reefs of the Florida Keys. On February 15, 2016, Cuban authorities contacted Tsavlis Salvage to provide assistance with *RESOLVE EARL*, a larger towing vessel based in Freeport, Bahamas. *RESOLVE EARL* arrived on scene with *KRITI AMBER* on February 16, 2016 and proceeded to tow the disabled motor tanker south to awaiting port tugs just north of Cuban territorial waters near Matanzas, Cuba. Although this incident did not result in catastrophic environmental consequences, it illustrates the importance of contingency response protocols between U.S. and Cuban authorities.¹²⁹

D. CONCLUSION

The Coast Guard's early efforts to develop oil spill response coordination protocols with Cuban authorities through the MTOP multilateral forum are noteworthy and indicative of the shared concern for environmental protection. As seen with the previous case studies on other building blocks of U.S.-Cuba security cooperation, the oil spill preparedness and response relationship needed U.S.-Cuba normalization to truly flourish. The Biden administration should encourage continued cooperation in this relatively new but critical area of U.S.-Cuba maritime security cooperation, especially now that the oil spill response implementation CUBUS Plan is complete. As emphasized with the 2016 incident involving motor tanker *KRITI AMBER*, this bilateral coordinating instrument has wider applicability to shared environmental threats in the maritime domain.

¹²⁹ "Tugs and Towing News," *Tugs, Towing and Offshore Newsletter*, March 23, 2016, 12. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

VII. SECURITY COOPERATION THROUGH PORT SECURITY

As seen in each of the previous case study chapters, the Coast Guard's security cooperation relationship with Cuban authorities accelerated considerably with the arrival of the Obama administration's efforts to normalize U.S.-Cuba relations. This case study on the port security mission area or building block is of particular interest because it only emerged as a possibility after the onset of normalization.

To resolve policy obstacles impeding the Obama administration's efforts to reestablish commercial maritime links, a port security dialogue between the Coast Guard and Cuba's designated authority was essential. This chapter begins with an overview of the origins of the International Ship and Port Security code, the Coast Guard's post-9/11 port security program, and Cuba's listing on the Port Security Advisory. The next section traces the Coast Guard's efforts to develop a constructive U.S.-Cuba port security relationship and assess the adequacy of port security measures in Cuban ports. The chapter concludes with a brief explanation of the Secure Trade and Travel Flows technical exchange series, an effort by DHS and Cuban security counterparts to expand opportunities for increased air and maritime security cooperation during U.S.-Cuba normalization.

A. HISTORICAL CONTEXT

A key ingredient of the Obama administration's U.S.-Cuba normalization effort was increasing opportunities for interaction between the U.S. and Cuban populations, through government-to-government and people-to-people exchanges. In addition to encouraging public and privately funded exchanges across all sectors of civil society, the Obama administration recognized the need "to support the development of scheduled and chartered air service and maritime links, including ferries."¹³⁰ Following a thorough review, Cuba was removed from DOS' state sponsors of terrorism list in May 2015, but

¹³⁰ Barack Obama, *Presidential Policy Directive 43: Directive on United States-Cuba Normalization*, Presidential Policy Directive/PPD-43 (Washington, DC: White House, Office of the President, 2016), 6, <https://www.govinfo.gov/content/pkg/DCPD-201600699/pdf/DCPD-201600699.pdf>.

additional obstacles remained as Cuba was still listed by the United States as having insufficient port security practices. Although more a reflection of the Coast Guard's inability to visit Cuban port facilities, an assessment of Cuba's port security practices was necessary to determine whether Cuba was fulfilling the requirements of the International Ship and Port Security (ISPS) code.¹³¹

Developed to protect the international seafaring community against maritime terrorism in the wake of the 9/11 attacks, the ISPS code was adopted by governments signatory to the International Convention for the Safety of Life at Sea (SOLAS), during a December 2002 global conference hosted by the IMO. Less than two years later, the ISPS code came into force on July 1, 2004.¹³² As the recognized U.S. maritime security expert, the Coast Guard developed an International Port Security (IPS) program to reduce the risks to U.S. maritime interests. Through a combination of cooperative port security partnerships and reciprocal visits with coastal trading states, the Coast Guard assesses the implementation of the ISPS code, exchanges port security best practices, and strengthens U.S. port security and the global maritime transportation system.¹³³ Since Cuba was listed on the Coast Guard's Port Security Advisory (PSA) list, additional security steps, such as vessel compliance boardings, were required to clear cargo and passenger vessels arriving to the United States from Cuba's ports (to include the last five ports of call). Consequently, most commercial vessels with a U.S. trade nexus steered clear of Cuba, in part, to avoid costly port clearance delays when calling on subsequent U.S. ports.

B. POLICY MILESTONES AND OPERATIONAL SUCCESSES

On October 1, 2015, a Coast Guard delegation of international port security specialists met with Cuban authorities in Havana for the first of multiple exchanges

¹³¹ Josh Lederman, "Before Obama Trip, U.S. Eases Security for Ships Visiting Cuba," *Associated Press*, March 17, 2016, <https://infoweb.newsbank.com/resources/doc/nb/news/15BAB9850CCF7310?p=AWNB>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹³² Lars H. Bergqvist, "The ISPS Code and Maritime Terrorism," *Maritime Executive*, July 17, 2014, <https://www.maritime-executive.com/article/The-ISPS-Code-and-Maritime-Terrorism-2014-07-17>.

¹³³ "International Port Security Program FAQ," U.S. Coast Guard Atlantic Area, February 20, 2021, <https://www.atlanticarea.uscg.mil/Our-Organization/Area-Units/Activities-Europe/Maritime-Security/IPS-Program-FAQ/>.

regarding port security. The author discussed this historic first visit and other aspects of the U.S.-Cuba port security relationship during an interview with Jon Mangum on February 26, 2021. The retired Coast Guard port security official served as head of delegation for the groundbreaking port security visits to Cuba (2015–2016). He noted the first step actually took place approximately six months before the initial visit to Havana, during a diplomatic reception he attended at the Cuban Embassy in Washington, DC. On February 26, 2021, the author interviewed Jon Mangum about the Coast Guard longstanding relationship with the Cuban Border Guard. As Mangum explained, once the Cuban diplomatic officials learned about his port security role:

the pecking order...started to increase in power and title as they came over to introduce themselves. ...[and] by the end of the night, the Chargé d’Affaires came over, and we [talked about what the Coast Guard] would want to see when we went to Havana. I said we would want to see a petroleum facility, a general cargo facility, and a cruise terminal. We would want full access while we were there. Inside the fence, inside the control rooms.

Consequently, according to Mangum, when the U.S. diplomatic note arrived at the Cuban Embassy a few months later requesting access to the same three types of port facilities, Cuba responded with approval rather quickly as the request seemed appropriate to them.

Although these early indications were favorable, the first port security technical exchange proved more challenging than anticipated. Cuban authorities expressed their objections to the April 2008 decision by the United States placing Cuba on the PSA list and insisted the bilateral port security dialogue be separate from what they viewed as an unjust, unilateral decision. As the head of Cuba’s delegation explained, “Cuba had been implementing anti-terrorism measures in its ports since the explosion of *LA COUBRE* in Havana on March 4, 1960.”¹³⁴ The French freighter was unloading Belgian manufactured small arms and munitions for the Cuban Army when multiple explosions occurred that killed more than 75 people and injured upwards of 200 others. Speculation swirled the day

¹³⁴ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

following as Castro accused the United States of sabotage, which U.S. authorities repeatedly denied.¹³⁵

Indeed, Cuban authorities considered their port security measures to be the example after years of experience countering sabotage and incursions. Furthermore, Cuba's implementation of the ISPS code began in July 2004, and they reasoned their port security practices were transparent and accessible through international forums, such as the IMO.¹³⁶ The reciprocal aspect of the Coast Guard's port security program, as Mangum stressed, "that really was like a pivot for them." According to the interview with Mangum, combined with the understanding that the Coast Guard's approach was the same regardless of the other country involved, both sides agreed to cooperate and advance the port security dialogue.

This collective desire to advance a constructive port security dialogue was reinforced only a couple of weeks later when then Deputy Secretary of Homeland Security, Alejandro Mayorkas, and Customs and Border Protection (CBP) Commissioner, Gil Kerlikowske, visited with their Cuban security counterparts in Havana. With dramatic increases in air and maritime traffic expected, the high-level visit encouraged broader dialogue between U.S. and Cuban law enforcement organizations responsible to secure trade and travel through air and sea ports of entry. DHS agreed to expand cooperation with Cuba's MININT and Customs Authority (AGR) to enhance the security of these travel and trade flows. This increased cooperation included topics, such as passenger screening, port security, and document fraud detection.¹³⁷

Coast Guard port security specialists returned to Cuba in February 2016, visiting the cruise terminal in Havana, the container facility in Mariel, and the supertanker terminal

¹³⁵ R. Hart Phillips, "75 Die in Havana as Munitions Ship Explodes at Dock: Government Said to Suspect Sabotage," *New York Times*, March 5, 1960, ProQuest Historical Newspapers.

¹³⁶ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹³⁷ Office of the Press Secretary, "Hoja informativa: primer aniversario de la política de participación con Cuba del Presidente [Fact Sheet: First Anniversary of the President's Policy of Participation with Cuba]," Embajada de EE.UU. en Colombia [U.S. Embassy in Colombia], The White House, December 16, 2015, <https://co.usembassy.gov/es/news-12162015/>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

in Matanzas. According to the interview with Mangum, the visiting Coast Guard delegation, also led by Mangum, received unprecedented access to these port facilities, and was able to make the observations necessary to move forward with a comprehensive assessment of Cuba's implementation of the ISPS code. The Coast Guard delegation noted five Cuban port security best practices and commented that such international visits usually result in no more than two or three noteworthy port security measures. Less than two weeks later, the Coast Guard's IPS program hosted the Cuban delegation of port security experts for a reciprocal visit to comparable port facilities in Jacksonville, Tampa, and Mobile.¹³⁸

On March 17, 2016, the Coast Guard's IPS program issued *Port Security Advisory (I-16)* and concluded that Cuba was implementing appropriate port security practices in accordance with the ISPS code. The actual advisory reads as follows:

The Coast Guard has determined that the Republic of Cuba is now maintaining effective anti-terrorism measures in their ports. The Republic of Cuba is removed from the list of the Countries Affected in paragraph B of this Port Security Advisory. Therefore, actions required in paragraphs C and D of this Port Security Advisory are no longer required for vessels that arrive in the United States after visiting ports in the Republic of Cuba.¹³⁹

Commercial passenger and cargo vessels traveling to Cuba from the United States would still need to obtain licensing approval through the Departments of Treasury and Commerce, but the conditions of entry previously imposed by the Coast Guard upon return to U.S. ports would no longer be required. Similarly, additional security measures required for U.S. vessels calling on Cuban ports were also removed (such as additional security requirements while moored in Cuban ports).¹⁴⁰ This change opened the door to U.S. cruise lines, such as Norwegian and Carnival that began calling on Havana a few months later in May 2016.¹⁴¹

¹³⁸ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹³⁹ International Port Security Program, *Port Security Advisory (I-16)* (Washington, DC: U.S. Coast Guard, 2016), 1, <https://www.steamshipmutual.com/Downloads/Sanctions/USCG%20Bulletin%201-16%20Cuba%20March%202016.pdf>.

¹⁴⁰ Lederman, "Before Obama Trip, US Eases Security for Ships Visiting Cuba."

¹⁴¹ Victoria Burnett, "Cruise Ship from Miami Docks in Cuba, Ending Decades-Old Freeze," *New York Times*, sec. World, May 2, 2016, <https://www.nytimes.com/2016/05/03/world/americas/cruise-ship-from-miami-docks-in-havana-ending-decades-old-freeze.html>.

Despite considerable disagreement at the outset, this series of port security exchanges developed quickly, in part because the trust relationship between the Coast Guard and Cuban authorities was already well established, but also because it represented another area where working together proved beneficial to both sides. DeLaurentis reinforced the assertion this way in his interview with the author:

one would assume something like a port security visit would be viewed in Cuba as intrusive and unnecessary, something [Cuban authorities] would bristle at. On the other hand, the notion that it was done all over the world, was really a function of reciprocity, and two sovereign nations treating each other equally, was very important to them. Once those principles were established, they had no problem going through the motions.

Similar to the four previous mission area case studies, this building block of port security was not only a shared security concern, but Cuba was willing to cooperate because the United States approached the process no differently than as with any other country.

C. EXPANDED OPPORTUNITIES (SECURE TRADE AND TRAVEL)

As part of the expanded dialogue between DHS and Cuba's MININT and AGR, a comprehensive secure trade and travel working group consisting of various component organizations from both countries was envisioned. This Secure Trade and Travel Flows working group first convened on September 28, 2016 in Washington, DC. The DHS delegation was co-chaired by Alan Bersin, Assistant Secretary for International Affairs, and Seth Stodder, Assistant Secretary for Border, Immigration, and Trade Policy. Senior representatives from DHS components included the Coast Guard, CBP, ICE, and the TSA. Cuba's delegation was comprised of senior officials from the Border Guard, Port Authority, Immigration, Customs Authority, Civil Aviation Authority, Cybersecurity, and MINREX. This expanded security collaboration was a tenet of the Memorandum of Understanding (MOU) signed between DHS and MININT-AGR in May 2016. As explained by senior DHS border and transportation security officials before the House Committee on Homeland Security, Subcommittee on Transportation Security:

The MOU sets the basis of cooperation in exchanging risk information for travelers, cargo or conveyances in international transit; the continuation of periodic, mutual, and reciprocal assessments regarding air, sea, and port security; and the coordination of transportation security, screening of cargo, travelers baggage, and the design of secure, efficient inspection facilities at ports and airports, among other things.¹⁴²

Highlights from the Secure Trade and Travel Flows exchange included Cuba's approval for the Coast Guard's continued IPS program dialogue and port security visits, the cultivation of a CBP-AGR relationship similar to that of the Coast Guard and Cuban Border Guard, and the coordination necessary to finalize TSA's federal air marshal initiative aboard U.S. commercial flights operating between Cuba and the United States. In addition, the Cuban Border Guard reiterated its concern about the increasing risk associated with growing recreational vessel flows and the importance of continued SAR coordination and improved law enforcement information sharing. AGR proposed a future reciprocal CBP visit to Havana and expressed appreciation for the canine security exchange proposed by TSA.¹⁴³ As Bersin explained in the interview, "I was pleasantly surprised by the extent to which we were able to have genuine dialogue... I was struck by the constructive nature of the discussion, and the need to find out through negotiation just how far they were willing to go."

D. CONCLUSION

Although travel precautions stemming from the unexplained health incidents affecting U.S. diplomats and the Trump administration's rollback of normalization slowed security engagements considerably, the Secure Trade and Travel Flows working group met again in 2017. The port security dialogue has continued unabated, with additional technical exchanges between Coast Guard and Cuban port security experts and visits to the eastern

¹⁴² *Flying Blind: What Are the Security Risks of Resuming U.S. Commercial Air Service to Cuba?* Hearing before the House Committee on Homeland Security, Subcommittee on Transportation Security, House of Representatives, 114th Cong., 2nd sess., May 16, 2016, 14, <https://www.govinfo.gov/content/pkg/CHRG-114hhrg22763/pdf/CHRG-114hhrg22763.pdf>. The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

¹⁴³ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

port of Santiago de Cuba and southern port of Cienfuegos.¹⁴⁴ As the Biden administration reviews U.S.-Cuba policy, expanded law enforcement and security cooperation will undoubtedly be a focus area. Regardless of whether maritime travel and trade builds back to 2016–2017 levels, port security cooperation will continue to play an important role moving forward.

¹⁴⁴ The author served as Coast Guard liaison at U.S. Embassy Havana from June 2014 to July 2018.

VIII. CONCLUSION

As the only branch of the military with law enforcement statutory authority, the Coast Guard's unique authorities across the maritime security spectrum open doors to international engagement and security cooperation in complex political environments. Surprisingly, the Coast Guard's longstanding relationship with the Cuban Border Guard serves as an excellent example of this distinctive capability and its importance to U.S. national security. The examination of this positive and productive security relationship—before, during, and after normalization—through the lens of five Coast Guard mission-specific case studies, provides a number of important findings and recommendations.

A. LESSONS LEARNED

The operational focus of the Coast Guard's maritime security cooperation with the Cuban Border Guard, combined with measured growth in building block mission areas of mutual concern, are key factors in the long-term success of this important relationship. The Coast Guard's investment in the permanent in-person liaison position at U.S. Embassy Havana is another key factor, signaling commitment to a cooperative relationship built on trust and mutual respect. The decision not to remove the Coast Guard liaison as part of the 2017 reduction in diplomatic staffing is indicative of the position's importance to the Coast Guard.

The Coast Guard's expanded cooperation with Cuban authorities across multiple mission areas during normalization is also noteworthy. This well-established relationship served as the catalyst for broader U.S.-Cuba law enforcement cooperation. The United States and Cuba negotiated and signed multiple security arrangements, developed new frameworks for the exchange of information (especially in the areas of SAR and oil spill preparedness and response), and expanded security dialogues across the law enforcement spectrum (port security and secure trade and travel in particular).

Implications of the Coast Guard-Cuban Border Guard relationship as a model for use with other complicated international relationships are also a key consideration. Regardless of the law enforcement agency involved, the Coast Guard has demonstrated

that incremental steps can be taken to build relationships in areas of mutual concern, despite the ups and downs associated with strained relationships at the political level.

Finally, the broader importance of the Obama administration's dramatic U.S.-Cuba policy shift and efforts to normalize relations is emphasized. By considering the geopolitical significance of Cuba, especially in terms of the implications for U.S. foreign policy objectives with the wider Caribbean and Latin America, it is possible to understand why this new approach was in the U.S. national interest. The United States should take additional steps to encourage Cuba's integration in the multilateral regional security framework.

B. RECOMMENDATIONS

By reviewing the aftereffects of the Trump administration's rollback of U.S.-Cuba policy, specifically the impacts on the Coast Guard-Cuban Border Guard security relationship, it can be determined that such a policy reversal does not serve the national security interests of the United States. With no significant concentration of bilateral security exchanges since early 2018, the United States should take steps to reinvigorate important dialogues on counternarcotics, illegal migration, counterterrorism, and mass rescue operations, among others. Instead of using the still unexplained health incidents as an excuse to marginalize U.S.-Cuba relations, the United States should collaborate with Cuba's scientific and medical experts in the continued search for an explanation.

Law enforcement and counterdrug cooperation have always been areas of mutual interest for the U.S. and Cuba. Despite Trump's traditional hardline approach, none of the 22 bilateral agreements or memoranda of understanding were vacated. Renewed cooperation and information sharing by the Biden administration would likely lead to increased drug disruptions and interdictions, as well as deter further expansion of drug trafficking networks.

Although illegal migration from Cuba to the United States has continued to trend down substantially since the 2017 repeal of wet foot/dry foot, increased sanctions, combined with the challenges of currency reunification, COVID-19, and the lack of accessible consular services, have pressurized the possibility of another wave. The Biden

administration should consider the restoration of Embassy Havana diplomatic staffing (to September 2017 levels), the reestablishment of consular services, and a return to the commitments outlined in the migration accords.

SAR is a mainstay in the Coast Guard-Cuban Border Guard relationship, but the last semi-annual technical exchange between them occurred in January 2018. The Biden administration would do well to reinvigorate this periodic reciprocal exchange series, as well as the mass rescue operations specific dialogue begun in 2017. The maritime safety and security implications associated with these areas of mutual concern are too significant to ignore.

As seen with the other building blocks of U.S.-Cuba security cooperation, the oil spill preparedness and response relationship benefited from the normalization of relations. In addition to establishing coordination protocols and oil spill response procedures, the CUBUS Plan encourages the exchange of operational and scientific information and outlines a framework for joint contingency planning and a series of periodic response exercises. The United States should encourage continued cooperation in this relatively new but critical area of U.S.-Cuba maritime security, especially now that the CUBUS Plan is complete.

Unlike the other case study mission areas where security cooperation stalled considerably under Trump, the port security engagements between Coast Guard and Cuban authorities have continued without interruption. Regardless of whether maritime travel and trade builds back to normalization era levels under President Biden, port security cooperation will continue to play an important role moving forward.

C. AREAS FOR FUTURE RESEARCH

Further examination in other areas of U.S.-Cuba security cooperation, as well as Coast Guard relationships with other countries, may reveal supportive or even alternative findings about the importance of measured development in areas of security mutual concern. In terms of Cuba, two other security cooperation relationships come to mind. The TSA shares an important long-term security relationship with its Cuban counterpart, Cuba's Civil Aviation Authority. Exploring DOD efforts to open new channels of defense

cooperation with Cuba's Ministry of the Armed Forces (MINFAR), beyond the monthly Guantanamo fence line talks, during the normalization of relations would also provide important insights.

The Coast Guard has established maritime security relationships with other countries that have a complicated political history with the United States. The Coast Guard's operational relationship with the Russian Border Guard is another great example of security cooperation in mission specific areas of mutual concern.

D. FINAL THOUGHT

Trust relationships develop incrementally over time, and their strength depends on a foundation of mutual respect. The Coast Guard-Cuban Border Guard maritime security relationship embodies this premise.

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