



United States Department of State

Washington, D.C. 20520

April 7, 1995

Antonio R. de la Cova, Ph.D
P.O. Box 1842
Fernandina Beach, FL 32035

Dear Mr. de la Cova:

Senator Helms has asked us to respond to your letter of December 12, concerning the 1962 "agreement" with the Soviet Union on offensive weapons in Cuba. Perhaps the use of the term "agreement" has led to some confusion. There never was a formal, legally binding agreement embodied in particular documents, but rather an understanding with the Soviet Union that developed from a number of exchanges between President Kennedy and Chairman Khrushchev and between their representatives. Some exchanges were written; others were oral. They extended from October 1962 to October 1963. The understanding has been reaffirmed in subsequent exchanges.

The essence of the 1962 understanding is that the Soviet Union undertook not to reintroduce offensive weapons into Cuba. This included the obligation not to use Cuba for the stationing or support of offensive weapons systems, such as nuclear submarines. For our part, President Kennedy stated on November 20, 1962, that "if all offensive weapons are removed from Cuba and kept out of the hemisphere in the future, under adequate verification and safeguards, and if Cuba is not used for the export of aggressive Communist purposes, there will be peace in the Caribbean ... (W)e shall neither initiate nor permit aggression in this hemisphere."

As you note in your letter, all the early Kennedy-Khrushchev correspondence related to the Cuban missile crisis (from October to December 1962) which had not been previously declassified was declassified and published jointly by the State Department and the Russian Government in January 1992. In addition, all correspondence between President Kennedy and Chairman Khrushchev through 1963 has been declassified. As a result, the essential elements of the understanding are contained in declassified materials. The Department of State plans to release in late 1995 or early 1996 a volume on Cuba for 1962-63, as part of its ongoing series on "The Foreign Relations of the United States." There is no "Kennedy-Khrushchev Executive Agreement of 1962," as you refer to it in your letter, to disclose.

It is the case that documents regarding some of the subsequent exchanges related to the understanding have not been declassified or released. The appropriate procedure for seeking the release of any such documents would be to apply for their release under the Freedom of Information Act at the following addresses:

for pre-1964 documents:

F. Lyons
Chief, Archives II Reference
National Archives at College Park
8601 Adelphi Road
College Park, MD 20740-6007

for documents dating from 1964 and subsequent years:

Frank Machak
Director, Office of Freedom of Information,
Privacy and Classification Review,
Rm. 1512 MS
Department of State
Washington, D.C. 20520-1512

Although the Kennedy-Khrushchev understanding is not legally binding, we do not view the dissolution of the Soviet Union as altering the commitments under the 1962 understanding of the Soviet Union's successor states, including the Russian Federation.

We hope this information will be useful to you.

Sincerely,

A handwritten signature in cursive script, appearing to read "D Hays".

Dennis Hays
Director
Office of Cuban Affairs

DEPARTMENT OF STATE, U.S.A.

WASHINGTON, D.C. 20520

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