

DECLARATION OF A NATIONAL EMERGENCY  
WITH RESPECT TO CUBA

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MESSAGE

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

NOTIFICATION OF HIS DECLARATION OF A NATIONAL EMERGENCY AND INVOCATION OF EMERGENCY AUTHORITY RELATING TO THE REGULATION OF THE ANCHORAGE AND MOVEMENT OF VESSELS, PURSUANT TO 50 U.S.C. 191 AND 50 U.S.C. 1601 ET SEQ.



MARCH 4, 1996.—Message and accompanying papers referred to the Committee on International Relations and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

*To the Congress of the United States:*

Pursuant to section 1 of title II of Public Law 65-24, ch. 30, 50 U.S.C. 191 and sections 201 and 301 of the National Emergencies Act, 50 U.S.C. 1601 *et seq.*, United States Code, I hereby report that I have exercised my statutory authority to declare a national emergency in response to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba.

In the proclamation (copy attached), I have authorized and directed the Secretary of Transportation to make and issue such rules and regulations that the Secretary may find appropriate to prevent unauthorized U.S. vessels from entering Cuban territorial waters.

I have authorized these rules and regulations as a result of the Government of Cuba's demonstrated willingness to use reckless force, including deadly force, in the ostensible enforcement of its sovereignty. I have determined that the unauthorized departure of vessels intending to enter Cuban territorial waters could jeopardize the safety of certain U.S. citizens and other persons residing in the United States and threaten a disturbance of international relations. I have, accordingly, declared a national emergency in response to these threats.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 1, 1996.*



DECLARATION OF A NATIONAL EMERGENCY AND INVOCATION OF  
EMERGENCY AUTHORITY RELATING TO THE REGULATION OF THE  
ANCHORAGE AND MOVEMENT OF VESSELS

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, on February 24, 1996, Cuban military aircraft intercepted and destroyed two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba;

WHEREAS the Government of Cuba has demonstrated a ready and reckless willingness to use excessive force, including deadly force, in the ostensible enforcement of its sovereignty;

WHEREAS, on July 13, 1995, persons in U.S.-registered vessels who entered into Cuban territorial waters suffered injury as a result of the reckless use of force against them by the Cuban military; and

WHEREAS the entry of U.S.-registered vessels into Cuban territorial waters could again result in injury to, or loss of life of, persons engaged in that conduct, due to the potential use of excessive force, including deadly force, against them by the Cuban military, and could threaten a disturbance in international relations;

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 1 of title II of Public Law 65-24, ch. 30, June 15, 1917, as amended (50 U.S.C. 191), sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code, find and do hereby proclaim that a national emergency does exist by reason of a disturbance or threatened disturbance of international relations. In order to address this national emergency and to secure the observance of the rights and obligations of the United States, I hereby authorize and direct the Secretary of Transportation (the "Secretary") to make and issue such rules and regulations as the Secretary may find appropriate to regulate the anchorage and movement of vessels, and delegate to the Secretary my authority to approve such rules and regulations, as authorized by the Act of June 15, 1917.

*Section 1.* The Secretary may make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, which may be used, or is susceptible of being used, for voyage into Cuban territorial waters and that may create unsafe conditions and threaten a disturbance of international relations. Any rule or regulation issued pursuant to this proclamation may be effective immediately upon

issuance as such rule or regulation shall involve a foreign affairs function of the United States.

*Sec. 2.* The Secretary is authorized to inspect any vessel, foreign or domestic, in the territorial waters of the United States, at any time; to place guards on any such vessel; and, with my consent expressly hereby granted, take full possession and control of any such vessel and remove the officers and crew, and all other persons not specifically authorized by the Secretary to go or remain on board the vessel when necessary to secure the rights and obligations of the United States.

*Sec. 3.* The Secretary may request assistance from such departments, agencies, officers, or instrumentalities of the United States as the Secretary deems necessary to carry out the purposes of this proclamation. Such departments, agencies, officers, or instrumentalities shall, consistent with other provisions of law and to the extent practicable, provide requested assistance.

*Sec. 4.* The Secretary may seek assistance from state and local authorities in carrying out the purposes of this proclamation. Because State and local assistance may be essential for an effective response to this emergency, I urge all State and local officials to cooperate with Federal authorities and to take all actions within their lawful authority necessary to prevent the unauthorized departure of vessels intending to enter Cuban territorial waters.

*Sec. 5.* All powers and authorities delegated by this proclamation to the Secretary may be delegated by the Secretary to other officers and agents of the United States Government unless otherwise prohibited by law.

*Sec. 6.* This proclamation shall be immediately transmitted to the Congress and published in the *Federal Register*.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord nineteen hundred and ninety-six, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON.

