



United States Department of State

Washington, D.C. 20520

October 4, 2021

Case No. FL-2014-06088

Mr. Jason I. Poblete  
Poblete Tamargo LLP  
Courthouse Square  
510 King Street, Suite 350  
Alexandria, Virginia 22314

Dear Mr. Poblete:

We refer to our letter dated September 2, 2021, regarding the release of certain Department of State (“Department”) records under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department has identified one additional responsive record subject to the FOIA. We have determined that the one record may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable FOIA exemptions are marked on the document. All non-exempt material that is reasonably segregable from exempt material has been released and is enclosed.

We will keep you informed as your case progresses. If you have any questions, you may contact Jeremy S. Simon at (202) 252-2528 or [Jeremy.simon@usdoj.gov](mailto:Jeremy.simon@usdoj.gov). Please refer to the case number, F-2014-06088, and the civil action number, 18-cv-02335, in all correspondence regarding this case.

Sincerely,

A handwritten signature in black ink that reads "Jeanne Miller". The signature is written in a cursive style with a large, stylized initial "J".

Jeanne Miller  
Chief, Programs and Policies Division  
Office of Information Programs and Services

Enclosures: As stated

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

(b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

- 1.4(a) Military plans, systems, or operations
- 1.4(b) Foreign government information
- 1.4(c) Intelligence activities, sources or methods, or cryptology
- 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
- 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
- 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
- 1.4(h) Weapons of mass destruction

(b)(2) Related solely to the internal personnel rules and practices of an agency

(b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMSEXP	Arms Export Control Act, 50a USC 2411(c)
CIA PERS/ORG	Central Intelligence Agency Act of 1949, 50 USC 403(g)
EXPORT CONTROL	Export Administration Act of 1979, 50 USC App. Sec. 2411(c)
FS ACT	Foreign Service Act of 1980, 22 USC 4004
INA	Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
IRAN	Iran Claims Settlement Act, Public Law 99-99, Sec. 505

(b)(4) Trade secrets and confidential commercial or financial information

(b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product

(b)(6) Personal privacy information

(b)(7) Law enforcement information whose disclosure would:  
(A) interfere with enforcement proceedings  
(B) deprive a person of a fair trial  
(C) constitute an unwarranted invasion of personal privacy  
(D) disclose confidential sources  
(E) disclose investigation techniques  
(F) endanger life or physical safety of an individual

(b)(8) Prepared by or for a government agency regulating or supervising financial institutions

(b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

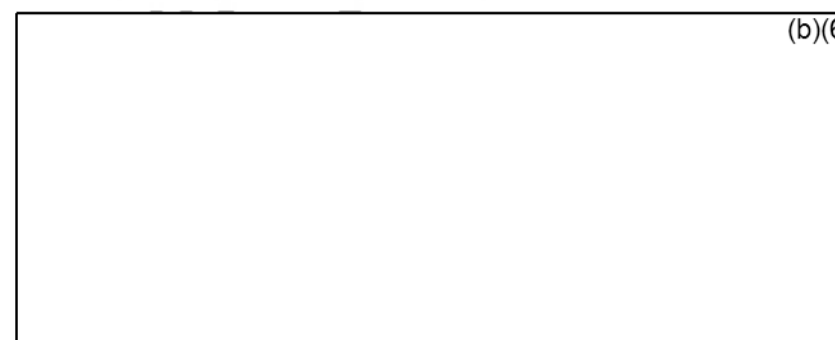
NR Material not responsive to a FOIA request excised with the agreement of the requester

March 26, 1999

99 APR -6 PH 1:03

Bonnie M. Anderson

Sen. Max Cleland  
461 Dirksen Senate Office Building  
Washington, DC  
20510



Dear Senator Cleland,

Last week, the families of the men who were shot down over Cuba were granted by U.S. District Judge James Lawrence King more than \$6 million of the frozen Cuban assets. My family and I do not dispute the fact that they deserve compensation for their loss. Indeed, we know the pain they have gone through.

The difference is that we've known that pain for 35 more years.

My father, Howard F. Anderson, a U.S. citizen and former US Navy officer, was executed by firing squad by Fidel Castro's forces on April 19, 1961. He was the first US citizen killed in Communist Cuba. He was killed because he was an American, and because the Cubans believed he had ties to the CIA. He refused clemency, as that required him to sign a document admitting the CIA's actions in Cuba... and he refused to be a traitor or to do anything to hurt his country.

We had a private family briefing at Langley last year, a briefing arranged by the Director of Central Intelligence, whom I was fortunate to meet when he visited CNN, where I am a Managing Editor. (I wish to be completely clear that I write this letter as a private U.S. citizen, not as a CNN employee.) At that briefing, officials confirmed that they had, indeed, given my father money to funnel to counter-insurgency forces.

My father was brutally executed because he was a loyal US citizen doing what his government encouraged him to do. We have lived with the pain of knowing that in the minutes before his death, most of his blood was drained from his body to be used in transfusions for Castro's forces.

We have also lived with the pain of seeing our government forget our loss. Indeed, when a US citizen was on trial in Cuba two years ago, a State Department spokeswoman was quoted by the Associated Press as saying that if he were to be executed, he would be the first American killed since Castro came to power. Incensed, I called her and provided her with the entire list of US citizens who have met that fate. Her embarrassment did not ease my anger and acute disappointment.

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It was an outrage that my father's sacrifice had been forgotten.

Today, I am equally outraged that our claim to the frozen Cuban assets has been ignored, while newer claims are being paid. To also learn only now that the State Department gave each of the families of the pilots \$300,000 from the frozen assets as a "humanitarian gesture" while having never given my family a dime, is a further injustice.

My mother was 39 years old when she became a widow, trying to raise four children. She struggled to raise us. I, the youngest, was five years old. Through her grief, she spent years documenting our claims in Cuba, fulfilling the rigorous requirements set up by our government. She was finally given an official document asserting our claim, based on the property we lost and the death of my father. (Incidentally, it is also painful to learn that my father's life was worth far less than the lives of the pilots.)

We are, therefore, among the 5,900 individuals certified by the U.S. Foreign Claims Settlement Commission who staked prior claim to the frozen Cuban assets. We ask no more than that they be paid, preferably within our lifetimes. My mother is now 78 years old and in a retirement community. I can't even begin to tell you what she has gone through since hearing of the recent cash award to the pilots' families.

Perhaps the Andersons have been too naïve. Perhaps we believed, as my father believed when he gave his life for his country, that justice would prevail, that fairness would win out. Perhaps our mistake is that we did not hire lawyers and sue our government. We believed our elected officials and those who vow to serve the people would do what was right... because it is right.

We do not begrudge the families of the pilots. Indeed, I am grateful in a way that they have brought this issue to the forefront. In 1978, as a young reporter for the Miami Herald, I came face to face with Fidel Castro and wrote a story that was the finalist for the Pulitzer Prize. Since then, I have been consistently deluged with requests from Hollywood to write a movie based on our tragedy. I have always resisted... in part, because, like my father, I do not want to do anything that is less than completely patriotic, anything that would embarrass my country. The other reason was that we really didn't have an end to the story.

Thirty-eight years after my father's death, and given recent events, I'm coming to the conclusion that perhaps that's the only way to see justice done. The ending is also becoming clear: This government that my father died for, that my brother fought for in Viet Nam, does not care... unless threatened in court.

It is unbelievable that this same government is protecting the assets of the government that killed my father. Tell me, what purpose does it serve to keep these assets frozen? To deny legitimate claims?

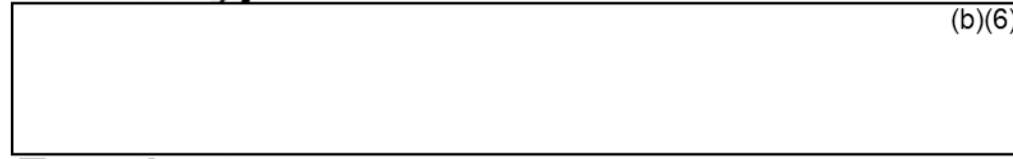


If there is a legal way for the assets to be dispersed to the families of the downed pilots, why weren't prior claimants notified? Why weren't our claims paid?

What do we need to do to see justice done?

Will you take a part in righting this wrong? I sure hope so. I will be happy to send you a copy of my family's Cuban Claims. If you need any further information, please let me know.

Sincerely,

 (b)(6)

Bonnie M. Anderson  
Daughter of Howard Frederick Anderson