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ANNALS OF DIPLOMACY

BACKFIRE

Two years ago, the Clinton Administration wanted to make a historic change with Cuba. But something went terribly wrong.

BY CARL NAGIN

ONE of the more unusual partnerships in recent American diplomacy has been that between Bill Richardson and Peter Bourne. Richardson, a former congressman from New Mexico who is now the United States Ambassador to the United Nations, was once called the Red Adair of American diplomacy in honor of his sometimes unconventional missions. Bourne, a psychiatrist by training, was President Carter's special envoy on world health and hunger issues, and he continued those efforts in the late seventies and early eighties at the United Nations, as an assistant secretary-general. He has had a passion for issues involving Cuba; in 1986, he wrote a psychobiography of Fidel Castro:

Bourne has been described as a person who exaggerates his own role in events. "He is a self-appointed emissary to nations categorized as rogue," says a Washington intelligence expert who knows Bourne. "He has a sort of European social-democrat approach in terms of political tolerance. He almost defies description." Yet Richardson has found Bourne "great at moving the bureaucracy in Washington," and came to rely on him for assistance. In 1995, Bourne helped get access to Saddam Hussein, and in July of that year he and Richardson travelled to Baghdad together to secure the release of two American aerospace workers who had been captured by the Iraqis after wandering over the Kuwaiti border. Richardson and Bourne subsequently collaborated on a number of such efforts in Iran, the United Arab Emirates, Kenya, and North Korea, where Richardson helped win the release of an American lay preacher who had crossed to the wrong side of the border. "Many of

these foreign leaders know that I'm close to the Administration, that I can talk to them, but I'm not a member of the Administration," Richardson said in a radio interview in early 1996.

In late 1995, at a time when Amer-



Bill Richardson met twice with Castro in Havana but denies that the two made any deal.

ica's Cuba policy was foundering, Richardson and Bourne both turned their attention toward Havana, in the hope of improving relations with Cuba. Richardson says that the Cubans had been asking him to visit Havana for some time, and in January of 1996 he made the first of two trips to Cuba. There he met with Fidel Castro and other government officials. But this new initiative was halted a month later, when two planes piloted by Cuban exiles who called themselves Brothers to the Rescue were shot down over the Straits of Florida by the Cuban Air Force. Outrage over the deaths of four men greatly increased antagonism toward the Castro regime and forced the Clinton Administration to reverse its Cuba policy.

Bourne and Richardson have now ended their informal partnership, and

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perhaps their friendship; they offer very different explanations of what happened in the months leading up to the downing of the planes. Bourne, who was not in Cuba at the time of the meetings, says that an agreement was reached between Richardson and Castro: in exchange for the release of political prisoners, he says, Richardson conveyed assurances to Castro that the United States would take steps to end incursions of Cuban airspace by Brothers to the Rescue. Richardson says that nothing of the sort was ever discussed, although he acknowledges that the Cubans raised the matter of the overflights. He describes his visits in limited terms—as an effort to resolve humanitarian questions, and in particular to win the release of the political prisoners.

The Brothers had been an embarrassment to the Castro regime for years. Since 1991, the group had helped save thousands of Cuban refugees by dropping orange flares and guiding Coast Guard ships to their locations by radio. The Brothers' leader, a Bay of Pigs veteran named José Basulto, was a pilot with singular credentials: In August of 1962, he took part in an attempt to assassinate Castro. Thirty years later, the Brothers' missions, which were seemingly beyond anyone's control, had made Basulto a Miami media star.

Today, Bourne and Richardson even disagree about whether the executive branch approved of the Cuba mission. Bourne says that they had direct approval from President Clinton, from his then national-security adviser, Anthony Lake, and from other intelligence officials. Richardson, in the 1996 radio interview, acknowledged that in the past the President, the Secretary of State, and others had been cooperative. "I'm following their advice, although they have deniability and I'm sure if I screw up they won't know who I am," he said. But Richardson insists that the executive branch was not involved in his efforts in Cuba.

CUBA has bedeviled every American President since Dwight D. Eisenhower. It began shaping up as a political battle for President Clinton in 1995, when Under-Secretary of State Peter Tarnoff initiated secret talks with the Cuban government—talks that led to a migration accord intended to halt the

exodus of thousands of Cuban rafters across the Straits of Florida. During that period, Congress was trying to toughen the longstanding trade embargo. The focus of the pro-embargo forces was a bill introduced in February of 1995 by Representative Dan Burton, an Indiana Republican, and Senator Jesse Helms, of North Carolina, the chairman of the Foreign Relations Committee. Under the Helms-Burton legislation, foreign companies investing in Cuba would face American lawsuits, and the State Department could deny visas to the heads of many of those companies and their major shareholders. The House passed its version of the Helms-Burton bill in September, by a vote of 294-130.

Clinton and his advisers found powerful allies to oppose the bill, including the businessmen Dwayne Andreas and Donald Trump. Trump said, "The people of Cuba are the greatest in the world... As soon as the law changes, I am ready to build the Taj Mahal in Havana." Andreas, the chairman of Archer-Daniels-Midland, claimed not to "know a corporate C.E.O. who thinks excluding U.S. business is a good idea, particularly when all of Western Europe is down there." On October 6th, a group of forty-five prominent executives, headed by the Time Warner chairman, Gerald Levin, met with Leon Panetta, then the White House chief of staff, and several Clinton foreign-policy advisers, and received approval for a trip to Havana.

Clinton had been listening for some time to similar appeals from various National Security Council and State Department officials, including Lake, Tarnoff, the senior N.S.C. adviser Morton Halperin, and Richard Nuccio, Clinton's special adviser on Cuba policy, and they had persuaded the President to launch new initiatives: a loosening of travel restrictions; the issue of licenses for American news bureaus in Havana; and the provision of grants for nongovernmental organizations, such as Freedom House, an anti-Castro human-rights group based in Washington, to promote "democracy and the free flow of ideas" in Cuba. On the day that the executives met with Panetta, Clinton announced these new Cuba measures at a breakfast for Freedom House held at a Washington hotel.

Reaction to the announcement was



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VACATION RENTALS

swift and negative. Bob Dole, the Senate Majority Leader and a Presidential candidate, called for the immediate passage of Helms-Burton and asked the State Department to deny Castro a visa for a visit to New York scheduled for later that month in connection with the fiftieth anniversary of the United Nations. At a press conference, Dole said, "All signs point to normalization, and secret negotiations with Castro."

Clinton's advisers defended the initiatives as "calibrated responses" to "promote peaceful change" in Cuba. They warned that passing Helms-Burton could produce new waves of Cuban refugees. But prominent anti-Castro exiles, like Jorge Mas Canosa, of the Cuban American National Foundation, intensified their lobbying; the bill was alive in the Senate.

SUCH were the fractious domestic politics of Cuba policy when Castro addressed the U.N. General Assembly on October 22, 1995, and denounced the trade embargo. Before that, according to Peter Bourne and Janet Shenk, the executive director of a foundation that sponsors liberal causes, Bourne had helped Congressman Richardson arrange a private audience with Castro; Bourne says he told Richardson that the meeting would be unofficial.

Richardson, who says that he met

briefly with the president of the Cuban National Assembly, Ricardo Alarcón, at the U.N. in September of 1995, denies that he met privately with Castro. He says that he greeted the Cuban leader at a U.N. reception in the company of other congressmen. But others at the reception, who spoke with Richardson, said that the two did meet privately. On October 27th, the *Miami Herald* reported, "Two influential Democrats, Reps Bill Richardson of New Mexico and Joe Moakley of Massachusetts, met separately with Castro on Tuesday night"—October 24th.

There is no disagreement about what happened next: Richardson arranged to visit Havana in January, and, when conservative Cuban exiles in Miami learned of the impending trip, they were angered. On Miami radio, Mas Canosa said it would be "shameful" if Clinton were "negotiating behind the backs of Americans and Cuban exiles." The *Washington Times* reported that Castro had been told that if he released prisoners Clinton could then justify a veto of Helms-Burton. A White House spokesman, Michael McCurry, denied it: "There's been absolutely no contact of the nature suggested in that report."

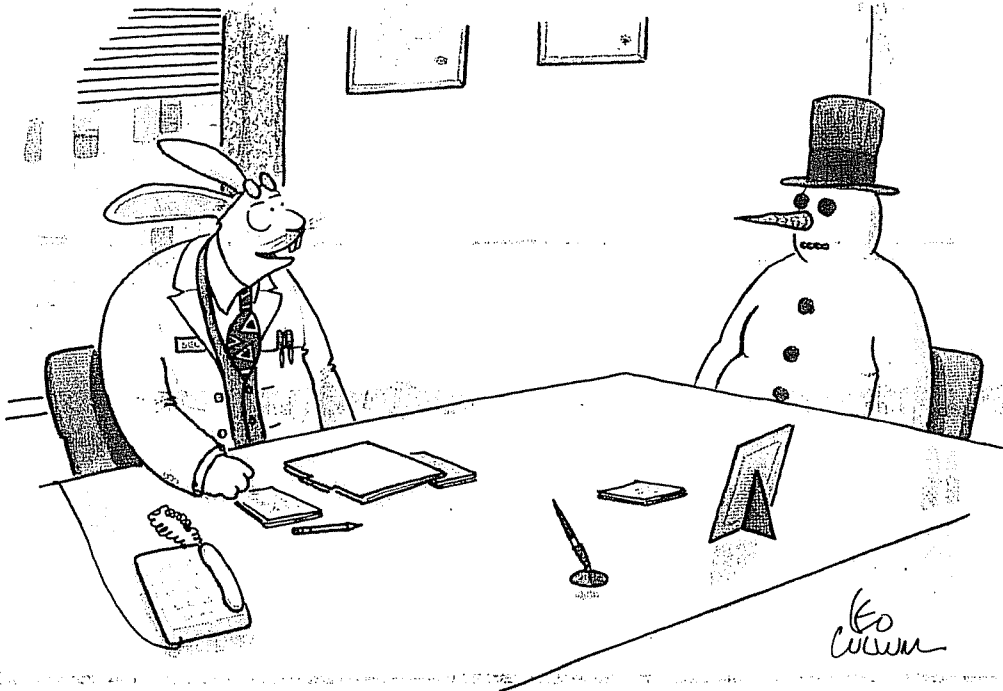
The White House was well aware of the political dangers of secret negotiations with the Castro regime. The previous spring, demonstrators protesting the

migration accord had blocked Dade County streets and highways. The migration accord had also nullified the mission of Brothers to the Rescue. With the refugee crisis over, José Basulto, who is fifty-seven, turned to aerial civil disobedience, crossing the twenty-fourth parallel and illegally flying over Cuban waters.

For more than a year, Cuban officials protested these incursions in communications to the State Department and to the United States-interest section in Havana. The protests were largely ignored. On July 17, 1995, Basulto went further: He took a cameraman from an NBC-affiliate station in Miami on a rooftop-level flight over downtown Havana and rained propaganda and religious medals on the streets below. The incident was broadcast on the local evening news. In September, the Federal Aviation Administration notified Basulto that it had probable cause to ground him. But Basulto fought to keep his license and resumed his missions, threatening to make them weekly events.

Basulto and his pilots made two more overflights on January 9 and 13, 1996. "We dropped half a million leaflets that fell over Havana," Basulto told me last week. That happened just before Richardson told a reporter for the *Palm Beach Post*, "If we're going to open up the island maybe some consideration should be given to lifting the embargo. Let clothes, goods, commerce and business get in there."

RICHARDSON arrived in Havana on January 17th. He was accompanied by Calvin Humphrey, a senior counsel to the House Intelligence Committee. Humphrey had received briefings from State Department officials, the National Security Council, and intelligence agencies. Nuccio, the President's Cuba-policy adviser, told me that he had spoken to Richardson before the trip. When I asked Richardson about those preparations, he said that in the past "a lot of my missions were with the N.S.C. They did involve the President." But this time, he



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said, he worked with Tarnoff, at the State Department.

Richardson and Humphrey's stay began with a lengthy session with Castro, which lasted until 2 o'clock the next morning. Richardson spoke in Spanish; Humphrey followed through an interpreter. With Castro were top politicians, including Alarcón and the economics chief, Carlos Lage. They discussed joint drug interdictions, human rights, the extradition of American fugitives, and the upcoming Presidential primaries in the United States. The discussions, Richardson said, also focussed on such humanitarian issues as reducing Cuban emigration fees. Richardson had brought with him a list of ten Cuban political prisoners and sought their release.

According to Humphrey, Castro later brought up the overflights by Brothers to the Rescue. "There was a belief on the part of the Cubans that if the United States government wanted to stop the flights, it was a fait accompli," Calvin Humphrey told me. He also said, "What they didn't know was that they had a misunderstanding of how the American political scene worked. There was no commitment to do anything." What Humphrey didn't know was that, a few days after the January 13th overflight, Castro had issued orders to his Air Force to shoot down any plane that entered Cuban airspace illegally.

On the third, and last, evening of the stay, Richardson attended a baseball game. Richardson, like Castro, is an accomplished ballplayer. "We talked an hour about baseball," Richardson recalls. He teased Castro: "I said you have no pitching here. You have great hitters." As for the overflights, Richardson said two weeks after the planes were shot down, "When I met with him"—Castro—"he had warned me about these overflights and he wanted us to do something about them."

Richardson's was not the only unofficial channel to Cuba, and he was not the only one who had heard complaints about the incursions. Concerns about the overflights had also been expressed to Scott Armstrong, who is a founder of the National Security Archive, a former journalist, and the co-author, with Bob Woodward, of "The Brethren." Armstrong had close ties to several se-

nior National Security Council officials, including Lake, Halperin, and Sandy Berger; in 1994, he says, he had served as a conduit for both the N.S.C. and various Cuban officials in setting up the early phases of the migration accords. He recently recalled that on the morning of January 18th he heard from the N.S.C.

"I got a call from someone at the Old Executive Office Building and was told that the Brothers' problem had been resolved and that I should communicate this to the appropriate Cuban officials," Armstrong said. "I then conveyed the message to Alarcón through Fernando Remírez"—Cuba's highest diplomatic officer in the United States.

Coincidentally, the overflights stopped for a few weeks. The office of Transportation Secretary Federico Peña told me that Peña had asked the F.A.A. to make sure that the Brothers were warned against further violations. Basulto does not remember receiving any warning, and said that he had decided to stop the flights in January, because there were no more refugees, but had planned to resume them. In early February, Robert White, the former United States Ambassador to El Salvador, travelled to Havana with a delegation of retired Pentagon officials and diplomats for discussions with top Cuban military officers. The delegation had planned a roundtable on relations in the post-Cold War era, but, to its surprise, the main topic of conversations was the Brothers, even though there was a hiatus in the overflights. Air Force General Arnaldo Tomayo, the Cuban cosmonaut, startled White by asking, "What would be the reaction of your military if we shot down one of those planes?"

"It was a calculated warning, from the head of the Cuban armed forces," White says. "We were meant to take away the very clear impression that the Cubans had reached the limit of their tolerance of the Brothers' flights."

White's group left Havana on February 9th, and White was debriefed at the State Department and with Defense Intelligence Agency officials. He and an official who had been with him in Cuba told Defense Intelligence, "You've either got to stop this"—the overflights, which Basulto was planning

to resume—"or an incident is going to occur."

On the day that White left Havana, Richardson returned for his second visit. The next day, Richardson came back to the United States, accompanied by three prisoners released by Castro. Richardson told CNN that Castro had asked nothing in exchange for their release.

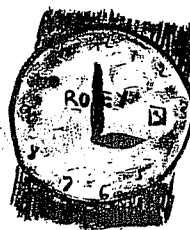
Last week, I asked Richardson again whether Castro had agreed to release prisoners in exchange for an agreement to stop the overflights. "This is total fiction, fantasy," he said. "I think the Cubans are looking for a way to justify their stupid and tragic decision to shoot down the plane. Castro never said, 'You get them to stop.'"

Calvin Humphrey says, "Certainly the White House was aware of the trip. Was Mr. Richardson carrying some sort of special message? I was totally unaware of this, so I doubt it seriously."

Bourne is just as certain of what the Cubans believe took place. "Fidel basically told Bill he'd release prisoners if he went back to Clinton and got some assurance about ending the Brothers' overflights," Bourne told me. "When Bill returned to Cuba, Castro understood that he had the President's word."

By early 1996, Richard Nuccio had grown worried about what he felt was the desperation of Cuban complaints about the overflights. On February 20th, he completed a memo for the President outlining possible compromises on Helms-Burton. Three days later, law-enforcement reports of an impending Brothers overflight reached him at the N.S.C. That afternoon, Nuccio asked the State Department to get the Federal Aviation Administration to issue a warning to the Brothers. (It was later reported that American radar centers and various intelligence agencies had had knowledge of a Brothers mission a week beforehand.)

That same afternoon, the State Department warned the F.A.A.'s Office of International Aviation of a possible Brothers flight. At 2:40 P.M., an F.A.A. official E-mailed the information to a regional office in Miami. The message read, "I've reiterated that the F.A.A. cannot PREVENT flights such as this potential one, but that we'll



alert our folks in case it happens and we'll document it (as best we can) for compliance/enforcement purposes." At 6 P.M., an F.A.A. military-liaison officer in Miami alerted radar and tracking centers at key defense listening posts around the country to the planned overflight. But there is no record of anyone's attempting to make contact with Cuban officials. At 6:44 P.M., Nuccio told me, he sent an urgent E-mail to his N.S.C. superior, Sandy Berger, warning that "this may finally tip the Cubans toward an attempt to shoot down or force down the plane." Nuccio believed that the F.A.A. "had basically told the State Department to fuck off—that it wasn't their business to ground those planes."

On the morning of February 24th, two weeks after Richardson's second visit to Havana, Carlos Costa, a twenty-nine-year-old Cuban-American pilot, filed flight plans for a search-and-rescue mission over the Straits of Florida. The Brothers believed that a recent political crackdown by Castro on human-rights activists could result in a new wave of Cubans taking to sea.

Costa had logged some four hundred hours of flight time on volunteer missions, and regarded them as routine. He stuffed his duffelbag with a swimsuit, suntan lotion, and a towel for a beach outing planned for that afternoon. Also flying with him was Pablo Morales, age twenty-eight, who had been rescued by the Brothers four years earlier. In a second plane were Mario de la Peña and Armando Alejandro. The lead pilot on the mission was the president of the Brothers, José Basulto.

Nearly two hours later, the three planes, all Cessnas, were about to cross the twenty-fourth parallel. Between there and Cuba's twelve-mile territorial limit were about thirty miles of airspace, which the Cuban government defines as an air-defense identification zone. Basulto radioed to the Havana Air Control Center at 2:57 P.M. "Good afternoon, Havana Center," he said, in Spanish. "We should be crossing parallel twenty-four in about five minutes and staying in your area."

The Havana Air Control Center, whose radar had already picked up the planes, replied, "Roger, sir. We inform

you that the area north of Havana is activated. You are taking a risk by flying south of twenty-four."

"We know that we are in danger each time that we fly into the area south of twenty-four, but we are ready to do so as free Cubans," Basulto proclaimed.

Minutes before Basulto's radio message, two Cuban MIG fighter planes had taken off from an airfield near Havana.

Three thousand miles away, at March Air Force Base, in Riverside, California, a United States Customs Service detection specialist named Jeff Houlihan studied his radar monitor. He had tracked the Brothers' planes before, and the F.A.A. had alerted him to look out for them. The three planes flashed like orange Pac-Man squares on his screen. Houlihan watched

them move south, shadowed by two chalky "X"es—the MIGs. Basulto's plane was now at least one and a half miles into Cuban airspace, but the two others, Houlihan recorded, were well outside. Houlihan called Tyndall Air Force Base, in Florida.

"Yeah, we know all about it," a senior Air Force technician monitoring the same radar signals replied. "We're taking care of it."

Six minutes after his call, at 3:24 P.M., Houlihan watched his screen in astonishment as one orange square disappeared and then, a few minutes later, another. Electronic snapshots of his radar screen documented what he later described as "cold-blooded murder."

"We hit him!" American electronic listening posts heard one of the MIG pilots shout, after an R-73 missile blew the first Cessna out of the sky. "*Cojones!* We hit him! . . . This one won't mess around anymore."

"The other is destroyed!" a pilot in the other MIG shouted after demolishing the second Brothers plane. "Fatherland or death! . . . The other is down also."

Only Basulto's Cessna escaped, dodging the MIGs in scattered clouds.

Two days later, President Clinton condemned the Cuban action as "an appalling reminder of the Cuban regime—repressive, violent, scornful of international law." He ended all commercial air links to Cuba, limited domestic travel of Cuban diplomats within the

United States, and authorized compensation for the victims' families from Cuban assets that had been frozen in American banks since Castro's revolution.

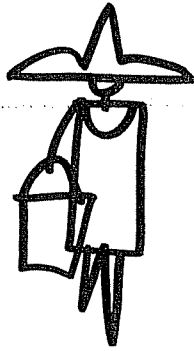
But an even more dramatic step was a change of course on the bill he and his advisers had opposed for a year: Clinton announced that he intended to sign Helms-Burton. Sensing victory, its key congressional supporters moved to introduce a more stringent version of the bill. The coup de grâce was a new measure codifying the embargo. It prevented Clinton and any future President from lifting the embargo without prior congressional approval. Clinton's Cuba policy was in ruins.

At a meeting chaired by Lake a few days after the incident, some of the President's top advisers gathered in the Situation Room to discuss the latest news from the Hill. As Nuccio recalls the meeting, "[George] Stephanopoulos"—the former Clinton adviser—"said, 'The President has to sign the bill.' Panetta and Lake both agreed. And I realized this was not a meeting to review the President's options. The President's decision had already been made for him."

UNDENIABLY, the Cuban military had other options; it did not have to destroy unarmed civilian planes. It is unclear why the Cubans would take such drastic measures if they were eager to repair ties to the United States. It is equally unclear why the United States, aware of the overflights and of their immense risk, apparently took no steps to warn either the pilots or the Cubans and to urge restraint.

Peter Bourne has tried to make sense of what went wrong, and he wonders whether his friend Bill Richardson fully understood what was at stake in his negotiations with Castro. The Cubans, too, may have believed that they had reached an understanding with Richardson, though that is not the recollection of Richardson or Calvin Humphrey.

At the time of the downing of the planes, Richardson was on his way to Bangladesh with Humphrey, and when he returned, a week later, Bourne confronted him. Bourne told me, "I said to him, 'What the hell happened, because my credibility with the Cubans that you used to get there is on the line. And I'm the one who is going to have to explain



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to them what happened. And if they feel you double-crossed them it's my twenty-year relationship that's going to get burned, not yours.' And he said, 'I promise you that I talked to Clinton and Clinton said, "I will call [Secretary] Peña and we'll get it taken care of."'"

Richardson denies that such an exchange ever took place. When asked if Bourne was lying, he replied, "If he said that, he's lying."

On March 5, 1996, the Senate approved the final version of Helms-Burton, by a vote of 74-22. A week later, at an emotional White House ceremony including relatives of the pilots, the President signed the bill "in the name of the four men who were killed." He also declared a national emergency in the Straits of Florida to prevent further confrontations.

Bourne was part of one of the first groups of Americans to visit Havana after the planes were shot down, and he met with Alarcón and other Cuban officials. In an April 9th memo to Richardson, he wrote, "They say Fidel told you: 'I am not releasing these prisoners for

you. I am releasing them for President Clinton.' They also said they had the same assurance from Clinton through another channel but would not say who that was. Fidel then told others that he had a clear commitment from one head of state to another that the flights would be stopped."

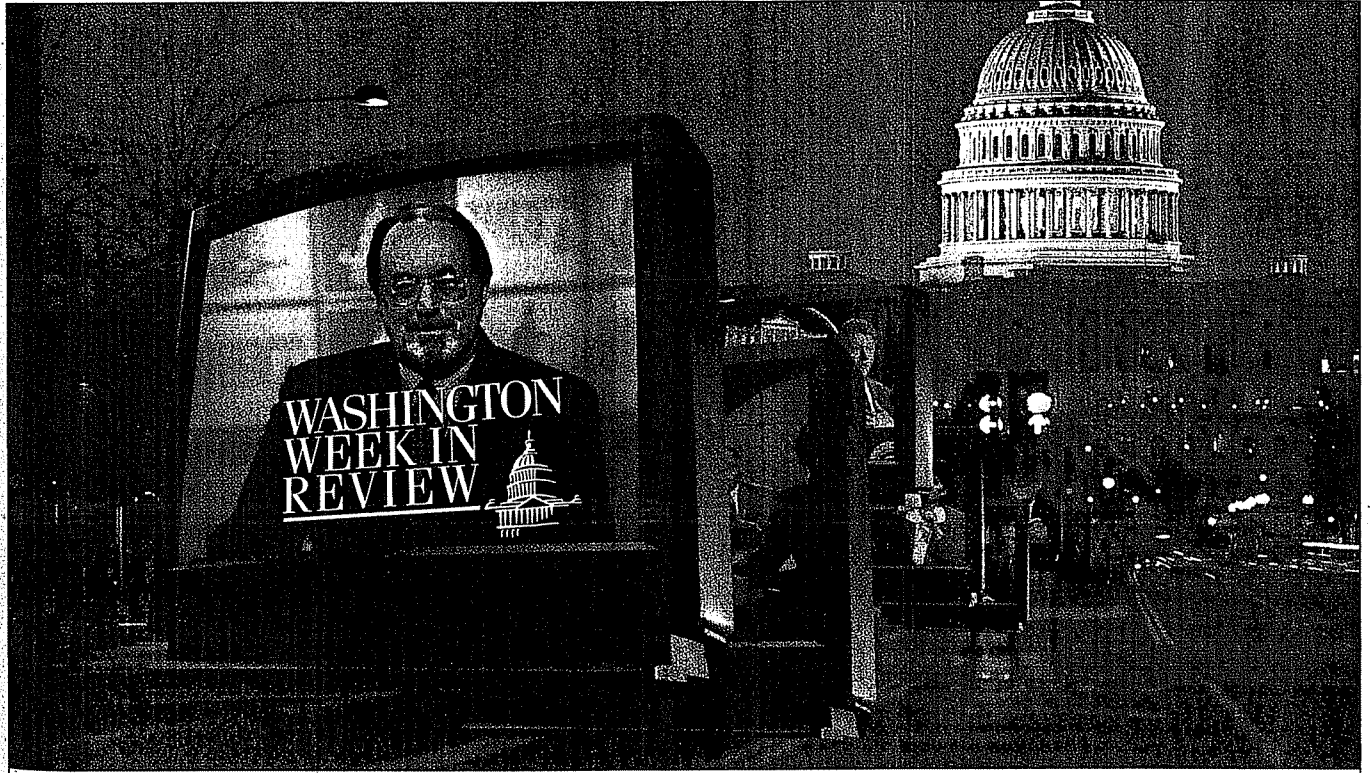
Alarcón and other Cuban officials subsequently told me that Bourne's memo portrayed their views accurately; Richardson and Humphrey point out that Bourne was not present at the meetings. In an interview with CBS News on April 30th, Castro said that one of his emissaries had received promises from the "highest levels" of the United States government that there would be no more incursions into Cuban airspace.

Bourne's relations with Richardson soured as Richardson lost interest in Bourne's continuing efforts to maintain a Cuba gambit. Richardson certainly had a clear understanding of the reality of domestic politics. The downing of the planes, he said in March of 1996, is "going to cool any kind of normaliza-

tion talks at least for a year till after the election."

Richardson has remained a favorite of the President, who called his operations "the toughest and most delicate diplomatic missions of recent times." On December 13, 1996, after announcing Richardson's nomination as U.N. Ambassador, Clinton said, "Just this week, Congressman Richardson was huddled in a rebel chieftain's hut in Sudan, eating barbecued goat." For months after his confirmation, Richardson answered none of Bourne's communiqués.

Bourne wrote a three-hundred-page report for the American Association for World Health on the trade embargo's effect on the Cuban population's health. It was cited by the sponsors of legislation, currently before Congress, exempting food and medicine from the embargo. The national emergency in the Straits of Florida continues, but American officials now regularly alert Cuban officials to impending or suspected air and sea incursions by exile groups. A senior White House official told me last week, "We now have it down to a fine art." ♦



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