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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

February 25, 1996

PRESS BRIEFING
BY SECRETARY OF STATE WARREN CHRISTOPHER
AND PRESS SECRETARY MIKE MCCURRY

The Briefing Room

2:15 P.M. EST

MR. MCCURRY: Good afternoon, everybody. The President's national security advisors met for three hours this morning at a National Security Council meeting that was chaired by National Security Advisor Anthony Lake; ended around noon. The President's advisors established facts and information about the incident yesterday in which two U.S. civilian aircraft were shot down by Cuban military aircraft.

The President's national security advisors drew conclusions about this incident, then considered the nature of the U.S. response. The President was briefed on this meeting a short while ago by Chief of Staff Leon Panetta and the Deputy National Security Advisor Samuel Berger. The President will receive a longer memorandum describing some of the discussions later today.

In a few short minutes Secretary of State Warren Christopher will be departing on a trip to Latin America, and the President has asked him to come down and summarize today's discussions. After that, after a short break, we'll have some senior administration officials who will be available to take questions.

Mr. Secretary, welcome.

SECRETARY CHRISTOPHER: Thank you, Mike. Before leaving for Latin America, I'd like to comment briefly on two lawless and tragic events that have occurred in the last 24 hours.

The brutal terrorist actions in Israel have claimed the lives of 25 Israelis and -- at least 25 Israelis and two Americans. These are the desperate acts of desperate people who would try to prevent the march of peace in the Middle East. I have a message for them today: You are cowards and you will not succeed.

Earlier today I talked with Prime Minister Peres, very early this morning, and then with Chairman Arafat. And the President has just talked with Prime Minister Peres. Both the Prime

Minister and the Chairman made it unmistakably clear that these acts will not do anything to interfere with their commitment to stay on the path to peace, and they will do so.

I want to extend my deepest sympathies to the families of all of those who are involved and to tell you that the President and I are determined to do all we can to help Israel and its neighbors in the Middle East stay on the path to peace, and to take steps to ensure the security of Israel.

The Latin American trip that I'll be departing on in just a few minutes takes me to a region that has made a remarkable transformation to peace in the last decade. All but one of the hemisphere's 35 nations are now democracies. The one exception is Cuba, and we've seen in the last 24 hours a kind of conduct that Cuba is capable of.

Yesterday in broad daylight, on the instruction from Cuba's highest military authorities, Cuban military aircraft shot down two unarmed, small civilian aircraft who were in the Straits of Florida. It is clear that the Cuban actions yesterday were a blatant violation of international law and a violation of the norms of civilized behavior. Cuban explanations of why they took the actions they did are neither plausible, nor acceptable.

Today, as Mike said, the President's foreign policy advisors met for several hours to develop the facts, and then to consider -- develop a range of options that the United States might take in response to Cuba's totally unjustified downing of these two small, unarmed civilian aircraft. We discussed a range of options that the President might want to consider, and I'll tell you in advance I'm not going to comment on these options until the President has an opportunity to consider them.

The President has already instructed United Nations Ambassador Madeleine Albright to convene an emergency session of the United Nations Security Council to discuss the incident and to discuss an appropriate international response. We will proceed promptly with our international partners to make clear to the Cubans that this violation of international law will not go unanswered.

Now, in the few minutes I have I'll be glad to take a question or two before the other briefing follows.

Q Mr. Secretary, last week the Cuban government cracked down on some dissidents that were planning some peaceful demonstrations within the island. Now this particular action. Do you see this as a shift in Cuba's policy, perhaps looking to provoke the United States into changing some of its -- what the existing relationship has been?

SECRETARY CHRISTOPHER: Well, we certainly noted those actions, those actions taken by the Cuban government. These actions in the last 24 hours are of an even graver and more -- different content. But we certainly have seen the Cuban government show itself for the kind of government that it is in the last two weeks, ending particularly with the events in the last 24 hours.

Q Was the United States aware of where these planes were going? And were they in Cuban air space?

SECRETARY CHRISTOPHER: You'll have a full briefing on this subject in the near future and a detailed briefing. We're satisfied that the planes were in international waters at the time they

were shot down, but let me say you'll have further information on this subject as you have a more detailed briefing.

Q Mr. Secretary, Retired Admiral Eugene Carroll says that about 10 days ago he was in Havana and he was asked at the time by Cuban authorities what would be the U.S. reaction if the Cuban authorities shot down the planes. He said he brought this information back to U.S. intelligence and to the State Department. Did you get that information? If so, what reply did we give the Cubans?

SECRETARY CHRISTOPHER: We've told the Cubans over and over again that they should act with restraint in these situations, that they should obey international law. We hear a number of rumors of various actions they might take, and our consistent position with them is to remind them of the importance of their maintaining observance to international law.

The actions that they took yesterday were not justified under any circumstances. The international law is clear -- these were unarmed civilian planes, constituting no threat to the Cuban government. And as I said, it's a blatant violation of international law.

Q Mr. Secretary, would you rule out a military reaction of any sort to this? And when should we expect when the President will make his decision on how to react?

SECRETARY CHRISTOPHER: As I've said, the discussion this morning presented a range of options that the President will consider. I'm sure the approach and the decision of the President will be an appropriate one. I don't want to tie him down to a particular time line, but we will take a reaction that is both appropriate and prompt.

Q Is there concern that perhaps Cuba has perceived any sort of softening in U.S. policy toward Cuba that would have facilitated them doing something like this without thinking there would be serious repercussions?

SECRETARY CHRISTOPHER: There's no basis at all for them having that perception. We've given them no indication that this kind of conduct would be tolerated; on the contrary. We've given them every indication that they would be held to the high standard of international law. So nothing was done to indicate that this kind of conduct might be condoned. And I think our response will be a fully appropriate one.

Q Mr. Secretary, had there been an earlier violation of Cuban air space yesterday morning, and was there a Cuban warning to the pilots at that point -- between the earlier event and the subsequent one?

SECRETARY CHRISTOPHER: I don't want to get into detailed reactions over the last several days. You'll have a more detailed briefing from those who have followed every twist and turn of this. But let me go back to the central point, that the conduct of the Cubans yesterday afternoon in shooting down these two aircraft was totally, totally unjustified; totally without justification.

Q Is the United States going to take action on its own, or are we going to wait for the United Nations to come to some decision and follow what they say?

SECRETARY CHRISTOPHER: We'll be consulting with our friends and allies about an appropriate reaction, but we'll also be considering actions that we can take on our own. We will not limit ourselves to a multilateral action, but we'll be considering actions the United States can take on its own.

Thank you very much.

MR. MCCURRY: Let me just tell you how we will proceed now. Several of your questions went to the nature of what we understand about the incident, and we're going to be able to provide you, among other things, a chronology of what we believe developed during the course of the day yesterday. That will be available in moments. We'd like to take about a 10-minute break so we can proceed to a background session -- no cameras, no audio. And we'll do that in about 10 minutes.

Q We are aware of these flights, aren't we? They go on -- these are not spies, are they?

MR. MCCURRY: Well, the flights that occurred yesterday, a flight plan had been filed with the Federal Aviation Administration indicating the route that they planned to pursue. And there is some indication they deviated from that route.

Q Mike, have planes now been grounded anywhere that might be heading towards there? Has anything been said to civilian pilots not to even venture anywhere near Cuban waters until things get --

MR. MCCURRY: Well, that is -- the FAA can say more about that, but they have in the past met with pilots from Brother To The Rescue to inform them about some of the specific concerns related to those flight plans, and they can tell you more about pending action that they have concerning the license of one pilot.

Q Just to clarify -- you said these two planes did deviate from their route plan that they had filed?

MR. MCCURRY: You'll see in the information you'll get in a few minutes exactly what we know about that.

Q Mike, do we expect the President to make a decision on what his reaction will be today?

MR. MCCURRY: The President, as I indicated earlier, will get a very lengthy memorandum describing some of the conversations that the Secretary just told you about. That will go to him, most likely, sometime tonight. He will consider it during the course of the day tomorrow. I'll be in a position to tell you more tomorrow of what the status of his consideration is.

Q Can you give us some kind of range if you can, some sense of the options available to him?

MR. MCCURRY: He has a range of options; I'm not going to comment further than that.

Q There's no one alive in the downed planes?

MR. MCCURRY: The status of the search and rescue operation has been briefed at the Pentagon pretty fully, and you're seeing some comments now reported from those who may, in fact, have been eyewitnesses.

MORE

Q Are you aware that on February the 21st, 1995, was the beginning of the end of the Cuba independent war, and in just one year is the event that put in mind of the Cubans, an event occurred in 1898 in the harbor of Havana --

MR. MCCURRY: Yes, sir. Those who work on Cuban policy within our government are well aware of the history of the island.

Okay, last question.

Q -- are telling us so far about this, about seeing some sort of an explosion?

MR. MCCURRY: Well, you'll see in a minute. We'll begin to provide you with a fairly more detailed analysis than those eyewitness accounts.

Q A question on the Israeli bombing. An indication of the second American -- do you have an identity on the other American?

MR. MCCURRY: I will again refer you to the State Department because they'll handle that the way they normally do.

Q Do you think that this is going to advance the Helms-Burton bill that's in the Senate, especially those who really want to see it approved by the Congress? And what's the White House stand on that bill --

MR. MCCURRY: I don't want to project how the administration might view the Helms-Burton act in light of yesterday's incident. Again, that would be -- if it does, it would fall in a category of things that the President might want to consider. But certainly, our desire to see pressure from the international community and from the United States to achieve the change we wish to see in Cuba has been the hallmark of U.S. policy towards Cuba. It is defined by the Cuban Democracy Act which specifies the nature of the pressure we bring to bear on the government of Cuba to change practices and policies that we consider abhorrent. It is a totalitarian regime that has repressed its people far too long, and the purpose of all the work the President has done with this Congress with bipartisan support as defined within the Cuban Democracy Act is to bring about that change that Cuba so desperately needs.

Thank you, and we'll be on background in 10 minutes.

Q Is Lake going with Christopher, and who's preparing the memorandum of options for the President?

MR. MCCURRY: Mr. Lake at the NSC is overseeing the preparation of the memorandum, and, no, he is not going with the Secretary.

THE PRESS: Thank you.

END

2:30 P.M. EST

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BACKGROUND BRIEFING BY
SENIOR ADMINISTRATION OFFICIALS

The Briefing Room

2:35 P.M. EST

SENIOR ADMINISTRATION OFFICIAL: Hi. I'm going to walk through a carefully prepared script and take a few questions afterwards. Let me start.

Information from U.S. Customs indicates that two U.S. civilian aircraft shot down by a Cuban MiG 29 were in international airspace. The lead plane, however, which returned safely to Opa Locka did enter Cuban airspace as part of an operation conducted by the Florida-based emigre group, Brothers To The Rescue, which I will refer to as BTTR from here on in -- not BCI or BNL, but -- (laughter.)

Q Are you saying there were three planes, and one went into the airspace?

SENIOR ADMINISTRATION OFFICIAL: Yes, let me walk through it. The MiG 29 apparently made no effort to contact the emigre pilots, wag its wings, or escort them from the area before requesting permission to fire. As you know, the U.S. government has determined that this action by the Cubans was in violation of international law.

Now I'm going to walk you through a time line of events as we understand them at this moment in time. Some of these details may change, and there will be more details available tomorrow, I believe, but this is where we are at this moment.

Yesterday roughly from the 10:00 a.m. to noon time frame, during the hours leading to the shoot down we know that Cuban fighter aircraft had been conducting air patrols in reaction to what they believed to be an incursion of Cuban airspace. We know that the Cuban aircraft returned to their base making no contact with any aircraft.

In the 1:15 to 2:00 p.m. time frame we know that according to U.S. Customs three BTTR aircraft took off from Opa Locka Airfield in Florida. The next event is at 2:57 p.m. The BTTR aircraft contacts the Havana civilian air traffic controller and informs them that the BTTR aircraft plans to operate south of the 24th Parallel. The Cuban air traffic controller informs the aircraft of the danger

involved in operating south of the 24th. The BTTR aircraft made it clear that it was aware of the danger, but flying in anyway.

At 3:01 p.m. we believe that the three BTTR aircraft were operating south of the 24th Parallel. At 3:09 p.m. we believe that one MiG 23 and one MiG -- Cuban, they're both Cuban -- MiG 23 and MiG 29 Cuban aircraft are airborne. At 3:18 p.m. the lead BTTR aircraft -- I'll refer to as aircraft one, this is the aircraft which later returned to Opa Locka safely -- is approximately one nautical mile north of Cuban airspace and heading south. The other two BTTR aircraft are approximately eight nautical miles north of Cuban airspace and heading east.

At 3:20 p.m. the MiG 29 reported the sighting of a small red, white and blue aircraft flying at a low altitude. The MiG pursued and identified the aircraft as a Cessna 337. At 3:22 p.m. we believe that the lead BTTR aircraft, aircraft one, penetrated three nautical miles into Cuban airspace. At 3:24 p.m. the MiG 29 pilot requested and received permission to destroy the second aircraft. The pilot quickly noted that the aircraft had been shot down. This occurred approximately five nautical miles north of Cuban airspace.

At 3:31 p.m. the MiG pilot noted another aircraft in sight, requested permission, received permission and reported the third aircraft destroyed. This occurred approximately 16 nautical miles, I guess, north of Cuban airspace.

This is a preliminary set of times and information, as I said when I began. More accurate times and additional information I hope will be available tomorrow. And that concludes my prepared remarks.

Q When the Cuban air patrols took place in the morning, because they apparently believed that there had been some violation of Cuban airspace, the Cuban Interest Section is putting out now a statement from the foreign ministry saying that these particular planes or some other planes from this group had violated Cuban airspace in the morning. Do we know anything about that?

SENIOR ADMINISTRATION OFFICIAL: I have no other information about this morning event.

Q Is it possible that this would have taken place and we would not have known about it?

SENIOR ADMINISTRATION OFFICIAL: I simply don't know the answer to that question. I don't have any more information about that.

Q Does the U.S. follow all such planes like this headed south on radar? Is there an indication of -- radar indication of what happened?

SENIOR ADMINISTRATION OFFICIAL: My assumption is that we pay careful attention to air traffic in this region, people file flight plans and we pay attention to them.

Q Would there have been a warning that you received if these guys were straying too close to Cuba? Would that have sent up a red flag where the Coast Guard or somebody would have been notified?

SENIOR ADMINISTRATION OFFICIAL: You'll have to ask the FAA how they operate in this instance.

Q There's an international law question which may be beyond the scope of what you know, but if the first --

SENIOR ADMINISTRATION OFFICIAL: The CIA doesn't do international law. (Laughter.)

Q If the first plane violates Cuba --

SENIOR ADMINISTRATION OFFICIAL: As you all know. (Laughter.)

Q If the first plane violates Cuban airspace, okay, that's a violation of international law. Does the MiG have a hot pursuit option under law?

SENIOR ADMINISTRATION OFFICIAL: I do not know the answer to this question.

Q Can you take that?

SENIOR ADMINISTRATION OFFICIAL: I'll entertain that later.

Q One plane came back safely?

SENIOR ADMINISTRATION OFFICIAL: Yes, ma'am.

Q And it was able to report on all this and give you the time sequence?

SENIOR ADMINISTRATION OFFICIAL: My assumption is just the pilot is being debriefed and more information will be available.

Q And the only one that actually entered Cuban airspace is the only one that came back?

SENIOR ADMINISTRATION OFFICIAL: Throughout this -- I can only tell you that we know when the two other planes were shot down that they were not in Cuban airspace. I know that they may have come close to being in Cuban airspace prior to this time, but I have no information to indicate that they actually entered Cuban airspace.

Q Did they try to rescue them in any way after they had been shot down?

SENIOR ADMINISTRATION OFFICIAL: I'm not familiar with all the details of the search and rescue.

Q Doesn't Cuba claim 12 miles of their own space?

SENIOR ADMINISTRATION OFFICIAL: Yes, sir.

Q They do?

SENIOR ADMINISTRATION OFFICIAL: And we're talking about beyond this -- beyond that limitation is where these events occurred.

Q And is that where the airspace begins, 12 miles from the coast of Cuba?

SENIOR ADMINISTRATION OFFICIAL: Yes, that's correct.

Q And what's the distance between the 24th Parallel and that space?

SENIOR ADMINISTRATION OFFICIAL: On the question of the Cuban ADIZ, the Air Defense Identification Zone, they claim a primary ADIZ that goes out to 12 miles, which is the territorial limit that they claim. They also claim an ADIZ that goes up to the 24th Parallel, similar to the United States -- we have an Air Defense Identification Zone that ranges out 200 miles from our coastline. So they -- below the 24th Parallel they would notify -- as Havana Center did notify these pilots that they were operating in an area that they considered dangerous.

Q Twelve miles is not the 24th Parallel?

SENIOR ADMINISTRATION OFFICIAL: No, 12 miles is the territorial limit that goes -- that tracks the coastline of Cuba, and the 24th Parallel -- the secondary ADIZ goes up to that.

SENIOR ADMINISTRATION OFFICIAL: If you looked at a map, depending -- it's not uniformly the equidistant from any point, but it could be between 40 and 60 miles, the delta between.

Q Could you just explain what's international airspace and what's Cuban airspace?

SENIOR ADMINISTRATION OFFICIAL: You can -- the customary international law in aviation allows nations under similar aviation procedures to establish these air defense identification zones in which individual nations pursue procedures that they follow. We do the same thing ourselves, so that's why they were -- the Havana air traffic controllers were then in contact with the pilots.

I want to make one comment on the aspects of international law that we've looked at with respect to this. The Chicago Convention, which dates back to 1944, governs international civil air traffic. And under that Convention it's quite clear that individual nations who are party to that treaty -- and the United States is and so is Cuba -- are required to exercise due regard for the safety of civil aviation. There are number of steps that have to be taken when civil aircraft are intercepted, including visual identification of the aircraft; an attempt at radio communications; visual communication, which can include flight maneuvers such as tipping of the wings. And there's no indication, as you just heard, that those procedures that are part of customary international law were followed in this instance.

Q When the Secretary said that this was a clear violation of international law, is that what you're talking about -- because the MiGs didn't tip their wings? You're not talking about the fact of whether or not they violated Cuban airspace?

SENIOR ADMINISTRATION OFFICIAL: Where this occurred, whether it was within or outside Cuban territorial airspace is not the issue. These are the clear requirements here, under international law, of what procedures are to be followed if they are intercepting a civilian aircraft.

Q So even though Havana aircraft center --

Q Below the 24th Parallel, it isn't technically in Cuban airspace?

SENIOR ADMINISTRATION OFFICIAL: No, it's in an area of operations in which the Cubans assert some right to warn civilian air traffic of certain dangerous procedures.

Q You said they were warned of the danger and went ahead anyway?

SENIOR ADMINISTRATION OFFICIAL: That's what I said, yes.

Q The fact that they were warned by Havana air control that they were in danger, and they said, yes, we know we're in danger but we're going to continue to do that. In your reading of international law that was not enough, according to that Chicago Convention?

SENIOR ADMINISTRATION OFFICIAL: There is nothing that can justify the steps the Cuban military aircraft took under international law.

Q So if a civilian plane went into American airspace and was warned by American air traffic that -- or whether it was military, civilian -- warning them that this was a dangerous thing to do, they said, yeah, we're going to go ahead and do it anyway -- we would consider it a violation of international law if we shot those planes down?

SENIOR ADMINISTRATION OFFICIAL: We would follow those procedures that are required by the Chicago Convention.

Q And the particular procedures you're saying is that they didn't wag their wings and give them further warning?

SENIOR ADMINISTRATION OFFICIAL: And establish visual identification and there are other ways that you can escort aircraft of that nature to some destination.

Q Are there penalties for violation of the international law?

SENIOR ADMINISTRATION OFFICIAL: Under the Convention, itself, I believe, establishes procedures for resolution of conflicts that are adjudicated by the International Civil Aviation Organization, ICAO. You'll recall that we have just recently settled some claims that resulted from the downing of the Iranian airbus. We take very seriously those claims to compensation and others. Among the range of options the President could pursue, of course, is what type of action that we would seek from the International Civil Aviation Organization or other bodies.

Q You said that they didn't establish visual identification. Are you saying, then, that the planes were shot down with a missile or were they strafed, do you know?

SENIOR ADMINISTRATION OFFICIAL: No, no, no. Those are the procedures -- let me go back to --

SENIOR ADMINISTRATION OFFICIAL: I think we indicated -- first let me say when we talked about out of Cuban airspace, we're talking about 12 nautical miles and within is what we're working from here. The second thing you should know is that this is not the first time this group has flown. So there's a history here and what they -- I don't know whether this is the first and only time they've ever talked to the controller, whether they believe that this is a dialogue that's fairly routine. But you'll have to talk to the FAA, who has some insight into this group and it's previous -- I believe they have some investigation going.

Q What is their mission?

Q With regards to how the plane was downed, do you know whether it was strafed, whether it was a missile?

SENIOR ADMINISTRATION OFFICIAL: They were brought down with air-to-air missiles.

Q What is their mission?

SENIOR ADMINISTRATION OFFICIAL: I have no idea.

Q You have no idea why they fly?

Q Can you rule out that the other two planes crossed into Cuban air space, or did not cross

SENIOR ADMINISTRATION OFFICIAL: I cannot rule it out, no.

Q Can you take us back to 3:22 p.m. on your time line to make it clear which MiG identified which aircraft?

SENIOR ADMINISTRATION OFFICIAL: Well, there's a MiG 23 and a MiG 29, I think I referred to, and at 3:22 p.m. -- excuse me, I'm sorry -- at 3:20 p.m. the MiG 29 reported sighting a small red, white and blue aircraft flying at a low altitude, which I said here, identified as a Cessna 337. At 3:24 p.m. the MiG 29 pilot requested and received permission to destroy the second aircraft. So I think it was the MiG 29.

Q Were planes two and three headed into Cuban air space at the time they were shot down?

SENIOR ADMINISTRATION OFFICIAL: That's not -- as I said, they're well north of their air space, but we do not know the answer to that question.

Q How do you know the stuff with such precision to say it happened at 3:22 p.m. or 3:24 p.m.? (Laughter.)

SENIOR ADMINISTRATION OFFICIAL: Well, is this a question to check how dumb I am in answering a question like that, or the job I'm in? (Laughter.)

Q I mean, you must -- can you give us some idea --

SENIOR ADMINISTRATION OFFICIAL: I went to church this morning. I want you to

trust me. (Laughter.) No, no.

Q You're citing Customs for this.

Q Whether it's electronic or human --

SENIOR ADMINISTRATION OFFICIAL: Customs has provided a great deal of information.

SENIOR ADMINISTRATION OFFICIAL: I want to make one observation. We are providing you some fairly extraordinarily detailed information here and I hope you will understand that there are some limits as to how we can describe our ability to pull together such helpful information.

SENIOR ADMINISTRATION OFFICIAL: Can I go now? (Laughter.)

Q There was a report on one of the wires this morning quoting an unnamed Pentagon official who said that they had information there to suggest that these planes might have been planning to land in Cuba, pick people up and take them out again. Do you have any such information?

SENIOR ADMINISTRATION OFFICIAL: I have no such information.

Q Do we know if they were carrying any leaflets or anything to drop over Havana?

SENIOR ADMINISTRATION OFFICIAL: I'm telling you everything --

Q Why don't we know any of this? Why don't we know what they were going to do?

SENIOR ADMINISTRATION OFFICIAL: I think we know an awful lot about what happened here, and I don't know the answer to that question. I think more information will be available to us over the course of time here.

Q And we know one plane penetrated their air space and the other two may have, we just don't know.

SENIOR ADMINISTRATION OFFICIAL: We just do not know; that's correct.

Q And the lead plane --

Q Why are you so sure about all the other details, but you don't know whether they actually penetrated --

SENIOR ADMINISTRATION OFFICIAL: I can only tell you what I know in very precise terms.

Q The lead plane, the one that did penetrate, now, was that ever targeted or the subject of conversation between the MiGs and their superiors?

SENIOR ADMINISTRATION OFFICIAL: I have no information to that effect.

Q Can you give us details on what these witnesses saw, these people who were on the boat?

SENIOR ADMINISTRATION OFFICIAL: I have not seen any of that reporting. Do you have any of that?

SENIOR ADMINISTRATION OFFICIAL: The Coast Guard may be able to provide you with some information they've had based on discussions they've had with captains of vessels that were in the region. I think most of you know there's also a wire account now quoting some people who were, I believe, on some type of cruise ship in the region who reported seeing some things as eyewitnesses.

Q You've got more than just the cruise ship, you have fishing boat captains and all those other kind of stuff.

SENIOR ADMINISTRATION OFFICIAL: Yes, the Coast Guard has been making efforts to gather what information is available from vessels that were in the region.

Q This question of intent, and you said we don't know what their precise intent was, but does that figure into the administration's response? If these people were doing something or intending to do something that was illegal under international law, and therefore, the Cubans, in their view, they shouldn't have been there -- does that have any influence over whether the administration thinks this -- what the appropriate response would be?

SENIOR ADMINISTRATION OFFICIAL: The question that we would address would be what violations of federal air regulations may have pertained to deviating from a flight plan that had been filed with the FAA. That's what our government would look at in connection with Brothers To The Rescue. We've had concerns in the past about some of the reported deviations from flight plans that they have filed in the past. There have been some incidents, as most people here know, back in January concerning alleged dropping of leaflets over Cuba, so there has been a pattern of activity here that has been of some concern. But we can only speculate, and so we can't speculate about how this incident yesterday related to any of that prior activity.

Q Does flying south of the 24th Parallel deviate from the plan they filed?

SENIOR ADMINISTRATION OFFICIAL: No, the flight plan they filed came south out of Opa Locka and went down to the territorial limits, which is all perfectly proper under international law and under federal air regulations that the United States enforces. And then the return back up to Opa Locka. So they came down -- in other words, the flight plan they filed came down just to the edge of the territorial limit, the 12-mile limit, and then returned back up to Opa Locka.

Q Do Cessnas have black boxes? They don't, do they?

SENIOR ADMINISTRATION OFFICIAL: I don't believe so. Do you know whether Skymasters have black boxes? I was told yesterday it would be unlikely that they would maintain that. It's not a passenger, commercial passenger aircraft. So it's not likely. But what type of flight data recorders they have I do not know.

Q If the Cubans are right and there had been a flight into Cuban air space yesterday morning, and one of the Cuban planes had chased it out or responded in a warning fashion, how would that affect your reading of how international law applies in this particular situation?

SENIOR ADMINISTRATION OFFICIAL: You'll see from the time line that we give you that according to U.S. Customs officials, the three aircraft that took off took off around 1:15 p.m. yesterday afternoon. We have no information that I'm aware of about any flights during the course of the morning yesterday. The flight plans that were filed for these three aircraft and three that I believe did not take off -- there was an original flight plan filed for six aircraft -- was filed at approximately 9:15 a.m. yesterday morning.

Q You can rule out based on that?

SENIOR ADMINISTRATION OFFICIAL: I can't rule out civilian air traffic in that region, but I can just tell you we don't have information to that effect here.

In any event, back to the thrust of our question, Mark, regardless of whether or not these aircraft deviated from the flight plan they filed with the U.S. federal authority, there are customary law, international law provisions that the Cuban government would be required to adhere to, and they did not, which makes this a totally unprovoked and unjustified attack.

Q Beyond condemnation, what will we ask the U.N. to do?

SENIOR ADMINISTRATION OFFICIAL: Well, I don't want to get into the -- this again, we've made it clear to you there are a range of options that we can consider that have been considered and now the recommendations have gone to the President and the President will review them. Once the President reviews them and makes a decision it will be appropriate for us to talk about it.

Q What are some options that were not presented to the President? (Laughter.)

Q Nice try.

Q When will the President have some sort --

SENIOR ADMINISTRATION OFFICIAL: Shortly.

Q Do you mean today?

SENIOR ADMINISTRATION OFFICIAL: I don't expect -- the President, as I just indicated now for the second time, will get this discussion action memorandum late in the day today, and I expect he'll be in a position to say more about it tomorrow.

The chronology that my fellow backgrounder gave out we have available here for you.

Q Since you're on background, can you give us any indication as to what we're considering? Claire's already reported that you've got three things planned -- to cut off long-distance calls, that kind of stuff.

SENIOR ADMINISTRATION OFFICIAL: She can't know and I can't know what actions the President might endorse. A lot of them fall in the range of things that, if you follow the debate about U.S. policy toward Cuba and some of the actions taken in October, it's not hard to imagine what some of the options are. I'll just leave it at that.

Q One clarification. Nautical miles and territorial miles are different. When you talk about -- is it 12 nautical miles?

SENIOR ADMINISTRATION OFFICIAL: I don't know. On law of the sea, is the 12-mile territorial limit, is that a nautical mile?

SENIOR ADMINISTRATION OFFICIAL: Yes.

Q Are they same, nautical and land --

SENIOR ADMINISTRATION OFFICIAL: A nautical mile is longer than a land mile, a little bit longer.

SENIOR ADMINISTRATION OFFICIAL: A little bit longer than a land mile.

Q Did I understand you to say that the MiG also reported the third plane had been destroyed, it was fired upon also?

SENIOR ADMINISTRATION OFFICIAL: This chronology designates the three planes that traveled as Plane One, Plane Two, and Plane Three. Plane One is the one we believe entered Cuban air space and then turned back. Plane Two is the first plane that was destroyed. Plane Three is the second plane that was destroyed.

THE PRESS: Thank you.

END

3:00 P.M. EST

THE WHITE HOUSE
Office of the Press Secretary

BACKGROUND BRIEFING
BY
SENIOR ADMINISTRATION OFFICIALS

February 26, 1996

The Briefing Room

4:12 P.M. EST

SENIOR ADMINISTRATION OFFICIAL: Good afternoon. I'm not going to take much time from here because I'll wait for your questions in a moment. But let me just say a few words about the international efforts that we are making with considerable success to get international support for worldwide reaction to condemn what the Cubans have done.

We're really very encouraged after a couple of days that around the world many countries are expressing to us bilaterally and in international settings their outrage at what the Cuban government did on Saturday; and the fact that it's recognized, I think, throughout the world that this was, as the President said a moment ago, a flagrant violation of international law. Secretary Christopher, who is El Salvador, not only meeting with the government of El Salvador but with representatives of several of the Central American governments, is finding that sentiment in his meetings.

As the President indicated, the European Union just offered a very strong statement of condemnation of the Cuban action. Ambassador Albright, last night in an emergency session of the U.N. Security Council, again found considerable support for the proposition that the Cubans had violated international law and their behavior was outrageous and inappropriate. And Ambassador Albright is also beginning, in a preliminary fashion, discussions at the U.N. Security Council about further measures that could be taken in the form of sanctions. Those conversations have not developed to a large extent, but she is beginning those discussions in New York.

And finally, the United States is seeking condemnation of the Cuban action in the international civil aviation organization in Montreal where, again, the initial reports from this morning -- because in many of these international organizations it was not possible to have such discussions in a formal way until Monday morning -- has indicated a good degree of support.

Now, I think I'll let my colleague talk about some of the bilateral measures that the President announced, and he will take your questions.

SENIOR ADMINISTRATION OFFICIAL: Thanks. Good afternoon.

The question that was raised by these incidents on Saturday is whether our relations with Cuba should change as a result of the downing of two unarmed civilian aircraft, and the answer is, absolutely, yes.

One of the things that we will be doing as Congress comes back this week is moving to make some proposals about how we could reach agreement on the Helms-Burton legislation that will further tighten the U.S. embargo against Cuba.

As you know, the administration has said from the beginning of debate about Helms-Burton that we shared the objectives of promoting a peaceful democratic transition, but we had serious doubts about whether all the provisions of the bill were capable of addressing that goal. And we're going to move very quickly in the next two days to make clear to the Congress some specific ways in which we think we could improve the legislation. I think it's fair to say the President wants to achieve a compromise on Helms-Burton, and we'll try to find a way to do that that advances our interests.

We are also, as my colleague indicated, going to insist through international forum that Cuba both reject its position that it is entitled to shoot down aircraft, civilian aircraft, and to compensate the victims. But we're not going to wait for the Cuban government to acknowledge its responsibility. We will take the frozen assets that we have had in the United States blocked for Cuba for some time and provide a mechanism by which the families can receive compensation if they wish. We'd need legislation to do that, and so we'll make a proposal to Congress, a means to do that.

We have the ability to restrict the movement of Cuban diplomats here in the United States, and we will be moving to do that this week, to make it clear that they are restricted only to certain kinds of activities that are essential for their functions here. And we will also be tightening the criteria that we use for admitting employees of the Cuban government to the United States. We have provisions already in executive authority that allow us to deny entry to any employees of the Cuban government or members of the Communist party, and we will be interpreting that very strictly.

We will increase financial support for Radio Marti, which will allow the radio station, which is listened to by an important segment of the Cuban population, to reach even further into Cuba and to overcome the expensive jamming that the Cuban government engages in to try to block the signal. And we will be able to do that also relatively quickly.

And finally, probably within a matter of hours, we will be moving to suspend all commercial charter flights to Cuba. Obviously, the action that the Cuban government engaged in in shooting down unarmed aircraft does not encourage us to permit further flights to Cuba. And so we will now cut off all U.S.-based charter flights to Cuba starting, probably as I say, within a very short period of time.

Why don't we stop there and invite questions.

Q On Helms-Burton, Republicans are saying today that they don't need to compromise with the President, that they now have the votes to pass it. Would the President veto the Helms-Burton legislation in its current form?

SENIOR ADMINISTRATION OFFICIAL: Well, I've just indicated that the President has said that he wants us to find a good compromise on Helms-Burton. We're going to try to do that. Senator Dole has said that that is one thing that he would like to see happen. So I would hope that on reflection members of Congress would rather have a piece of legislation that has the support and the signature of the President than something that is used for demonstration purposes and never has any possibility of becoming law.

So I hope, as the time passes and they see what we have to offer, that we'll be able to reach some sort of compromise.

Q What parts of the bill do you object to?

SENIOR ADMINISTRATION OFFICIAL: Well, it's no secret that from the beginning of the conversations about Helms-Burton with the Congress, Title III, the title that deals with property, asserting the establishment of a right of action in the U.S. court system for those U.S. citizens who have had property expropriated in Cuba before or after they were U.S. citizens is the problem, the part of the bill that bothers us the most and the part of the bill that the Congress has always insisted on not changing. And that is, in fact, the issue on which the bill was hung up in the Senate the last time.

So I think it's fair to say that that will be a focus of concentration for both sides in trying to work out a compromise.

Q So what's the difference between before and after the shooting? If you objected to that provision then and you object to it now, what's the difference?

SENIOR ADMINISTRATION OFFICIAL: Well I hope the difference is on the part --

Q -- object to it less?

SENIOR ADMINISTRATION OFFICIAL: No, I think the difference is on the part of Congress. I would hope that Congress would want to engage in sending a message of bipartisan repudiation to Cuba and not engage in posturing with a bill that neither serves U.S. interest nor, in fact, the purpose of being tough on Cuba.

Q Is the objection to that is that it would violate extraterritoriality provisions of international law?

SENIOR ADMINISTRATION OFFICIAL: That it would give the Cuban government a tremendous propaganda victory; undermine precisely the international support that we have been developing over the last year, which led to the condemnation widespread last week of the violations of human rights around the arrests of Concio Cubano; now, today, with the condemnation by the EU of the shooting down of the airplane. It's clear that the more we reduce Castro's international acceptance, the better off we are in our attempt to promote a peaceful transition.

Q On two separate occasions the United Nations has voted to urge the United States to get rid of the embargo. What makes you think that the United Nations is now going to support what the United States wants to do, and if it does, that they won't condition it to lifting the embargo

against Cuba?

SENIOR ADMINISTRATION OFFICIAL: Let me make an additional comment on Helms-Burton, and then I'll get to the question. The difference in what the President has instructed us to do today is to be very forthcoming in trying to obtain passage of Helms-Burton. I think up until this point you will know that we have said there are certain parts of it we like, there are certain parts of it we don't like. But the President has given a real impetus to those in the Executive Branch dealing with the Congress on this issue to actively find a forum that is acceptable to both us and to the Congress.

On the question I just received, I think that there is a significant difference in what we can report from the conversations in New York, both with members throughout the United Nations and in the Security Council, despite the differences. And, of course, there have been differences between the United States and a majority of members of the United Nations over overall policy towards Cuba, or the techniques that the United States believe are appropriate for bringing pressure on Cuba.

Nonetheless, this example of a flagrant violation of international law by any standards is meeting with enormous sympathy and support. And for that reason we have every reason to hope and expect that the President's statement, or even a resolution that will come out of the Security Council, will not make reference to the embargo.

Q Are you also grounding the Brothers to the Rescue and their planes?

SENIOR ADMINISTRATION OFFICIAL: The FAA has had a long-term investigation under way, not only against Mr. Basulto, but other pilots, Brothers to the Rescue. In fact, their cases are under appeal, and we have underway a review by FAA of what further actions should be taken as a result of the clear safety threat that's represented by this unlawful action of the Cuban government on Saturday.

So we anticipate that there will be further action, but I can't be more specific today.

Q So the edict on the commercial traffic doesn't have anything to do with the light plane --

SENIOR ADMINISTRATION OFFICIAL: No, that's on commercial charter flights. That's right. This would be --

Q This action has been going on by these Cuban emigres since '91 -- about 3,000 trips. Each one of these tried to evoke us into war. Are you going to let that continue?

SENIOR ADMINISTRATION OFFICIAL: Well, as a nation of laws, we have great difficulty in restraining people from breaking the law, just because they -- ma'am, would you like me to answer your question?

Q Yes, I would.

SENIOR ADMINISTRATION OFFICIAL: We have great difficulty in exercising prior restraint against people for what we think they might do. I'm sure you would like us to keep that a part of our constitutional system. That means we have to proceed lawfully and carefully against people, and it's difficult when people want to violate the law. In fact, just because we would say that people can't take off airplanes legally doesn't mean they can't violate it. But we will be doing things that we think will have the result of lowering the risk for U.S. aircraft in this area.

Q On that point, does the U.S. regard the pilots and crew of those two airplanes as totally innocent victims?

SENIOR ADMINISTRATION OFFICIAL: There is no justification under international law for shooting down an unarmed civilian aircraft. It doesn't matter where it is. It's the nature of the aircraft and what it is doing. And this is a clear violation of international law. There is no justification.

Q Even if the crews ignored a specific radio transmission warning them to stay out of a certain area?

SENIOR ADMINISTRATION OFFICIAL: Absolutely. Cuba has no right to shoot down civilian, unarmed aircraft.

Q What is the amount of money in frozen Cuban assets in the U.S.?

SENIOR ADMINISTRATION OFFICIAL: There's something around \$100 million.

Q And how much compensation could these families be likely to expect based on actuarial settlements or --

SENIOR ADMINISTRATION OFFICIAL: That's exactly what you said. It's an actuarial problem that when one looks at the life expectancy of these people -- I don't want to get into the grim details of people who have lost their lives and their families are grieving right now. The point of this is not compensation to the families. The point of this is that this is Cuban government money that will never go to Cuba. It is never going to be seen by the Cuban government.

Q To what extent -- how does the suspension of the charter flights --

Q Can you talk to us a little bit about how many people have been going since October on charter flights? Can you tell us whether or not Cuban families -- Cuban family members can still go back automatically once a year whether academics; whether other researchers, human rights activists can go just by going now through Mexico or through Canada? Or are they going to have to now apply to the Treasury Department again and have a specific license? What does this do for travel to Cuba?

SENIOR ADMINISTRATION OFFICIAL: Well, first, journalists' licenses will continue, but you won't be flying from Miami any longer. The point of the stopping of the charter flights is specifically to the violation of international law committed by the Cuban government in the shooting down of the planes. We don't want U.S. planes flying into Cuba.

But we had a clear discussion and examination of the kinds of pressure that our so-called "track two" program has been putting on the Cuban government domestically. And it was the feeling of all of the advisors of the President and, ultimately, the President himself that in fact we have the Cuban government on the defensive. Some of these outrageous acts against Concilio are a demonstration that what we are doing is working, and we will continue that.

But, frankly, I would hope that Cuban Americans and many others who are concerned about Cuba would question whether they should be flying into Cuba from any place in the world right now.

Q How many people have gone since October on these charter flights? How much loss of revenue does this mean, and does this mean that as a Cuban American or human rights person or an academic, all you have to do now is just go to a third country to get to Cuba? And will you automatically have a license from the Treasury Department to travel?

SENIOR ADMINISTRATION OFFICIAL: No, there are no automatic licenses, except for

U.S. government officials and the once-a-year humanitarian license that exists for Cuban American families. There have been increases in the charter flights from Miami, as those of you who have followed this are witness to. We aren't sure how much of it was due to a backlog that we had of many people who had applied for licenses and had not been able to receive them, how much it is people who used to go illegally without asking for a license from third countries and now all of a sudden are showing up in Miami where there was more access.

It is always difficult to enforce an embargo if people won't comply with it, particularly the Cuban-American community itself. And that's why we hope there will be voluntary compliance by Cuban Americans with this provision. But the basic licensing structure that was put in place on October 6th still exists. We believe that the program of support for the Cuban people is, in fact, having important effects inside Cuba. We are not going to abandon the human rights groups and dissidents and other independent groups that have, in fact, developed in response to this greater contact with the people of the United States.

Q How many flights does this affect?

Q -- will see more refugees coming? Have you gamed out that scenario, as to what would happen?

SENIOR ADMINISTRATION OFFICIAL: I don't want to get into future plans either about migration or military issues. But we're always thinking about the worst that could happen, as well as hoping for the best.

Q Could you be a little more specific about numbers, sir?

Q How many flights, how many people have been going since October?

SENIOR ADMINISTRATION OFFICIAL: I'd be happy -- we could try to get that information for you, but I don't have the total number since October. There are about 120,000 to 140,000 people that travel from the United States to Cuba in a given year. I think that's probably for '95, in fact. This is not a huge number of people. It's significant, but not huge.

And how much of that has been since October, I can't say. There was an article in the Miami Herald that perhaps my colleague would be happy to give you copies of that has more specific figures than I had ever seen.

Q Can I ask you a question, though, about --

SENIOR ADMINISTRATION OFFICIAL: Yes. Since I gave you a plug at least.

Q I appreciate that. The pro-engagement policy on track two that remains intact. The United States continues to seek people-to-people contact to build --

SENIOR ADMINISTRATION OFFICIAL: Yes. There's no question that this outrageous action by the Cuban government on Saturday and a parallel action against the Cuban people on the island rounding up dissidents puts a chill in the overall relationship -- and should. But we continue to believe that we have to reach out to the Cuban people around their government, especially when it demonstrates more and more to the international community its illegal and unethical actions with regard to human life.

Q The Cuban American delegation, a visit to the White House, what is their opinion of the --

SENIOR ADMINISTRATION OFFICIAL: Well, I'm sure that they'll provide their views directly to you. They've never been shy about expressing themselves. (Laughter.)

Q Well, what --

SENIOR ADMINISTRATION OFFICIAL: I had a brief meeting upstairs with people, and I'm going to see a larger group of Cuban Americans at the State Department in an hour or so. And I'd rather reserve comment until I receive the full weight of their views.

Q What do you know about this --

Q -- restrictions actually punishes more the people than the Cuban government?

SENIOR ADMINISTRATION OFFICIAL: Well, that's a basic problem that we face in dealing with Cuba -- that you have a government that's willing to hold 11 million people hostage in defense of its own behavior. And so we believe, and I think the President expressed himself very clearly, that he wanted these measures focused as tightly as possible on the Cuban government.

And I think if you look at these measures you will see that they are significant and that they do just that -- they hit the Cuban government more than the Cuban people, which we think is important.

Q Were there charter flights allowed from Miami before October, so is this a narrow -- in the narrow sense, a roll-back of that October easing, or was that --

SENIOR ADMINISTRATION OFFICIAL: Well, there were charter flights, there have been charter flights allowed for a long time between the United States and Cuba. The number of people who were licensed to use them was quite restricted -- yourselves, journalists, yourselves, government officials, academic researchers -- a relatively small number of people.

In October, a larger number of -- a larger group of categories was permitted, as well as this once-per-year exemption for Cuban-American families with emergencies. So the authorization of charter flights has existed for quite some time. That now stops totally. Whether there's demand or not, there are no charter flights indefinitely from Miami or any other place.

Q How does that affect Cuba's pocketbook?

SENIOR ADMINISTRATION OFFICIAL: In the short term, it should have a dramatic impact. It should reduce revenues to the Cuban government significantly, especially if those people who cannot fly from Miami decide to voluntarily exercise restraint and not go to Cuba. It could send a very important message.

Q You seem to be using "commercial" and "charter" interchangeably. What you really mean is a charter flight.

SENIOR ADMINISTRATION OFFICIAL: Commercial charter flight, yes.

Q And how much money is the President asking for Radio Marti?

SENIOR ADMINISTRATION OFFICIAL: I'd rather not give you a specific number. It's not -- we're talking about millions, a couple of million dollars per year. We're not talking about tens of millions of dollars per year.

Q And what's that supposed to accomplish, specifically?

SENIOR ADMINISTRATION OFFICIAL: Well, Radio Marti is -- if you have gone to Cuba -- I can't remember if you have -- you know, if you ask people, a lot of people get their main source of news from Radio Marti. In fact, that's the way they heard about the incident on Saturday. It took a long time for the Cuban government to say anything about it publicly.

Cuba engages in jamming, more and more expensive jamming all the time. And this increased power and widening the band width allows the signal to reach more parts of the island for more hours during the day than before. It provides information. It provides support for on-island groups. It provides information about how to start your own business, how to be -- have an independent lawyers' group. There's lots of information that's provided by Radio Marti that's very important for democracy promotion.

Q Specifically, the money will be used to increase power and widen the band?

SENIOR ADMINISTRATION OFFICIAL: That's right.

Q But you're still allowing the money transfers and telephone service -- money transfers, telephone service, communications?

SENIOR ADMINISTRATION OFFICIAL: Let me be clear about that. Money transfers is different from everything else you've mentioned. The only reason for which anyone in the United States can send remittances to Cuba is to pay visa fees or for humanitarian exemption. If you know anyone who is sending money to Cuba, not in one of those two categories, with a prior license, please call the Treasury Department and report them. They're violating the law.

For the rest of track two, for contact -- people-to-people contact, for yourselves, for journalists, for academic researchers and so on, you will still be able to obtain a license to go to Cuba as you were after October 6th.

Q What sanctions do you want the Security Council to pass?

SENIOR ADMINISTRATION OFFICIAL: Well, there are two actions that Ambassador Albright is pursuing -- Security Council. As I mentioned, the first, which she initiated last night, was to get a statement by the President of the Security Council expressing the unanimous view of the 15 members that a flagrant violation of international law has occurred.

Subsequent to that, she will begin discussions with the members of the Security Council about a broader sanction regime. And without giving specifics, because we have not made any firm decisions. We'll be looking at sanctions which are appropriate to the lawless act of the Cuban government affecting Cuban airlines, travel by air in and around Cuba. Those are the kinds of categories of sanctions --

Q Restricting Cuban aviation internationally?

SENIOR ADMINISTRATION OFFICIAL: Those are the kinds of categories that we'll be looking at on the sanctions front.

Q -- diplomatic relations?

SENIOR ADMINISTRATION OFFICIAL: One at a time, please.

Q Are the Russians being helpful or unhelpful in this --

SENIOR ADMINISTRATION OFFICIAL: The only conversation with the full counsel took place last night, because the business meeting which was scheduled today is proceeding on other grounds. But I can say that all of the members of the Security Council, including, of course, the Russians, were very concerned at the obvious serious breach in international law; that was very much of the spirit of the discussion last night that Ambassador Albright reported.

Q Excuse me. Why aren't you going to the OAS among the other --

SENIOR ADMINISTRATION OFFICIAL: Because we think that the Security Council is a higher-profile organization and we're looking for condemnation not only within the hemisphere, but throughout the world, and that's why the Security Council is the first focus for this.

Q What sort of warning, if any, did we get from the Cuban Interest Section here about the probability or possibility, specifically, that something could have occurred on this particular date, that based on Cuban somehow, you know, knowledge or infiltration of their Brothers to the Rescue that they had any indication that there might be provocative flights on that day?

SENIOR ADMINISTRATION OFFICIAL: Well, they want to amplify this, because he, of course, follows the cable traffic, too, that we all look at. For some time, the Cuban government, of course, has expressed its concern about flights which they regarded as violations of their territory; whether or not these flights took place, whether or not the flights were in every case as alleged by the Cubans' actual violations.

What we have done constantly since these flights began some time ago is to say two things: First of all, that there's a legal action that the United States is pursuing, and that's what my colleague and others have talked about. We are a country of laws; it's much more complicated to pursue people by virtue of their intentions in this country compared to Cuba. But the United States takes these potential violations of international law very seriously. And, second point, that the Cubans have to be mindful of the fact that there is international law that applies to the way they handle these flights if they choose to react, and we counseled restraint and we pointed out very forcefully over a period of many months what we believe their obligations to be.

Q Did they give us any warning of an anticipation of an attack of a flight on this particular day?

SENIOR ADMINISTRATION OFFICIAL: There was, to my knowledge, no specific warning except that they have been constantly on alert because flights of this sort have been coming for some time, as you know.

Q Did the government warn the Cubans that there was a flight imminent on this day?

SENIOR ADMINISTRATION OFFICIAL: No, the -- it depends on what you mean by warning. I think you have seen reports that the FAA files a flight plan routinely that it receives for all aircraft, not just small private aircraft that fly in the vicinity of Cuba, and prior flotillas that had had some air overflight associated with them that were announced in advance and publicized in great detail. We had made specific public warnings, both to those participating in the flotilla and to the Cuban government to exercise restraint, not violate international law. But nothing like that second thing occurred on Saturday.

Q The Cuban government this afternoon said that they have now picked up debris in their territorial waters from these two planes, and challenge the United States to come up with any debris in international waters. The President, when he made a statement, again talked about these planes having been downed over international airspace. How do you reconcile these two things?

SENIOR ADMINISTRATION OFFICIAL: One side is right and the other side is wrong. That's how I reconcile them. We're right and the Cuban government is wrong, and we will be happy to present this information to any international forum so that they can make their own evaluation.

SENIOR ADMINISTRATION OFFICIAL: Yes, I think we did present a briefing last night to the Security Council of everything that we had. And as my colleague indicated, if other international organizations or the Cuban government, for that matter, wants to be informed in whatever detail they desire about the information we have, we're prepared to present it there, as well.

Q What about the renegade pilot that they say they have?

Q Have you made all this information public, or is there further documentation on it?

SENIOR ADMINISTRATION OFFICIAL: Yes. I mean, basically, the background briefing that occurred -- what was it, Saturday -- Saturday --

Q Does that include photos?

SENIOR ADMINISTRATION OFFICIAL: There are various electronic reading of what took place. But, essentially, yes, we have made this all available.

Q Were these same planes warned in the morning not to -- and went back in the afternoon? Has that been acknowledged?

SENIOR ADMINISTRATION OFFICIAL: We are aware of the Cuban government assertion that there were planes in this area earlier in the day. We have no information to indicate that that is the case. But I can't get into much more detail about it than that.

Q What about the pilot that they say they've now got from Brothers to the Rescue?

SENIOR ADMINISTRATION OFFICIAL: Well, we eagerly anticipate his information, and we suspect it will not be -- it will be supportive to the Cuban government's case. Let me just respond that way.

Q Well, do you have information that Brothers to the Rescue has a missing pilot other than from the downed flights?

SENIOR ADMINISTRATION OFFICIAL: We don't have any -- there are no missing pilots, there was no one picked up in the water, there was no one who landed in Cuba on Saturday that we aren't aware about. But we are aware that there may be a member of Brothers to the Rescue -- a former member of Brothers to the Rescue in Cuba at this time.

Q A defector? He defected?

Q How do you think this will impact the immigration accord in that if we accuse this of being a government that has no regard for the rule of law and at the same time send refugees who are fleeing that country back to that country?

SENIOR ADMINISTRATION OFFICIAL: Well, we expect that it will have no effect on the Cuban government's fulfillment of the immigration agreement. It's something that is working in the interest of both countries. That's why we monitor returned refugees, returned rafters ourselves

directly, because we do not trust in the behavior of the Cuban government and we have had a small number of problems with people who have been returned as a result of this policy. But by and large, it's worked to save lives and protect immigration flows in a safe and orderly fashion.

Q Why did the Clinton administration rule out a military response at this point? Was it seriously discussed?

SENIOR ADMINISTRATION OFFICIAL: There were all options examined by the President's advisor and by the President. And I think the phrase you used, "at this time," is what was indicated in the President's statement, that he felt that this package of measures that he announced today was an appropriate response, but we continue to watch the situation.

Q Does this incident render the administration's Cuba policy a failure?

SENIOR ADMINISTRATION OFFICIAL: No, despite what -- I think I saw you at 7:00 this morning say that a senior official had said that. The United States is receiving more support internationally for its policy from other governments, as the journalists here are quick to point out -- a rarity in U.S.-Cuba policy. We've seen the development on the island for the first time in 30 years of an umbrella organization of all human rights groups, including those who support Helms-Burton and oppose Helms-Burton; and an equally amazing phenomenon, the development in Miami and New Jersey of widespread support group for those on island activities.

I think that the regime in Cuba is acting desperate, precisely because it doesn't know how to cope with a policy that emphasizes peaceful, democratic transition, support for independent actors on the island, and has made it clear that we want to see a peaceful transition on Cuba -- apparently a transition that the Cuban government has no interest in.

Thank you.

END

4:32 P.M. EST

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

February 26, 1996

STATEMENT BY THE PRESIDENT

The Briefing Room

4:00 P.M. EST

THE PRESIDENT: Good afternoon. Two days ago, in broad daylight and without justification, Cuban military aircraft shot down two civilian planes in international airspace. Search and rescue efforts by the Coast Guard, which began immediately after we received word of the incident, have failed to find any of the four individuals who were aboard the airplanes.

These small airplanes were unarmed and clearly so. Cuban authorities knew that. The planes posed no credible threat to Cuba's security. Although the group that operated the planes had entered Cuban airspace in the past on other flights, this is no excuse for the attack, and provides -- let me emphasize -- no legal basis under international law for the attack. We must be clear: This shooting of civilian aircraft out of the air was a flagrant violation of international law. It is wrong and the United States will not tolerate it.

Saturday's attack is further evidence that Havana has become more desperate in its efforts to deny freedom to the people of Cuba. Also on Saturday the Cuban Council, a broad group that wants to bring democracy to Cuba, had planned a day of peaceful discussion and debate. Instead, in the days leading up to this gathering, scores of activists were arrested and detained. Two have already been sentenced to long prison terms. They join about 1,000 others in Cuba who were in jail solely because of their desire for freedom. Now the downing of these planes demands a firm response from both the United States and the international community. I am pleased that the European Union today strongly condemned the action.

Last night, on my instructions, Ambassador Albright convened an emergency session of the United Nations Security Council to condemn the Cuban action and to present the case for sanctions on Cuba until it agrees to abide by its obligation to respect civilian aircraft and until it compensates the families of the victims.

Today, I am also ordering the following unilateral actions. First, I am asking that Congress pass

legislation that will provide immediate compensation to the families, something to which they are entitled under international law, out of Cuba's blocked assets here in the United States. If Congress passes this legislation, we can provide the compensation immediately.

Second, I will move promptly to reach agreement with the Congress on the pending Helms-Burton Cuba legislation so that it will enhance the effectiveness of the embargo in a way that advances the cause of democracy in Cuba.

Third, I have ordered that Radio Marti expand its reach. All the people of Cuba must be able to learn the truth about the regime in Havana -- the isolation it has earned for itself through its contempt for basic human rights and international law.

Fourth, I am ordering that additional restrictions be put on travel in the United States by Cuban officials who reside here, and that visits by Cuban officials to our country be further limited.

Finally, all charter air travel from the United States to Cuba will be suspended indefinitely.

These deliberate actions are the right ones at this time. They respond to Havana in a way that serves our goals of accelerating the arrival of democracy in Cuba. But I am not ruling out any further steps in the future, should they be required.

Saturday's attack was an appalling reminder of the nature of the Cuban regime -- repressive, violent, scornful of international law. In our time, democracy has swept the globe, from the Philippines exactly 10 years ago, to Central and Eastern Europe, to South Africa, to Haiti, to all but one nation in our hemisphere. I will do everything in my power to see that this historic tide reaches the shores of Cuba.

And let me close by extending on behalf of our family and our country our deepest condolences to those in the families of those who lost their lives.

END

4:03 P.M. EST