

February 26, 1997

## MEMORANDUM

To: Tim Wray  
cc: Jeremy Gunn  
From: Christopher Barger, Joseph Masih  
Subj: Date "Window" for Cuba and Vietnam documents  
File No: 4.11.7

The purpose of this memo is twofold: 1) To establish a consistent "time window" for documents from various military collections relating to anti-Castro activities; and 2) to document the process by which ARRB staff arrived at this standard.

### **ISSUE NUMBER ONE: The need for a consistent standard**

As it has been widely alleged that anti-Castro activities undertaken by the United States Government in the early 1960's might have been relevant to the assassination of President John F. Kennedy, the ARRB staff has made every effort to locate records of this subject area. Staff has been successful in finding many records of this type in several collections. Among these are the papers of the Chairmen of the Joint Chiefs of Staff, located at the National Archives; the papers of then-Secretary of the Army Joseph Califano, also located at the Archives; Cuba-related documents once part of different FOIA requests held at the Pentagon by the Joint Staff; and various "Site R" documents held by their originators.

In a separate determination, it has been decided that a window of June 1963 through January 1964 shall be used for the "Site R" documents. Documents dated within this window will automatically be considered assassination related, and will carry a presumption of release in full, unless specific justification can be offered by an agency or entity with equities in that document. "Site R" documents not occurring within that window will be judged on an individual basis as to their relevancy to the assassination and will not carry a presumption of release unless the ARRB determines that the information contained is of a nature consistent with the requirements of the JFK Act.

However, no consistent standard has been established for the other collections. The risk is that different windows will be used for different collections, lending an inconsistency to the ARRB review. To avoid this problem, it is suggested that a general window be established to apply to all remaining collections containing Cuba-related documents. It should be understood that such a window does not preclude documents from outside the window being designated "assassination

related;" additionally, it should be understood that the presumption of release does not mean that all documents within the window will be released in full, but that any postponements requested by an agency or entity with an equity in the document will have to be justified under a section of the JFK Act.

## **ISSUE NUMBER TWO: Establishing a window-- November 30, 1961 to January 31, 1964**

The ARRB Military Team recommends that all documents dated between November 30, 1961 and January 31, 1964 be included in the aforementioned "window."

The following are the justifications for setting these dates as the window:

### **I. Background**

From almost the time Fidel Castro took power, the United States actively, if covertly, attempted to destabilize the Castro regime and engineer his downfall. These efforts intensified after the election of John Kennedy, and further still after the failure of the Bay of Pigs invasion. At times, these efforts included attempts to assassinate Fidel Castro. The United States Government utilized members of the Cuban exile community in these efforts. After the Cuban Missile Crisis of October 1962, it was a widely held belief that Kennedy had promised never to invade Cuba in return for Khrushchev's agreement to remove the missiles from the island. Some historians and other members of the research community believe that this promise and a corresponding change in US policy toward Cuba may have resulted in a feeling of betrayal and resentment among the exile community; these feelings could have led, they believe, some Cuban exiles to align themselves with Right Wing extremists in the United States to assassinate the President.

Another theory relating to these efforts holds that Fidel Castro, who often knew of the assassination attempts against him and other efforts by the United States to destroy his regime, managed to infiltrate some of these groups, and turned Kennedy's anti-Castro assassins against him. The theory further stipulates that the US Government was reluctant to investigate this possibility in relation to the assassination because public disclosure of this possibility might well have led to the disclosure of the US efforts.

Given the allegations and theories involving anti-Castro efforts, the ARRB Military Team believes that records detailing the efforts undertaken against Castro would contribute to the historical understanding of the assassination, regardless of the validity of the allegations. In that light, it is important to assess the full scope of these efforts.

### **II. Specific operations and dates**

Before justifications are offered for the window we have selected, it is important to emphasize that

enhancing the historical understanding does not necessarily mean a full-scale release of documents. In other words, just because a document is dated in 1962 and relates to Cuba does not mean that it automatically constitutes an assassination-related record. Rather, the window is intended to provide a guideline in which all documents contained within carry only the *presumption* of release, provided that they are deemed important to the historical understanding.

Given that caveat, the Military Team suggests the November 30, 1961 start date for the window. On that date, the memorandum was issued that initiated Operation MONGOOSE, which marked the stepping up of covert anti-Castro efforts by the United States Government under the Kennedy Administration.<sup>1</sup> With the advent of MONGOOSE, the covert use of the Cuban exiles and the American intelligence community began in force; this is the beginning of the activities which have been alleged to be connected with the assassination.

Special attention should be paid to records from the period following the Cuban Missile Crisis, so that future researchers will be able to observe any changes in policy that may have occurred after the resolution of that crisis.

Under the hypothesis that Kennedy was assassinated in order to effect a change in Cuba policy, it will be necessary to provide researchers access to records up to and including the period immediately following the assassination, so that changes in policy, if any, can be observed by researchers.

On a related note, records relating to Vietnam should have a window of June 1963 to 1964. There is a school of thinking that argues that Kennedy was killed because he was about to change US policy toward Vietnam. Records from the months preceding the Diem coup on November 1, 1963, and the months immediately following the Kennedy assassination are important to understanding this area of study.

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<sup>1</sup> Senate Assassination Plots Report, p. 142