

FOIA MARKER

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Original OA/ID Number: 2765				
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UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9909045
RECEIVED: 14 DEC 99 13

TO: PRESIDENT

FROM: SERRANO, JOSE E

DOC DATE: 08 DEC 99
SOURCE REF:

KEYWORDS: CUBA MIGRATION
CO

LEGAL ISSUES

PERSONS: GONZALEZ, ELIAN

SUBJECT: CASE OF GONZALEZ & CUSTODY DISPUTE

ACTION: SEE 9909316 FOR FINAL ACTION

DUE DATE: 27 DEC 99 STATUS: C

STAFF OFFICER: PATTEN

LOGREF: 0000237 9909316

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

COMMENTS: IF FINAL REPLY CANNOT BE PREPARED BY DUE DATE, AN INTERIM RESPONSE
MUST BE PREPARED FOR MILES LACKEY'S SIGNATURE.

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTSM

CLOSED BY: NSTTS

DOC 1 OF 1

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9909045

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001	Z	00010515	ACTION TRANSFERRED
001 PATTEN	X	00010515	PREPARE MEMO FOR BERGER
001	X	00020415	SEE 9909316 FOR FINAL ACTION
001 BUSBY	Z	99121413	PREPARE MEMO FOR BERGER

UNCLASSIFIED

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9909045
RECEIVED: 14 DEC 99 13

TO: PRESIDENT

FROM: SERRANO, JOSE E

DOC DATE: 08 DEC 99
SOURCE REF:

KEYWORDS: CUBA MIGRATION
CO

LEGAL ISSUES

PERSONS: GONZALEZ, ELIAN

SUBJECT: CASE OF GONZALEZ & CUSTODY DISPUTE

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 25 DEC 99 STATUS: S

STAFF OFFICER: BUSBY

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

BUSBY

FOR CONCURRENCE

BAKER
LACKEY

FOR INFO

SCHWARTZ

COMMENTS: IF FINAL REPLY CANNOT BE PREPARED BY DUE DATE, AN INTERIM RESPONSE
MUST BE PREPARED FOR MILES LACKEY'S SIGNATURE.

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTSM

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DOC 1 OF 1

UNCLASSIFIED

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

9045

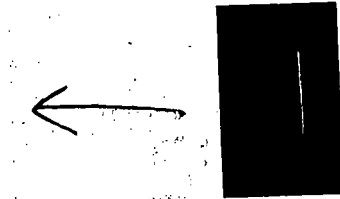
January 28, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ *ES*

FROM: WENDY PATTEN *WP*



SUBJECT: Letter from Rep. Serrano on Elian Gonzalez Case

Attached is a memorandum to the President and proposed response to two letters from Rep. Jose Serrano concerning the matter of Elian Gonzalez.

The NSC received the initial incoming correspondence on December 14, 1999, and the second letter on January 11, 2000.

Concurrences by: Mary DeRosa, Daniel Shapiro, Arturo Valenzuela } *via email*

RECOMMENDATION

That you sign the attached memorandum.

Attachments

Tab I Memorandum to the President
Tab A Response to Letter on Elian Gonzalez
Tab B Incoming Correspondence

The Office of Congressman José E. Serrano



The 16th Congressional District -- New York
---- Fax Cover Sheet ----

DATE: 12/8/99

SENT TO: President William J. Clinton

ORGANIZATION: White House

Fax Number: (202) 456-2604

FROM: Congressman José E. Serrano

Fax Number: (718) 588-3652

Office Number: (718) 538-5400

Number of Pages: 2

MESSAGE: If the President has any questions or would like to speak to Congressman Serrano, please call (718) 538-5400 or (202) 225-4361.

THE WHITE HOUSE
WASHINGTON

December 13, 1999

MEMORANDUM FOR ROBERT A. BRADTKE
NSC Executive Secretariat

FROM: CHARLES M. BRAIN
Legislative Affairs

SUBJECT: PRESIDENTIAL CORRESPONDENCE

Attached are copies of letters sent to the President by various Members of Congress. Since these letters address national security issues, we would appreciate your assistance in drafting the responses.

Thank you very much for your assistance. If you have any questions, please call Courtney Crouch at x67500.

The following is a brief description of the letters:

- 1) Sen. Patty Murray (D-WA), concerning the protection of women's health around the world and the overdue U.S. dues to the United Nations;
- 2) Rep. Silvestre Reyes (D-TX), concerning the President's December 9 meeting with Mexican President Ernesto Zedillo and Mexico's proposal to collect deposits on U.S.-registered vehicles traveling into Mexico; and,
- 3) Rep. Jose E. Serrano (D-NY), concerning the case of Elian Gonzalez, the Cuban child recently rescued off the coast of Florida.

Enclosures

DEC 14 12:15

NATIONAL SECURITY COUNCIL

OFFICE OF MULTILATERAL AND HUMANITARIAN AFFAIRS

FAX COVER SHEET

NATIONAL
SECURITY
COUNCIL

17th & Penn, N.W.
Washington, D.C.
20504

Did you get a complete,
clear transmission? If not,
please call:

(202) 456- 9141

From: Scott Busby 456-9141 (phone) /456-9140 (fax)

To: Catherine Brown FAX
736-7559

Date/Time:

No. of pages to follow: 1

RE:

Incoming Severino letter.

*** TX REPORT ***

TRANSMISSION OK

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CONNECTION ID		
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PGS.	2	
RESULT	OK	

NATIONAL SECURITY COUNCIL

OFFICE OF MULTILATERAL AND HUMANITARIAN AFFAIRS

FAX COVER SHEET

NATIONAL
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17th & Penn, N.W.
Washington, D.C.
20504

Did you get a complete,
clear transmission? If not,
please call:

From: Scott Busby 456-9141 (phone) /456-9140 (fax)

To: Catherine Brown 736-7559
FAX

Date/Time:

No. of pages to follow: 1

RE:

Incoming Services letter.

NATIONAL SECURITY COUNCIL

OFFICE OF MULTILATERAL AND HUMANITARIAN AFFAIRS

FAX COVER SHEET

NATIONAL
SECURITY
COUNCIL

17th & Penn, N.W.
Washington, D.C.
20504

Did you get a complete,
clear transmission? If not,
please call:

(202) 456- 9141

From: Scott Busby 456-9141 (phone) /456-9140 (fax)

To: Brad Glassman ^{FAX} 514-9077
~~Bro Cooper~~ 514-0455

Date/Time: Charles Shapiro 736- 4476

No. of pages to follow: Catherine Brun 736- 7559

RE: 2

Pls clear the attached
response to Serrano. I've
also attached incumity.

THE WHITE HOUSE

WASHINGTON

Dear Joe:

Thank you for your letters regarding the case of Elian Gonzalez. I share your concern for the well-being of this six-year-old boy.

As you know, the Immigration and Naturalization Service announced its decision in this case on January 5. It decided that Elian Gonzalez's father, Juan Gonzalez, has the sole legal authority to speak for his son in immigration matters, and that the boy should be reunited with his father. INS and the Department of Justice are working hard to carry out the INS decision, which is currently being challenged in federal court.

Throughout this process, I have tried to ensure that this decision would be made according to the governing law and procedures, not politics. No interagency task force was established to determine the procedures governing this case. The Immigration and Naturalization Service, in consultation with the Attorney General, had sole responsibility for deciding the procedures to follow as well as the result.

Again, thank you for sharing with me your concerns about this compelling case.

Sincerely,

The Honorable Jose Serrano
House of Representatives
Washington, D.C. 20515

Draft.

Dear Jose:

Thank you for your letter regarding the case of Elian Gonzalez. I share your concern for the fate of this six-year-old child. As I have said publicly, the matter should be decided through the appropriate legal process, not through politics. I intend to do everything I can to ensure such an approach.

I would like to clarify that there is not an interagency task force determining the procedures governing this case. The Immigration and Naturalization Service (INS) has sole responsibility for deciding the procedures to follow as well as the result. Those decisions will not involve me, the White House or any other agency.

I would also like to point out that the decision by INS to turn Elian over to his relatives in the United States was made prior to any knowledge of or claim by his father. Moreover, it is almost always the case that unaccompanied minors who arrive on U.S. shores are turned over to family members who are here.

As you probably know, the INS has now conducted an interview with the father and obtained documentation from him. It is reviewing that information and intends to reach a decision as quickly as possible. We hope that resolution to the case will occur in the near future.

Again, thank you for sharing with me your concerns about this compelling case.

Sincerely,

The Honorable Jose Serrano
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
CHARLES M. BRAIN

SUBJECT: Response to Letters from Rep. Serrano Concerning
Elian Gonzalez Case

Purpose

To respond to two letters from Rep. Jose Serrano, expressing his concern over the handling of the Elian Gonzalez case.

Background

Rep. Serrano wrote in December to express his concern over the establishment of an interagency task force to determine the procedures INS should follow in the Elian Gonzalez case. He insists that normal procedures should be followed and the father's wishes respected. He requests that you act quickly to facilitate the return of the child to his father and family in Cuba.

Rep. Serrano wrote again in January to express his support for the INS decision in this case. Noting the intention of lawyers for the child's Miami relatives to challenge the INS decision in court, he urges you to resist attempts to delay or politicize the process and to return the child to his father as soon as possible.

Your response indicates that the Immigration and Naturalization Service and the Department of Justice are working hard to carry out the INS decision, which is currently being challenged in federal court. The response also makes clear that you have endeavored to ensure that the INS decision would be made according to the applicable law and procedures, not politics.

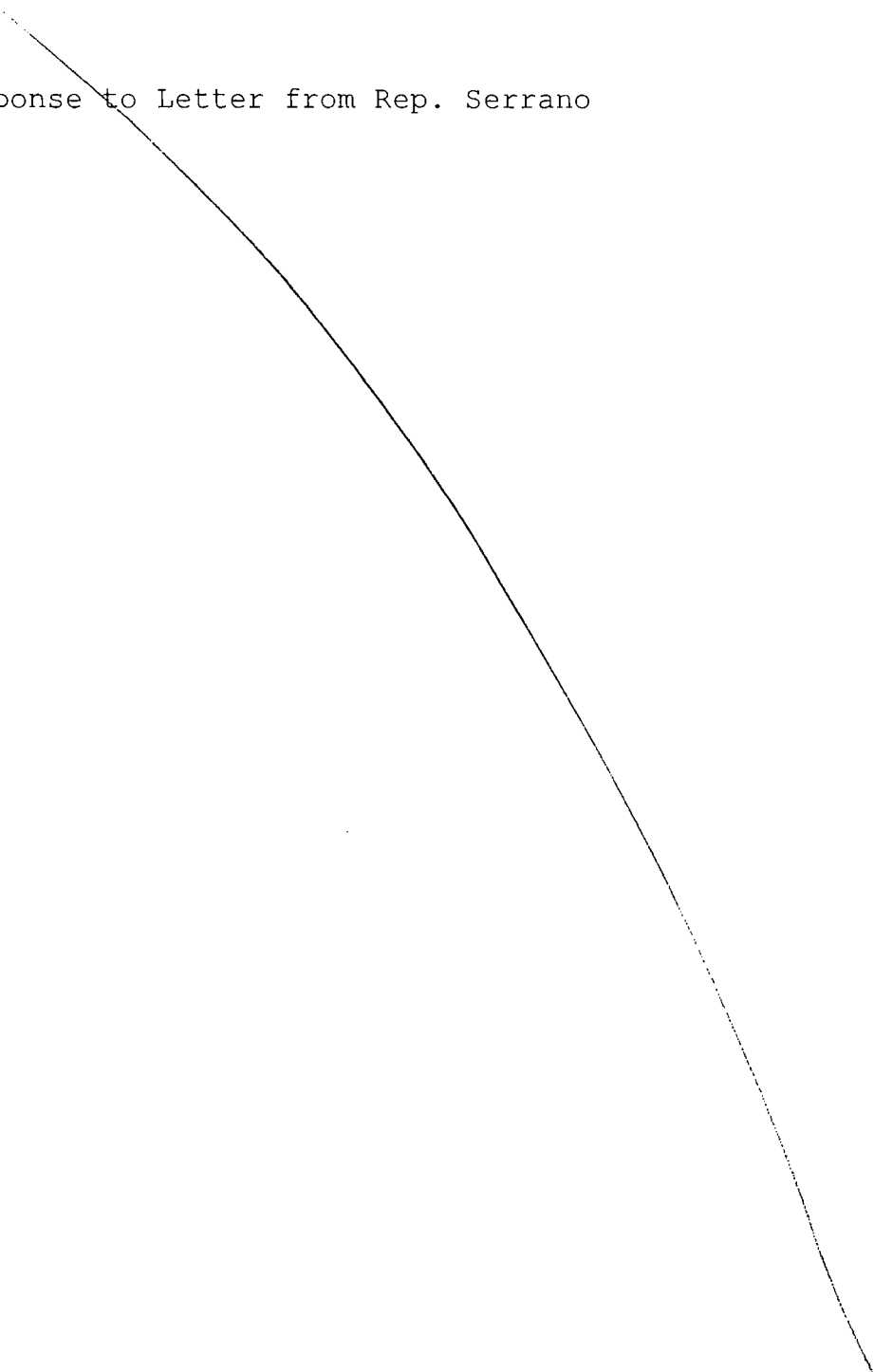
cc: Vice President
Chief of Staff

RECOMMENDATION

That you sign the attached response.

Attachment

Tab A Response to Letter from Rep. Serrano



PRESIDENTIAL/NSA CORRESPONDENCE

IMMEDIATE ACTION REQUIRED

ACTION OFFICER: BUSBY

LOG NUMBER: 9045

DUE DATE: 25 DEC

DATE STAFFED: 14 DEC

CORRESPONDENCE ADDRESSED TO:



PRESIDENT



NATIONAL SECURITY ADVISOR

FROM: REP. SERENO

see 9316 FFA

PREPARE A RESPONSE FOR THE PRESIDENT'S OR NATIONAL SECURITY ADVISOR'S SIGNATURE WITHIN 10 DAYS. IF A LETTER DOES NOT REQUIRE A RESPONSE, PLEASE RETURN IT TO RECORDS MANAGEMENT (RM 379) WITH THIS FORM, ANNOTATED ACCORDINGLY.