

NBC News Special Report
05/20/26
1:16:10 p.m.
12 minutes and 56 seconds

TOM LLAMAS: We are coming on the air right now with breaking news and a historic moment for Cuba in just a moment, the Justice Department is expected to announce an indictment against former Cuban leader Raul Castro for the shootdown of two civilian planes in 1996, piloted by the humanitarian group Brothers to the Rescue that killed Cuban Americans. Castro was accused of ordering the Cuban air force to shoot down those planes, which belong to a group that carried out rescue missions to save Cubans fleeing their homeland. The Justice Department's event is being held at Miami's Freedom Tower on Cuba Independence Day, marking the official birth of the republic back in 1902. The four victims of the shootdown are also expected to be honored. Today's indictment marks a significant step in the escalating tensions between the U.S. and Cuba, as the Trump administration ramps up its pressure against the current regime led by Miguel Diaz-Canel. I want to bring in NBC's Jesse Kirsch, who is at the Freedom Tower right now. Miami. We understand this event is set to start in just a few minutes.

JESSE KIRSCH: Yeah, that's right, Tom, we're about 15 minutes behind schedule, but we just heard someone come to the microphone and asking people for a second time to take their seats. You mentioned we are at the freedom tower. There's a lot of symbolism around this building itself. This was back in the 60s, and 70s, known as the Cuban Refugee Center, effectively an Ellis Island for Cuban asylum seekers trying to flee the Castro regime and come to the United States. As you mentioned, this is all centered around the Brothers to the Rescue shootdown back in February of 1996. I had the chance to speak with Miriam de la Pena, the mother of one of the people who was killed in that incident, and she referred to Raul Castro as the mastermind of that shootdown back in the 90s. This has been a major point of contention for decades between the Cuban and U.S. governments. Cuba, at the time, had said that those planes had violated its airspace. The U.S. said that was not the case. Congress said these planes were unarmed. You mentioned this is a group that has carried out humanitarian missions. They also had, at times, penetrated Cuban airspace, dropping pro-democracy leaflets over Havana. But President Clinton, then president Clinton at the time in 1996, said that this was a violation of international law. Miriam de la Pena, I spoke with her earlier. Again, she referred to Raul Castro as the mastermind of this incident. And she also said that the push for justice has been on the shoulders of the families, and that today's event would mark this becoming something that has put on the shoulders of the U.S. Department of Justice to seek accountability for these families. And of course, as you mentioned, Tom, this is coming on Cuban Independence Day, a day that Secretary of State Marco Rubio also put out a message to the Cuban people, the translation provided by the State Department. He says that the Trump administration is offering a new Cuba and the secretary of state saying, "the only thing standing in the way of a better future are those who control your country." The question is, what happens after this announcement? Is there bite to go with this bark? What would the U.S. government be willing to do to bring Raul Castro to American justice, Tom?

LLAMAS: Jesse, for our viewers across the country who are watching this, they may be a little

confused because usually when an indictment is announced, it's announced at a news conference setting. Here you have all the symbolism you were talking about. You have a raucous crowd behind you. And that's because for the Cuban American community down there in South Florida and really all over this country, this has been 30 years in the making. This was something that happened to their community. It was Cuban Americans, some of who actually served in the Vietnam War, that were shot down by Cuban fighter jets, civilian aircraft that were trying to help people who were out at sea, struggling in rafts, throwing them down water, and then notifying the Coast Guard humanitarian missions completely. And yet, they were blown out of the sky by missiles, by war craft. And the Cuban American community has waited a long time for this. And that is why there is such a huge crowd there behind you.

KIRSCH: Yeah. And, Tom, the group Brothers to the Rescue, was credited with saving upwards of 10,000 lives. So, this is not — was not some trivial effort. This was something that was having real impact at a time when there were so many people in the dangerous, treacherous waters between Cuba and Florida trying to get here. It's something, of course, that has been popularized in pop culture in films over the years as well. And you talked about the symbolism over the last 30 years. You could argue even that Raul Castro — holding the Castro family in some way accountable, something that goes back decades even beyond that. And one of the individuals who was involved with that flight from Brothers to the Rescue, who actually survived and made it back to the U.S. was also a veteran of the Bay of Pigs attempt back in the 1960s. Of course, Miami has been the center of the Cuban expat community for decades and certainly has become a political force and ally of the Trump administration as well. So, there are just so many different forces at play here today. And as you mentioned, a loud crowd, hundreds of people in this room. We're getting to the point of the year where it gets quite hot in Miami, and it is very warm in this room right now, Tom, with so many people here waiting for the acting attorney general, the Florida attorney general, U.S. Attorney, someone from the FBI leadership as well, so many leaders expected here at both the state and the federal level. The sheriff of Miami-Dade County is here. This is something that is national, but it's also so local here in Miami.

LLAMAS: Yeah. We do also want to mention the Cuban government had accused Brothers of the Rescue of violating Cuban airspace. These were allegations by the Cuban government. We should say that of dropping leaflets across Havana, pro-democracy leaflets. I want to get to Kelly O'Donnell because it's important to — to say what is actually in this indictment. Kelly, do we know exactly what the case is here? Because that's the big question today.

KELLY O'DONNELL: Well, there's more suspense, Tom, because we do not have the actual document. What we do know is that a judge has moved to unseal the indictment. And we have a list of names, Raul Castro, the most notable among them and others who would be alleged coconspirators here. So, waiting on the specific charges. But we know the context and you and Jesse have been laying that out. This is part history. It is part a cultural moment for the Cuban American community. It is a part very current day diplomacy, as the Trump administration is trying to pressure the Cuban regime. And we expect that this indictment, according to sources who have told us it is coming, will attempt to write this 30-year wrong, as the Justice Department sees it, and certainly many in the room gathered there, where that kind of boisterous setting reflects the passions that are fueling this longtime effort by the Department of Justice to seek

charges. Now, it comes also at a time when we are in a post-Maduro world, where the Venezuelan leader was taken out of his country, brought to the United States for justice the link between Venezuela and Cuba in terms of the economic piece is so critical here, and a through line in all of that is Secretary of State Marco Rubio. Tom, you just spoke with him recently on the trip in China. And, you know, the backdrop of this he has been born and raised as a son of Cuban exiles and has, in his professional life, been pushing for greater steps for the Cuban people to be free and for Venezuela to undergo the changes it has. So we wait for the specific document. We can presume that this will include a murder count. There is no statute of limitations for murder. So, if people are wondering why something 30 years ago could be relevant today, that's our first sort of informed piece of guidance on that. But there could be other accounts as well. And this also brings into play, as you've discussed, the humanitarian piece, where this group was trying to rescue people who were fleeing Cuba at that time 30 years ago, thousands of them, and they lost their lives in the process. And so, their families, those who believe in their cause and in the community, have wanted a day of justice. And simply by the table setting here with the acting attorney general traveling to Miami, the deputy FBI director in Miami, the senator — Senator Moody from Florida, other dignitaries, as you pointed out, typically this would happen on Pennsylvania Avenue here in Washington, in the press conference room at the Department of Justice. This is very different. So, all of the sort of stagecraft of this moment gives you a sense of what it means to the people and the international implications as well.

LLAMAS: Kelly, stand by for us. I do want to bring in Jose Diaz-Balart. No one on our NBC News team has covered this story more than Jose, so I'm so happy we were able to have him on our coverage right now. Jose, Kelly mentioned something very important. The charge here may be murder, and it actually may go further than that. It may be premeditated murder. And the reason for that is that we now know that Cuba, at the time, had something set up called the WASP Network. This was a network of spies that had infiltrated not only the CIA, not only the chambers of Congress, but had infiltrated Brothers to the Rescue. They had a spy that was working as a pilot. The Cubans knew where those Brothers to the Rescue planes were headed and what they were doing, they had the intelligence and prosecutors have laid out in the past that the Cubans knew this was going to happen. They wanted to kill these pilots. And that's exactly what they did.

JOSE DIAZ-BALART: Tom, your knowledge shows just how complicated these things can be, but also how the in this indictment today that is just about to be released, but in this motion to unseal it, it includes Raul Castro Cruz, who was the man in charge of the military in Cuba, officially. He still is in many ways, but also the other names that are included Lorenzo Alberto Perez-Perez, Emilio Jose Palacio Blanco, Jose Fidel Gual Barzaga, Raul Simanca Cardenas, and Luis Raul Gonzalez-Pardo Rodriguez. These are all pilots or people on board those MIGs that, on the 24th of February in 1996, 30 years ago, shot down those two Brothers to the Rescue planes. There was a third plane, Brothers to the Rescue plane that had Jose Basulto, the leader and head of Brothers to the Rescue, and Sylvia Orlondo, who was a passenger on that plane, they were able to escape, essentially by going into the clouds when one of those MIGs veered off to try and knock them down as well. The people that were on board, those MIGs, all those MIGs that both shot down the two Cessnas and went after the third Cessna, and they were not able to find them, are listed on this motion to unseal this indictment. So, we have to see. But murder is definitely

something that is a part of this indictment. It doesn't expire. And so, that's the difference, for example, with what we saw legally, what the United States presented against Nicolas Maduro for the January 3 seizure of Maduro. They based it on the document. It wasn't murder. And in 1989, when the United States went after the leader of Panama and successfully extricated him from Panama, brought him here to South Florida, where he served decades in prison. That was also used to bring the legal aspect of it into play. We've got to see Tom, what they have here —

LLAMAS: And, Jose —

DIAZ-BALART: — on the anniversary of the independence of Cuba.

LLAMAS: — right. Two key pieces of evidence. There are radio transmissions of the MIG pilots celebrating — celebrating the death of these civilian pilots from America. I do want to stress, these were American pilots that were shot out in the air and killed by those MIG jets. There's radio transmissions of them celebrating and laughing that they had blown them out of the sky. And then there is a second transmission that has been picked up by intelligence that has been reported on. It — it would have to be proven in court, which would be very hard, that it's purported to be Raul Castro saying he had knowledge of this, that he knew about this. Now, that — that piece of evidence may be hard to prove in court, but these are clues. These are evidence that prosecutors in this case does go to trial, are likely to present to a jury.

DIAZ-BALART: Indeed. And over the years, Fidel Castro himself said that he was behind giving the order and that he and Raul are behind that.

(...)

2:09:11 p.m.
59 seconds

KIRSCH: You mentioned that the grand jury approved these charges weeks ago. I'm curious to know what, if any, role the CIA director's visit to Cuba in recent days played in deciding to move forward with announcing this indictment?

ACTING ATTORNEY GENERAL TODD BLANCHE: And I'm not going to get into why we decided to unseal the indictment today, except to note the place that we're standing and the important day that today represents. But yes, you're right, there's a lot of factors that go into when a sealed indictment is unsealed, if ever. And — and so, beyond just — just the fact that, look — by the way, it wasn't that long ago. It was late April. It's mid-May.

KIRSCH: So, thank you. One other question. When — when — when if people look at this and say this is at least partially just a pretext to push for regime change in Cuba, what would you say to people who take that perspective?

BLANCHE: I don't care what people look at and think. I mean, we return an indictment, and that's what we're here to talk about. If people want to speculate or think what they will, I don't, I

don't care.

(...)

2:11:49 p.m.

18 minutes and 1 second

LLAMAS: All right. We've been listening to officials from the Justice Department and FBI announce a historic indictment against former Cuban leader Raul Castro and five other members of Castro's regime, along with a pilot that was involved in that shutdown. They have been charged with conspiracy to kill U.S. Nationals, two counts of destruction of aircraft and four counts of murder for the 1996 shutdown of Brothers to the Rescue aircraft. The indictment marks a major step towards accountability for the deaths of three American citizens and one U.S. resident on February 24th, 1996, who were killed when their civilian aircraft was shot out of the sky during a humanitarian mission to save Cubans fleeing their homeland in rafts along the Florida straits, officials say. The indictment accuses Castro of authorizing and overseeing a military chain of command that ended with Cuban fighter jets fighting fire and, I should say, air to air missiles at unarmed civilian aircraft over international waters. I want to get right over to Jose Diaz-Balart, who's been tracking this with us as well. Jose, the leader of Cuba right now, Miguel Diaz-Canel, has just put out a post on X. What is he saying? What is he telling the Cuban people?

DIAZ-BALART: Indeed, among other things, he is saying that it is a lie. And I can look, as we go on screen with this, I'll translate parts of it. Some are now saying cynically that there is no blockade of oil to Cuba, that everything that the Cuban people suffer is because of the Cuban government. They — according to the Diaz-Canel — lie. He also says that on that 24th of February of 1996, when the Cuban regime attacked three unarmed Cessna planes over international waters, that Cuba was acting in a legitimate defense of its authority within jurisdictional waters, and that the Brothers to the Rescue group is actually a narco-terrorist organization. Tom, I've been reading the indictment, and it's a speaking indictment. It's not just the declaration of the charges, but there is a narrative that points very directly to Raul Castro's responsibility in any decision that was taken to knock down those planes. And it also includes a narrative of what you were talking about at the beginning of this special report, which is the spy agencies that existed in South Florida, sent by the Castro regime to south Florida, specifically to spy on Brothers to the Rescue and other organizations in South Florida. They then mandated training of these MIG pilots to fly in the coordinates around where the Brothers to the Rescue planes flew. And so, there is premeditation as — as far as this indictment is, and it all leads directly to Raul Castro because he was in charge of the armed forces, hand in hand with Fidel Castro. It's important to remember that the same people who took power in January of 1959 in Cuba, in January of 1959, when the United States had 48 states, are the same people that, today, Raul Castro is in charge of that regime, and he has put hand-picked, this Miguel Diaz-Canel, who is today saying that it is a lie and that — that organization were narco-terrorists.

LLAMAS: Jose, I just want to be clear here. So, I — to go back, the leader of Cuba is trying to say that Brothers to the Rescue was a narco-terror group?

DIAZ-BALART: Yes, yes.

LLAMAS: And I just want to get a quick fact check here that that is completely not correct and has never, ever been proven. These were Cessna jets that — that were simply armed with water and humanitarian aid, correct? That were dropped down to people that were struggling at sea?

DIAZ-BALART: No, absolutely. The planes did, however, in January, overfly Havana briefly at one point, and they dropped paper leaflets over the streets of Havana. Raul Castro, also in that recording, one of two recordings at least that exist, talked about that and how he had thought about having the military knock down the planes that were overflying Havana —

LLAMAS: Right.

DIAZ-BALART: — dropping leaflets and decided not to, but that the next step would be when they were over international waters.

LLAMAS: Jose, stand by for us. I do want to tell our viewers, we're waiting to hear from some of the family members of those pilots who were shot down, those Cuban American pilots that were shot down by the Cuban MIGs. I do want to get to Kelly O'Donnell first to kind of go through some of the terminology we heard from the acting attorney general. He said, this is not a show indictment. And Kelly, I've been going through it during this news conference. And he's right. There is not a lot of, I would say, smoking gun evidence here, at least when it comes to Raul Castro. Essentially, as Jose pointed out, the one piece of evidence they say is that as leader of the military, he greenlit all the operations and that they had trained these MIG pilots to focus on small aircraft. They had done this for a couple months in the lead up to the shooting, but beyond that, we don't see a smoking gun here. Is that a fair assessment of the indictment? The way we see it.

O'DONNELL: Based on what I've read through, it's about 19 pages, Tom, and part of it gives you a sense of the history of this case and some of the specifics about a specific as it gets is what you're referring to. It says all orders to kill by the Cuban military traveled through this chain of command with Castro and his brother, Fidel Castro, as the final decision makers. It also talks about — after they had identified the presence of these flights in the area, that they had pilots practicing, locating, and following low, slow-flying civilian aircraft like the ones used by the group involved here. So, it gives you some of that sort of tactical work that they have evidence they believe to support that, and really relying on a chain of command that if in the Cuban structure at that time that Raul Castro was the defense minister and was in the position to give the as they describe it here, the kill order, that that is evidence they're laying out. It includes some photographs and things they don't — they don't read well when they're printed, but you get a sense of it. It shows you the aircraft and a picture of Castro at the time. Now, I think the biggest question right now is where is Castro and what happens to him?

LLAMAS: Right.

O'DONNELL: Because we have seen in many cases where there are people who are indicted

abroad, who are not brought to the United States, who evade that kind of justice within a jurisdiction where this indictment came down. We don't have, based on our reporting, any indication of any specific attempts to try to extract him. Our colleague Jesse Kirsch, who was in the room, asked about the visit of the CIA director. And it would be hard for me to imagine that circumstances like this would not have been discussed in some way —

LLAMAS: Right.

O'DONNELL: — not necessarily revealing this indictment, but talking about the kind of legal peril Castro could face and using that as a leverage point. That will take more reporting to sort out.

LLAMAS: Yeah.

O'DONNELL: But that's the context and why Jesse's question was relevant here.

LLAMAS: Kelly, to go back to the indictment, because I think this is very important. If we compare this indictment to the Maduro indictment, they are very different. The Maduro indictment had times and places, it named narco traffickers that members of Maduro's family had met with. I mean, there were several instances where they looked like they were connecting drug trafficking directly to Nicolas Maduro. Not that the — the U.S. may not have more evidence against Raul Castro. But, you know, I think the acting attorney general got ahead of maybe some of the headlines saying this is not a show indictment. And that essentially means we're not going to lay out all the evidence we have. We're not going to overwhelm the readers of this with the facts that we may have or may not have.

O'DONNELL: and certainly the time and place is very different. So, the charges against Maduro are far more contemporary. This is 30 years ago against a hostile adversary, where there might have been limitations on the kind of evidence the U.S. could obtain. They have obtained some of this. That gives sort of the working operational details of how these flights were targeted and then shot down. But you're right, this is not the kind of contemporary crime in play being recorded and tracked by federal authorities, based on what we're seeing here. We'll, of course, wait, is will there be a trial and will evidence be presented in court? But it is a historical narrative. It is details about the individuals, not only Castro, but five others. As we've discussed, they were pilots as a part of this mission. And there will be enormous pressure now politically, and both domestic politics for the United States and international politics for the administration, but for the Department of Justice, this is and for the Trump administration, this is an opportunity to check a box that has been waiting for a very, very long time on serious charges that relate to the deaths of Americans long ago, but still very relevant in terms of how some of these issues are playing out at the same time that there is this stranglehold posture that the United States is having against the current modern day moment of Cuba, to try to pressure the regime by cutting off sources of their income and energy and all of those things that are ramping up the pressure, timed also with the secretary of state, who was not present today, talking to the Cuban people directly. So, so many layers to this, Tom, the document is important. The charges are important, but so is all the context we've been talking about.

LLAMAS: And ultimately, a grand jury did choose to indict and a jury will — will see the evidence at some point. If Raul Castro has ever brought to — to trial. I do want to bring in our senior White House correspondent, Gabe Gutierrez for that part of the story. Gabe, we saw the acting attorney general there, peppered by local Miami reporters with the key question how does Raul Castro stand trial for this, right? An arrest warrant will be issued. And from there — give me a second here, Gabe — and from there, obviously, there'll be steps in play to either exercise or take him out of Cuba or not. But right now, that's the big question.

GABE GUTIERREZ: Yeah, certainly, Tom. And that really stuck out to me when the acting attorney general said that he said that, yes, an arrest warrant is issued and he expects Raul Castro to either come here on his own, which seems unlikely, or to show up here some other way, really laying the pretext for any operation to somehow grab Raul Castro in Cuba. Now, as you've been talking about, this is very different than Venezuela. In Cuba, a significant military there, or certainly an intelligence operation. But you remember, Tom, in the Maduro raid, a lot of Maduro security were Cubans. So, there are a lot of questions about how this moves forward. We have reporting over the last several months that President Trump has been growing increasingly frustrated by the Cuban government remaining in power, despite the fuel shortages that have erupted across the island. And if I could point out, Tom, this really points to over the last decade or so, the sharp difference in policy from the Trump administration to the Obama administration before it. I was there in 2014, 2015, with that thaw of diplomatic relations between Cuba and the U.S. And you remember that last speaker — the Florida Attorney General — mentioned that he didn't name him by name, but President Obama actually attended a baseball game with Raul Castro in Havana, and that was a reference to that. Certainly, Kelly was referring to the political dynamics of all this. But we see just how far the Trump administration has come from the Obama administration before it, making a calculation that it does not want any sort of talking with the Cuban regime. It's losing patience with it. And the CIA director's visit there last week, certainly the leaking of pictures from that from that visit amounted to an escalation of the pressure campaign. And you're right, that is the major question. What happens next? Will the U.S. now somehow go into Cuba and bring Raul Castro back here to face these charges? He turns 95 years old next month.

LLAMAS: All right, Gabe, stand by for us. I want to bring in Miriam de la Pena. Her son, Mario, was one of the four men killed when the planes they were on were shot down by the Cuban military. Miriam, I want to make sure you can hear me as we start this interview. You hearing me? Okay?

MIRIAM DE LA PENA: I can hear you. Yes.

LLAMAS: Miriam, I am — first of all, I'm so sorry for what happened to your son Mario. He was only 24 years old when this happened. I can't imagine what you and your husband and your entire family have — have struggled with for — for 30 years. If you can talk to me about what this day means for you, and I know your family has been behind a lot of these potential indictments and lawsuits for so many years. But to finally hear someone like the acting attorney general to say that Raul Castro has been indicted, what was that that that moment like for you?

DE LA PENA: This moment, it marks the beginning. It's the first day of us being on the road to find justice, something we have been asking for — for 30 years. It is amazing that this is happening. We are, like, overly hopeful that and thankful that finally, our children are looked at as human beings who were murdered under a dictatorship, who extended their tentacles to international waters to kill American citizens. And that cannot be allowed.

LLAMAS: Do you have confidence that Raul Castro will ultimately face justice?

DE LA PENA: I think right now, if I were Raul Castro, I would be very worried. I think he will eventually face justice. And if he dies before he can come to a U.S. court, he already knows that he is charged with murder, which he got away with for 30 years.

LLAMAS: What is your understanding — do you know why the Trump administration decided to do this now? Have they explained it to you?

DE LA PENA: No, but I think I think it's the right thing to do. I think he's doing it because it's the right thing to do. You kill American citizens, the United States needs to defend those citizens. You and I could have been killed. The United States needs to stand up for its citizens. What are we here for? Protect our citizens from murderers!

LLAMAS: Yeah. On that point, there have been a lot of elected, you know, administrations in this country that have turned their back on your family and turned their back on, on what happened there. I got to think, after all these years and all those different administrations, today has to feel so much different.

DE LA PENA: I do feel different. I feel like we're — we're human beings. Before, we were ignored. We're not ignored anymore. Our children are not ignored. There were four innocent men trying to do good for society, and they did not deserve to die that way.

LLAMAS: If you can while I have you —

DE LA PENA: Can't let them get away with it.

LLAMAS: — yeah. While I have you here, can — can you tell our viewers a little bit about your son?

DE LA PENA: Yeah. Mario was born in New Jersey, never visited Cuba. We have not been back. We came when we were young — my husband and I. And we met here, and our children were born in the United States. They were raised in freedom. They were raised to do good. And if you do good, you're fine. You abide the law. And that's what he used to say all the time. I don't do anything wrong. I am trying to save lives. And because, you know, there was there was a worry that Castro — we know the nature of the Castros. They are murderers and they're not going to get away with it anymore.

LLAMAS: And then finally, Miriam, what's your message — yeah — what's your message to

Raul Castro today?

DE LA PENA: Raul Castro? What is my message you got? You are going to get what you deserve. You are being called by what you are today. You are a murderer. Now, you will have in the United States — your rights will be will not be violated like you violate the rights of the Cuban people. You will have rights in the United States being respected and you will serve a just sentence if you're found guilty, which I have no doubt that you will be found guilty.

LLAMAS: Miriam de la Pena, your husband, I know, is right next to you. We thank you so much for talking to us. We are sorry for what you and your family have struggled through and gone through over these 30 years, and I know today is a monumental day for you. We shall see what shall happen in the days and weeks ahead. We thank you for joining our coverage. Miriam de la Pena there. If you've been watching us, we are coming on the air with that breaking news, Raul Castro, along with several other Cubans, including a former Cuban pilot, have been indicted now by the U.S. government. Here are some of the charges: Conspiracy to kill U.S. nationals, two counts of destruction of aircraft, four counts of murder. We are waiting at any moment the arrest warrant for Raul Castro, the former head of Cuba, who many still believe is really in charge of that communist island.