

# Exile Group Was Veering Into Tragedy

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Anyone watching the growing confrontation in recent months between Cuban authorities and the exile group Brothers to the Rescue could see, as U.S. officials now say they did, a disaster in the making.

But reviewing the record yesterday, Clinton administration officials said there had been few avenues open to them to try to avert Saturday's bloody denouement in the skies off Cuba, apart from attempting to counsel both the Brothers and the Cuban government against rash action.

In Miami yesterday, Brothers' members insisted the Saturday flights, in which four men are believed to have died when their two small planes were shot down by a Cuban jet fighter, had no intention of flying over Cuba. But Billy Schuss, a founder of the group, acknowledged that Brothers' flights had gone inside Cuban airspace in the past, and would not rule out doing so again in the future.

Even as Cuba intensified its warnings starting last summer against additional

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penetrations of its airspace by Brothers' aircraft, the group continued to skirt or fly into Cuban territorial limits. Diplomatic protest after diplomatic protest from Cuba was answered by assurances from the State Department that U.S. officials did not condone the flights and were taking steps to restrain the Brothers.

But the measures consisted of little more than repeated meetings with members of the exile group, warning of the personal danger to them of flights into Cuban airspace and the legal requirement to observe national boundaries. The sole administrative sanction related to past incursions—a move by the Federal Aviation Administration to suspend the pilot's license of the group's leader—has dragged on for more than half a year with no resolution.

"The point was often made in interagency meetings that if someone wants to recklessly endanger himself, there wasn't much we could do," a State Department official said.

Yet the group's ill-fated trip has ended up generating consequences far beyond the personal tragedies for those involved, exploding into a major diplomatic and political dilemma for the Clinton administration. While U.S. officials have condemned Cuba's decision to shoot down two Brothers' aircraft as brutal and unjustified, they acknowledge the flights had been an issue for months in diplomatic cables between Washington and Havana, with Cuba making no secret of its mounting annoyance over what U.S. officials agree were violations of Cuba's legitimate rights.

A series of four diplomatic notes from Cuba to the United States chronicle what Cuban officials say were at least nine violations of their airspace by Brothers' aircraft flying from Florida between May 1994 and January this year. A chronology provided by the State Department yesterday listed numerous instances since last July in which U.S. officials warned Brothers and other exile groups of the risks of unauthorized entry into Cuban territorial airspace or waters.



**Jose Basulto, left, and co-pilot Adalberto Lares react to success in a 1993 mission. Basulto, co-founder of Brothers to the Rescue, flew the lead plane Saturday that U.S. officials say penetrated Cuban airspace.**

FILE PHOTO BY TOM SALVER FOR THE WASHINGTON POST

At the same time, the United States delivered several diplomatic cables in that period cautioning the Cubans against using excessive force in responding to any violations of its territorial limits.

Last August, the FAA announced it was moving to suspend the pilot's license of Jose Basulto, co-founder and president of the Brothers, for flying into Cuban airspace on July 13 without permission and dropping bumper stickers with the Brothers to the Rescue logo.

But six months later, the case is still pending. FAA officials say they are awaiting further documents from Cuban authorities to sustain the allegation of unlawful entry. Basulto flew the lead plane Saturday that U.S. officials say penetrated Cuban airspace; it was the only one of the three planes not shot down.

The only other enforcement action against a Brothers member that FAA officials could recall yesterday involved a 90-day suspension of Carlos Ernesto Gartner's license for clipping the mast of a ship off Cuba's coast. The incident occurred in June 1994; the case is on appeal.

The slow pace of the FAA's action frustrated some administration officials who had been hoping a swift if limited administrative sanction might help dampen future flights by the Brothers.

"The top leadership at the Department of Transportation had appeared seized by the need to do something," said an official in another department, "but by the time it got down to the working level at the FAA, things just poked along."

Other possible actions to restrain the Brothers were considered in interagency sessions, according to participants. Prosecution under the Neutrality Act, which prohibits participation in armed invasions, was ruled out as too great a stretch. So were criminal proceedings based possibly on allegations of repeated violations of FAA regulations by the Brothers.

"On first effort, you don't begin with the criminal blunderbuss in a case like this," said a senior administration official.

FAA officials spoke yesterday of several meetings they had held with members of Brothers dating back to 1993 to stress the importance of adhering to international regulations and honoring Cuban airspace.

"Our focus was on aviation safety, making sure their flights were performed as safely as possible," a senior FAA official said. "We also stressed the importance of observing international boundaries."

According to Schuss, inspiration for the organization came in 1989, when a young Cuban

who had fled the island in a flimsy raft died in the arms of U.S. Coast Guard rescuers. Schuss and Basulto started flying a plane over the Florida Straits looking for rafters, and giving their locations to the Coast Guard. But after the exodus of rafters slowed to a trickle last year following a policy change by the Clinton administration to discourage them from leaving, the mission of Brothers to the Rescue began to change as well, becoming more provocative and confrontational toward the Cuban government.

Although the Brothers organization insists it is non-violent, the involvement of Basulto, 55, has long been a red flag to the Cuban government, which has labeled him a "terrorist." A veteran of the aborted 1961 Bay of Pigs invasion of the island by CIA-trained Cuban exiles, in 1962 he sailed a high-speed boat mounted with a semi-automatic cannon from Miami into Havana harbor and shelled a hotel where Soviet advisers were believed to be staying.

In the 1980s, Basulto joined with other Cuban Americans to organize aid for Nicaraguan opposition guerrillas, or *contras*, trying to overthrow that country's government.

*Staff writers William Branigin, in Miami, and R. Jeffrey Smith, contributed to this report.*