

Exchange Mail

DATE-TIME 03/28/2000 12:51:23 PM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT CUBAN BOY [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Hollis, Caryn C. (INTERAM)

CARBON_COPY**TEXT_BODY**

Mary/Caryn -- Draft PG. Take a look at it, b/c we may need to add more questions, and I may have strayed a bit too much from the usual line ("we refer you to DOJ"). Any word yet on the outcome of this morning's mtg? Dan

TRANSLATED_ATTACHMENT

Elian PG March 28.doc
CUBAN BOY
March 28, 2000

CONTEXT: On Tuesday March 21 a federal district court in Miami dismissed a lawsuit filed by the great uncle of Elian Gonzalez, in which he challenged the INS decision in this case. The Justice Department wrote last week to the boy's Miami relatives, and proposed that if they agreed to an expedited appeals schedule, as well as a commitment to quickly return Elian to his father if the appeal failed, then the Justice Department would not act to imminently terminate Elian's parole. In response, yesterday, March 27, the boy's family appealed the district court ruling to the U.S. Court of Appeals for the 11th Circuit yesterday, and the appellate court set an expedited hearing schedule. However, the boy's family did not respond to the Justice Department's demand that they commit to quickly returning Elian to his father if the appeal failed. The Justice Department has written again to the boy's family, stating that

without
such a commitment, they will move forward with termination of
Elian's parole as
of Thursday, March 30, at 9:00 a.m. Lawyers representing both the
Justice
Department and the boy's family met this morning, to discuss the
ramifications of
the parole termination. The Attorney General has repeated that the
Justice
Department's goal is to reunite Elian with his father in an orderly, fair,
and
prompt manner.

Separately, Elian's father has hired Washington attorney Gregory
Craig to
represent him in his dealings with the INS, but this has no bearing on
the
federal court case.

On February 18, the INS replied to a letter from Juan Gonzalez,
Elian's father,
in which he asked INS to transfer custody of the child to a different
uncle in
Miami while awaiting his son's return. In subsequent letters, Elian's
father
expressed concern regarding the great uncles' alcohol consumption
and two
cousins' criminal records, argued that the U.S. has not complied with
international law and practice, rejected the jurisdiction of the Florida
state
court, criticized dilatory tactics by the Miami relatives, and demanded
the
child's immediate return. INS determined that the great uncle's home
where Elian
presently stays is adequate for his temporary care while a federal court
reviews
the INS decision, and that it would be inadvisable to move the child to
a new and
unfamiliar environment.

Legislation to confer citizenship on the boy is pending in both houses
of
Congress. Action by Congress to confer citizenship or residency on
the child
would effectively divest
INS of jurisdiction over the matter, leaving a Florida state court to
resolve a
custody case filed by the boy's great uncle against the boy's father in
Cuba.

What is the INS decision in the Elian Gonzalez case? Do you support it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

What's your reaction to the federal judge's decision, dismissing the lawsuit filed by Elian's Miami relatives?

* We are pleased with the decision. It affirms the INS' judgment that this child should be reunited with his father.

What is your reaction to the Miami relatives' motion yesterday to appeal the district court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice. We refer you to them for more information.

* [We appreciate the family's willingness to move this case forward in an expedited manner.]

What was the outcome of the meeting held this morning between the INS and the boy's relatives?

* We refer you to the INS and the Department of Justice for information on their meeting this morning with lawyers representing the boy's family.

Will the Department of Justice move forward with the termination of Elian's

parole on Thursday morning if the family does not commit to comply with the instructions of the INS concerning the transfer of Elian if the government prevails on appeal?

* The issue of Elian's temporary parole status and its potential termination is a legal matter for the Justice Department and the INS to handle. We refer you to them for more information.

* As the Attorney General has stated, the Justice Department is committed to reuniting Elian with his father in a fair, prompt and orderly manner.

*

Does the White House support the Attorney General's and Elian's father's view that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

What's your stance on legislation to confer citizenship or permanent resident status on Elian Gonzalez? Will you veto?

* As the President has said, we hope the challenge to the INS decision will be resolved in court, not in the Congress, and strongly oppose legislation to confer citizenship on the child.

* As the President has said, we have not made a decision on a veto, but would not rule it out.

[IF ASKED] What's your reaction to Sister Jean O'Laughlin's statements that, based on what she observed, she now feels that Elian should not be returned to his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean O'Laughlin played in hosting the meeting between the grandmothers

and their
grandson.

Were the political implications of the decision discussed at the senior levels?

* White House officials did not seek to, nor did they, influence the outcome of the INS decision, which, let me reiterate, was made solely by the responsible authorities following the law and INS rules and procedures. But we want to see it carried out.

What's your reaction to the INS refusal of Elian's father's request to transfer custody of the child from the current Miami relatives to his great uncle, Manolo Gonzalez?

* INS is committed to resolving this matter as quickly as possible. The child's placement with his great uncle is only temporary while a federal court reviews the INS decision. After careful consideration, INS decided that it would be inadvisable to move the child to a new and unfamiliar environment after the trauma he has already suffered. I would direct you to them for further information.

What's your reaction to the great uncle's drunk driving record and the criminal convictions of Elian's Miami cousins?

* I have no comment. This a matter for INS and the Justice Department, and I refer you to them.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* I have no comment on these spurious allegations. We are confident

that the
family will comply with the law.

[IF ASKED] What's your reaction to Castro's allegation that the
child's great
uncle, Lazaro Gonzalez, sexually molested his young students in
Cuba? Is INS
investigating?

* That's just not something we would be able to comment on.

[IF PRESSED] I would direct you to INS for further information.

[IF ASKED] Was the Miami INS official who has been accused of
spying involved in
the Elian Gonzalez case?

* He had no role whatsoever in any of the decisions made in the Elian
Gonzalez
case. I'd refer you to INS for more information.

[IF ASKED] Is there any connection between the Cuban diplomat
who has been
expelled and the Elian Gonzalez case?

* Any questions on the Cuban diplomat should be directed to the State
Department.

[IF ASKED] What's your reaction to Sister Jean O'Laughlin's
statements that,
based on what she observed, she now feels that Elian should not be
returned to
his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean
O'Laughlin played in hosting the meeting between the grandmothers
and their
grandson.

The father has also requested that Cuban government officials be
allowed consular
access to the child. Will the U.S. grant this request?

* INS and the State Department are looking at it.

Exchange Mail

DATE-TIME 03/28/2000 2:42:44 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: CUBAN BOY [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)
Feldman, Daniel F. (MULTI)

CARBON_COPY**TEXT_BODY**

I don't think we want him to give that answer. It will look like he's walking back from earlier support for the decision.

-----Original

Message-----

From: Hollis, Caryn C. (INTERAM)
Sent: Tuesday,
March 28, 2000 2:34 PM
To: Feldman, Daniel F. (MULTI); DeRosa, Mary
B. (LEGAL)
Subject: RE: CUBAN BOY [UNCLASSIFIED]

Dan, Mary--

Have we prepared a short, q and a for the POTUS press conference tomorrow to the effect:

Q: Do you still believe that the Atty
General made the proper decision on the Elian Gonzalez case?

A:

It would be inappropriate for me to comment on a matter that is before the courts.

I think our guidance is fine for @press but is entirely too long for POTUS.

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Daniel F. (MULTI)
Sent: Tuesday, March 28, 2000 12:51 PM
To: DeRosa,
Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Subject: CUBAN BOY
[UNCLASSIFIED]

<< File: Elian PG March 28.doc >>

Mary/Caryn

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Dan

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CLASSIFICATION UNCLASSIFIED
SUBJECT FW: CUBAN BOY [UNCLASSIFIED]
TO Feldman, Daniel F. (MULTI)
Hollis, Caryn C. (INTERAM)

CARBON_COPY Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY This looks good. I've made a few changes. (e.g., we shouldn't say we're "confident the family will comply with the law", because if we were so confident we wouldn't be asking for a written agreement.)

I'm
adding a shorter document that might be better for the President's press conference. It is exactly what you sent (with my changes), but with some of the old questions removed.

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Separately, Elian's father has hired Washington attorney Gregory Craig to represent him in his dealings with the INS, but this has no bearing on the federal court case.

On February 18, the INS replied to a letter from Juan Gonzalez, Elian's father, in which he asked INS to transfer custody of the child to a different uncle in Miami while awaiting his son's return. In subsequent letters, Elian's father

expressed concern regarding the great uncles' alcohol consumption and two cousins' criminal records, argued that the U.S. has not complied with international law and practice, rejected the jurisdiction of the Florida state court, criticized dilatory tactics by the Miami relatives, and demanded the child's immediate return. INS determined that the great uncle's home where Elian presently stays is adequate for his temporary care while a federal court reviews the INS decision, and that it would be inadvisable to move the child to a new and unfamiliar environment.

Legislation to confer citizenship on the boy is pending in both houses of Congress. Action by Congress to confer citizenship or residency on the child would effectively divest INS of jurisdiction over the matter, leaving a Florida state court to resolve a custody case filed by the boy's great uncle against the boy's father in Cuba.

What is the INS decision in the Elian Gonzalez case? Do you support it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

What's your reaction to the federal judge's decision, dismissing the lawsuit filed by Elian's Miami relatives?

* We are pleased with the decision. It affirms the INS' judgment that this child should be reunited with his father.

What is your reaction to the Miami relatives' decision to appeal the district court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice. We refer you to them for more information.

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What's your stance on legislation to confer citizenship or permanent resident status on Elian Gonzalez? Will you veto?

* I hope the challenge to the INS decision will be resolved in court, not in the Congress, and I strongly oppose legislation to confer citizenship on the child.

* I not made a decision on a veto, but would not rule it out.

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case in the appropriate manner, and I support their decision and want to see it carried out.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

[IF ASKED] Was the Miami INS official who has been accused of spying involved in the Elian Gonzalez case?

* I understand he had no role whatsoever in any of the decisions made in the Elian Gonzalez case. I'd refer you to INS for more information.

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[IF ASKED] What's your reaction to Sister Jean O'Laughlin's statements that, based on what she observed, she now feels that Elian should not be returned to his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean O'Laughlin played in hosting the meeting between the grandmothers

and their
grandson.

Were the political implications of the decision discussed at the senior levels?

* White House officials did not seek to, nor did they, influence the outcome of the INS decision, which, let me reiterate, was made solely by the responsible authorities following the law and INS rules and procedures. But we want to see it carried out.

What's your reaction to the INS refusal of Elian's father's request to transfer custody of the child from the current Miami relatives to his great uncle, Manolo Gonzalez?

* INS is committed to resolving this matter as quickly as possible. The child's placement with his great uncle is only temporary while a federal court reviews the INS decision. After careful consideration, INS decided that it would be inadvisable to move the child to a new and unfamiliar environment after the trauma he has already suffered. I would direct you to them for further information.

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* These allegations are outrageous. *

[IF ASKED] What's your reaction to Castro's allegation that the child's great uncle, Lazaro Gonzalez, sexually molested his young students in Cuba? Is INS investigating?

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* I understand he had no role whatsoever in any of the decisions made in the Elian Gonzalez case. I'd refer you to INS for more information.

[IF ASKED] Is there any connection between the Cuban diplomat who has been expelled and the Elian Gonzalez case?

* Any questions on the Cuban diplomat should be directed to the State Department.

[IF ASKED] What's your reaction to Sister Jean O'Laughlin's statements that, based on what she observed, she now feels that Elian should not be returned to his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean O'Laughlin played in hosting the meeting between the grandmothers and their grandson.

The father has also requested that Cuban government officials be allowed consular access to the child. Will the U.S. grant this request?

* INS and the State Department are looking at it.

Exchange Mail

DATE-TIME 03/28/2000 3:40:10 PM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT Elian POTUS PG [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Hollis, Caryn C. (INTERAM)

CARBON_COPY**TEXT_BODY**

Mary/Caryn -- Please review this much condensed version for POTUS
PG. Press asked for input by 3:45. Thanks.

TRANSLATED_ATTACHMENT

Elian POTUS PG.doc
CUBAN BOY

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at 9:00 a.m.

Lawyers representing both the Justice Department and the boy's family met

Tuesday morning, to discuss the ramifications of the parole termination.

Separately, Elian's father has hired Washington attorney Gregory Craig to

represent him in his dealings with the INS, but this has no bearing on the

federal court case. Legislation to confer citizenship on the boy is still pending in both houses of Congress. Action by Congress to confer citizenship or

residency on the child would effectively divest INS of jurisdiction over the

matter, leaving a Florida state court to resolve a custody case filed by the

boy's great uncle against the boy's father in Cuba.

What is your reaction to the federal district court's decision last week to

dismiss the lawsuit filed by Elian's Miami relatives?

* I am pleased with the district court decision. That decision affirmed the INS

judgment that Elian's father, Juan Gonzalez, has sole authority to speak on his

son's behalf regarding his immigration status in this case. Mr. Gonzalez has

asked that his son be returned to Cuba.

* I strongly support the Justice Department, which is committed to reuniting

Elian with his father in a fair, prompt and orderly manner.

What is your reaction to the Miami relatives' decision this week to appeal the

district court ruling to the 11th Circuit Court of Appeals?

* This is a legal matter, which is in the hands of the INS and the Department of

Justice. I refer you to them for more information.

What was the outcome of the meeting held Tuesday morning between the INS and the

boy's relatives, and will the Department of Justice move forward with the

termination of Elian's parole on Thursday morning if the family does not make

certain commitments?

* Again, I refer you to the INS and the Department of Justice for information on the meeting they held yesterday with lawyers representing the boy's family, and for questions regarding the termination of Elian's temporary parole status.

1

2

Exchange Mail

DATE-TIME 03/28/2000 4:16:34 PM

FROM Feldman, Daniel F. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT CUBAN BOY [UNCLASSIFIED]

TO Anderson, Brooke D.
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Huff, Lindsey E. (PRESS)
Stockwell, David B. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

CARBON_COPY

TEXT_BODY

Longer version of Cuban Boy PG, updated for today. Cleared by Multilat, Legal and Interam.

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Will the Department of Justice move forward with the termination of
Elian's
parole on Thursday morning if the family does not commit to comply
with the
instructions of the INS concerning the transfer of Elian if the
government
prevails on appeal?

* The issue of Elian's temporary parole status and its potential
termination is a
legal matter for the Justice Department and the INS to handle. We
refer you to
them for more information.

* As the Attorney General has stated, the Justice Department is
committed to
reuniting Elian with his father in a fair, prompt and orderly manner.

Does the White House support the Attorney General's and Elian's
father's view
that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of
the INS
and the Department of Justice.

What's your stance on legislation to confer citizenship or permanent resident status on Elian Gonzalez? Will you veto?

* As the President has said, we hope the challenge to the INS decision will be resolved in court, not in the Congress, and strongly oppose legislation to confer citizenship on the child.

* As the President has said, we have not made a decision on a veto, but would not rule it out.

[IF ASKED] What's your reaction to Sister Jean O'Laughlin's statements that, based on what she observed, she now feels that Elian should not be returned to his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean O'Laughlin played in hosting the meeting between the grandmothers and their grandson.

Were the political implications of the decision discussed at the senior levels?

* White House officials did not seek to, nor did they, influence the outcome of the INS decision, which, let me reiterate, was made solely by the responsible authorities following the law and INS rules and procedures. But we want to see it carried out.

What's your reaction to the INS refusal of Elian's father's request to transfer custody of the child from the current Miami relatives to his great uncle, Manolo Gonzalez?

* INS is committed to resolving this matter as quickly as possible. The child's placement with his great uncle is only temporary while a federal court reviews

the INS decision. After careful consideration, INS decided that it would be inadvisable to move the child to a new and unfamiliar environment after the trauma he has already suffered. I would direct you to them for further information.

What's your reaction to the great uncle's drunk driving record and the criminal convictions of Elian's Miami cousins?

* I have no comment. This a matter for INS and the Justice Department, and I refer you to them.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

[IF ASKED] What's your reaction to Castro's allegation that the child's great uncle, Lazaro Gonzalez, sexually molested his young students in Cuba? Is INS investigating?

* That's just not something we would be able to comment on.

[IF PRESSED] I would direct you to INS for further information.

[IF ASKED] Was the Miami INS official who has been accused of spying involved in the Elian Gonzalez case?

* I understand he had no role whatsoever in any of the decisions made in the Elian Gonzalez case. I'd refer you to INS for more information.

[IF ASKED] Is there any connection between the Cuban diplomat who has been expelled and the Elian Gonzalez case?

* Any questions on the Cuban diplomat should be directed to the State

Department.

[IF ASKED] What's your reaction to Sister Jean O'Laughlin's statements that, based on what she observed, she now feels that Elian should not be returned to his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean O'Laughlin played in hosting the meeting between the grandmothers and their grandson.

The father has also requested that Cuban government officials be allowed consular access to the child. Will the U.S. grant this request?

* INS and the State Department are looking at it.

Exchange Mail

DATE-TIME 03/30/2000 9:52:37 AM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION CONFIDENTIAL
CLASSIFICATIONREASON 1.5(b)(d)
DATECLASSIFIEDON 03/30/2000
DECLASSIFYON 03/31/2010
SUBJECT CUBAN BOY PG 3/30 [CONFIDENTIAL]
TO Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Feldman, Daniel F. (MULTI)
Kale, Dora A. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

CARBON_COPY Orfini, Michael H. (VP)

TEXT_BODY

DECLASSIFIED E.O. 13526

White House Guidelines,
September 11, 2006

By MM NARA, Date 7/16/16
2012-03716

First cut at PG. Rough, but VP looking for PG by 10, so please comment asap. This does not yet include reference to some other aspects of this issue (e.g., letter from Miami-area mayors, current demonstrations, etc.). Also no read-out yet of this morning's 9

a.m meeting with Ramirez. Dan

TRANSLATED_ATTACHMENT Elian PG March 30_.doc
CUBAN BOY
March 30, 2000

CONTEXT: Last night, in a televised roundtable discussion from Havana, Fidel Castro indicated that Juan Gonzalez, Elian's father, was prepared to come to the U.S. to await the outcome of the legal process involving Elian. His offer had several caveats. First, Castro appeared to stipulate that, before leaving Cuba, the father would need assurance that U.S. authorities would grant the father custody in the U.S., presumably for the duration of the court process. Castro also proposed that Elian's father be accompanied not only by his wife and Elian's half-brother, but by 12 of his classmates, Elian's school teacher, a team of doctors, and a legal adviser. State has yet to receive any applications for visas, and we have indications that the number of requests may be pared down during the course of the day. Greg Craig is representing the boy's father, and has been in contact with both the Cuban government and the INS regarding the forthcoming visa requests.

Discussions are continuing this morning between INS and the boy's Miami relatives. INS is continuing its attempt to obtain a commitment from the family that they will relinquish custody of Elian if their appeal of the district court decision in this case fails. INS had originally threatened to revoke Elian's temporary parole status this morning at 9 a.m. if the relatives did not sign such a statement. INS has extended that deadline until tomorrow morning at 9 a.m. According to INS, such revocation would not result in immediate enforcement action, but would set the stage for a transfer of custody and return to Cuba absent a Court injunction.

Last week, a federal district court in Miami dismissed a lawsuit filed by the great uncle of Elian Gonzalez, in which he challenged the INS decision in this case. Earlier this week, the boy's family asked the U.S. Court of Appeals for the 11th Circuit to expedite their appeal, and the appellate court set an expedited hearing schedule, with briefing to be completed and arguments held by May 8.

On February 18, the INS replied to a letter from Juan Gonzalez, Elian's father, in which he asked INS to transfer custody of the child to a different uncle in Miami while awaiting his son's return. INS determined that the great uncle's home where Elian presently stays is adequate for his temporary care while a federal court reviews the INS decision, and that it would be inadvisable to move the child to a new and unfamiliar environment.

Legislation to confer citizenship on the boy is pending in both houses of Congress. Action by Congress to confer citizenship or residency on the child would effectively divest INS of jurisdiction over the matter, leaving a Florida state court to resolve a custody case filed by the boy's great uncle against the boy's father in Cuba.

What is your reaction to Castro's statement that Elian's father is prepared to come to the U.S. and is requesting a visa?

* As the Departments of State and Justice have indicated, we believe that the father's travel to the United States could contribute to a successful resolution of this matter.

* We have also stated previously that our goal is to reunite Elian with his father in an orderly, fair, and prompt manner.

* The State Department will give any visa applications all due

consideration.

What is your reaction to Castro's request to have many additional Cubans accompany Elian's father?

* Any visa requests will be considered by the State Department in accordance with appropriate regulations and guidelines.

[If asked: Has the U.S. received any visa requests yet from Elian's father or any other Cubans involved in this issue?]

* As of this morning, the U.S. Interests Section in Havana had not received any visa requests.

What was the outcome of the meetings held yesterday between the INS and the boy's relatives?

* Meetings are continuing this morning between the INS and the boy's relatives.

* We refer you to the INS and the Department of Justice for specific information on the meetings being held with Elian's family.

Will the Department of Justice move forward with the termination of Elian's parole tomorrow morning if the family does not commit to comply with the instructions of the INS concerning the transfer of Elian if the government prevails on appeal?

* The issue of Elian's temporary parole status and its potential termination is a legal matter for the Justice Department and the INS to handle. We refer you to them for more information.

What is your reaction to the Miami relatives' decision to appeal the district

court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice. We refer you to them for more information.

What's your reaction to the federal judge's decision, dismissing the lawsuit filed by Elian's Miami relatives?

* We are pleased with the decision. It affirms the INS' judgment that this child should be reunited with his father.

What is the INS decision in the Elian Gonzalez case? Do you support it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

* * * * * Does the White House support the Attorney General's and Elian's father's view that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

What's your stance on legislation to confer citizenship or permanent resident status on Elian Gonzalez? Will you veto?

* As the President has said, we hope the challenge to the INS decision will be resolved in court, not in the Congress, and strongly oppose legislation

to confer
citizenship on the child.

* As the President has said, we have not made a decision on a veto,
but would not
rule it out.

[IF ASKED] What's your reaction to Sister Jean O'Laughlin's
statements that,
based on what she observed, she now feels that Elian should not be
returned to
his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean
O'Laughlin played in hosting the meeting between the grandmothers
and their
grandson.

Were the political implications of the decision discussed at the senior
levels?

* White House officials did not seek to, nor did they, influence the
outcome of
the INS decision, which, let me reiterate, was made solely by the
responsible
authorities following the law and INS rules and procedures. But we
want to see
it carried out.

What's your reaction to the INS refusal of Elian's father's request to
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custody of the child from the current Miami relatives to his great
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The child's
placement with his great uncle is only temporary while a federal court
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the INS decision. After careful consideration, INS decided that it
would be
inadvisable to move the child to a new and unfamiliar environment
after the
trauma he has already suffered. I would direct you to them for further
information.

What's your reaction to the great uncle's drunk driving record and the criminal convictions of Elian's Miami cousins?

* I have no comment. This a matter for INS and the Justice Department, and I refer you to them.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

[IF ASKED] What's your reaction to Castro's allegation that the child's great uncle, Lazaro Gonzalez, sexually molested his young students in Cuba? Is INS investigating?

* That's just not something we would be able to comment on.

[IF PRESSED] I would direct you to INS for further information.

[IF ASKED] Was the Miami INS official who has been accused of spying involved in the Elian Gonzalez case?

* I understand he had no role whatsoever in any of the decisions made in the Elian Gonzalez case. I'd refer you to INS for more information.

[IF ASKED] Is there any connection between the Cuban diplomat who has been expelled and the Elian Gonzalez case?

* Any questions on the Cuban diplomat should be directed to the State Department.

[IF ASKED] What's your reaction to Sister Jean O'Laughlin's statements that, based on what she observed, she now feels that Elian should not be returned to

his father in Cuba?

* Everyone involved in this matter appreciates the role that Sister Jean

O'Laughlin played in hosting the meeting between the grandmothers
and their
grandson.

*

6

Exchange Mail

DATE-TIME 03/30/2000 2:30:50 PM

FROM Rogers, Elizabeth B. (WHSR)

CLASSIFICATION UNCLASSIFIED

SUBJECT RE: ELIAN [UNCLASSIFIED]

TO Schwartz, Eric P. (MULTI)
Bayley, Douglas C. (WHSR)
Gentile, Donald J. (WHSR)
McGee, Jenny A. (WHSR)
Merletti, Roger D. (WHSR)
Powell, Elliott (WHSR/EXSEC)
Rogers, Elizabeth B. (WHSR)
Schrader, Joel M. (WHSR)
Sibley, Matthew W. (WHSR)
Sigler, Ralph H. (WHSR)
Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
NSA Email
Rudman, Mara E. (NSA)
Scott-Perez, Marilyn L. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)

CARBON_COPY Feldman, Daniel F. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)

Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

TEXT_BODY

Printed and handed to him.

-----Original Message-----

From: Schwartz,
Eric P. (MULTI)
Sent: Thursday, March 30, 2000 2:28 PM
To: @SDO-WHSR
Senior Duty Officers; @NSA - Natl Security Advisor
Cc: @MULTILAT
- Multilateral and Humanitarian Affairs; @LEGAL - Legal Advisor;
@INTERAM - Inter-American
Subject: ELIAN [UNCLASSIFIED]

Sitroom

Please pass to Jim Steinberg in the DC

JIM:

GREG CRAIG
JUST SPOKE TO THE MEDIA. SAID HE WOULD BE SUBMITTING VISA
APPLICATIONS
FOR IMMEDIATE FAMILY OF ELIAN TODAY. SEEMED TO INDICATE
THAT THEY
WOULD TRAVEL ONLY WHEN THEY WERE SURE THAT THE FATHER
COULD GAIN
CUSTODY IN THE U.S.

CRAIG SAID THAT WHEN THEY WERE SATISFIED
WITH THE ARRANGEMENTS FOR THE IMMEDIATE FAMILY (FATHER,
WIFE, SON
AND COUSIN), HE WOULD BE SUBMITTING SUBSEQUENT
APPLICATIONS FOR "SUPPORT
GROUP."

ATTEMPT BY CRAIG MAY HAVE BEEN TO SPLIT THE REQUESTS,
REFLECTING HIS UNDERSTANDING THAT STATE WOULD HAVE
MORE TROUBLE GRANTING
VISAS TO ENTOURAGE.

WE ARE SORTING THIS ALL OUT WITH INS AND STATE,
WILL MODIFY MEMO TO PRESIDENT, AND DISCUSS WITH YOU AT

YOUR CONVENIENCE.

ERIC

Exchange Mail

DATE-TIME 03/30/2000 3:09:20 PM

FROM Cooper, Colby J. (ADMIN)

CLASSIFICATION UNCLASSIFIED

SUBJECT Elian's Father has applied for a Visa [UNCLASSIFIED]

TO Valenzuela, Arturo A. (INTERAM)
Hollis, Caryn C. (INTERAM)

CARBON_COPY

TEXT_BODY A call from the Sit Room came in around 2:30 to inform you that Elian's father has applied for a VISA to the US.

Colby

Exchange Mail

DATE-TIME 03/30/2000 3:28:23 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(b)(d)
DATECLASSIFIEDON 03/30/2000
DECLASSIFYON 03/31/2010
SUBJECT FW: Elian POTUS memo [~~CONFIDENTIAL~~]
TO DeRosa, Mary B. (LEGAL)

CARBON_COPY

TEXT_BODY

-----Original Message-----

From: DeRosa, Mary B. (LEGAL)
Sent: Thursday,
March 30, 2000 3:00 PM
To: Feldman, Daniel F. (MULTI)
Subject: FW:
EliaN POTUS memo [~~CONFIDENTIAL~~]

Some changes.

-----Original
Message-----

From: Feldman, Daniel F. (MULTI)
Sent: Thursday,
March 30, 2000 11:21 AM
To: Hollis, Caryn C. (INTERAM); DeRosa,
Mary B. (LEGAL); Schwartz, Eric P. (MULTI)
Subject: EliaN POTUS
memo [~~CONFIDENTIAL~~]

continuing to update the POTUS memo to
reflect today's events

TRANSLATED_ATTACHMENT ELIAN MEMO.doc

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By M/ NARA, Date 7/16/16
2012-0371-6

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Castro's Statements on Elian Gonzalez

In a televised roundtable discussion from Havana, Fidel Castro indicated that the father of Elian Gonzalez, Juan Miguel Gonzalez, was prepared to come to the United States to await the outcome of the legal process involving Elian. In itself, this could be a welcome development; the Justice Department has already indicated that the father's travel to the United States, where he could be close to his son, would facilitate an outcome to this matter.

Additional Elements: Castro's offer, however, had several additional elements. First, although there is some ambiguity, Castro suggests that, before leaving Cuba, the father would need assurance that U.S. authorities would grant the father custody in the United States, presumably for the duration of the court process. In fact, INS officials inform us that such a custody arrangement would be the normal course of action -- though effecting it could prove to be a challenge.

The other details of Castro's offer are more unusual. Castro proposed that Elian's father be accompanied not only by his wife (Elian's stepmother) and his other child, but also by 12 of Elian's classmates, two of Elian's school teachers, a favorite cousin, a team of doctors (including psychologists), and a legal adviser. State and INS do not believe that such an entourage would be conducive to a successful resolution of this matter.

Through its conversations with Greg Craig, the attorney for Juan

Gonzalez, INS confirms that he was not aware of the Castro offer, and INS believes Craig will attempt to have it scaled back to the immediate family. Craig will also work with INS on issues of timing, given current INS discussions with Elian's relatives in Miami.

Next steps: We have yet to receive any applications for visas, and the head of the Cuban Interests Section stated this morning that the Cubans will not seek visas today. Also, as suggested above, we expect that the request may be pared down during the course of the day. Should State receive a pared down request, it would probably be granted.

Discussions between INS and the great-uncle continue this morning, and INS has extended to tomorrow morning its deadline for a positive response from the Miami relatives. As you know, INS has proposed to hold off on taking action to return the boy during an expedited appeals process, but insists on an agreement in writing that, if the family loses the appeal, they will cooperate in an orderly transfer of custody. DOJ and INS believe such a commitment is critical to ensuring some reasonable resolution of this difficult matter. INS has said it will revoke Elian's current parole status if the great-uncle does not sign a such an agreement. According to INS, such revocation would not result in immediate enforcement action, but would set the stage for a transfer of custody absent a Court injunction.

Finally should Elian's father come to the United States, the agreement INS is currently seeking with the Miami relatives would not prejudice INS efforts to transfer custody to the father pending the outcome of the appeal.

Guidance: We are making the following points:

On the father's request for a visa:

As the Departments of State and Justice have indicated, the father's travel to the United States could contribute to a successful resolution of this matter, and the Department of State would give any application all due consideration.

On Castro's request to have many additional Cubans accompany the father:

Any visa requests would be considered by the Department of State in accordance with appropriate regulations and guidelines.

If asked: As of this morning, the U.S. Interests Section in Havana had not received any visa requests.

2

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ cc: Vice President

~~Classified by: Eric Schwartz Chief of Staff~~

~~Reason: 1.5(d)~~

~~Declassify On: 3-30-00~~

Exchange Mail

DATE-TIME 03/30/2000 3:38:57 PM
FROM Krass, Caroline D. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: ELIAN [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)

CARBON_COPY**TEXT_BODY**

I see what you mean.

-----Original Message-----

From: Schwartz,
Eric P. (MULTI)
Sent: Thursday, March 30, 2000 2:28 PM
To: @SDO-WHSR
Senior Duty Officers; @NSA - Natl Security Advisor
Cc: @MULTILAT
- Multilateral and Humanitarian Affairs; @LEGAL - Legal Advisor;
@INTERAM - Inter-American
Subject: ELIAN [UNCLASSIFIED]

Sitroom

Please pass to Jim Steinberg in the DC

JIM:

GREG CRAIG
JUST SPOKE TO THE MEDIA. SAID HE WOULD BE SUBMITTING VISA
APPLICATIONS
FOR IMMEDIATE FAMILY OF ELIAN TODAY. SEEMED TO INDICATE
THAT THEY
WOULD TRAVEL ONLY WHEN THEY WERE SURE THAT THE FATHER
COULD GAIN
CUSTODY IN THE U.S.

CRAIG SAID THAT WHEN THEY WERE SATISFIED
WITH THE ARRANGEMENTS FOR THE IMMEDIATE FAMILY (FATHER,
WIFE, SON
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ATTEMPT BY CRAIG MAY HAVE BEEN TO SPLIT THE REQUESTS,
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WE ARE SORTING THIS ALL OUT WITH INS AND STATE,
WILL MODIFY MEMO TO PRESIDENT, AND DISCUSS WITH YOU AT
YOUR CONVENIENCE.

ERIC

Exchange Mail

DATE-TIME 03/30/2000 4:01:33 PM

FROM Feldman, Daniel F. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT Gore Statement re Elian [UNCLASSIFIED]

TO Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Feldman, Daniel F. (MULTI)
Kale, Dora A. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Anderson, Brooke D. (NSCCOMM)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

CARBON_COPY**TEXT_BODY**

AP Newswire, 15:30

"From the very beginning, I have said that

Elian Gonzalez's case is at heart a custody matter. It is a matter that should be decided by courts that have the experience and expertise to resolve custody cases -- with due process, and based on Elian's best interest.

It now appears that our immigration laws may not be broad enough to allow for such an approach in Elian's case. That is why I am urging Congress to immediately pass legislation that is being sponsored by Sens. Bob Graham and Bob Smith -- which would grant permanent resident status to Elian, his father, stepmother, half-brother, grandmothers, and his grandfather, so that this case can be adjudicated properly. I know that Congressman Menendez has introduced similar legislation in the House as well.

Let us be clear that the real fault in this case lies with the oppressive regime of Fidel Castro. Elian should never have been forced to choose between freedom and his own father. Now we must take action, here on our own shores, to make sure that Elian's best interests are served."

Exchange Mail

DATE-TIME 03/30/2000 5:07:45 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian's father applies for visa to come to U.S [UNCLASSIFIED]
TO Feldman, Daniel F. (MULTI)
Hollis, Caryn C. (INTERAM)

CARBON_COPY**TEXT_BODY**

(1) I don't know if Justice is confirming conversations with Greg Craig, although I'm not sure why they wouldn't. I don't see why we need to say this, though. (2) I don't know if State this tracks State guidance on the visa process, particularly the part about it being expedited. We certainly don't want to get ahead of them.

-----Original

Message-----

From: Feldman, Daniel F. (MULTI)

Sent: Thursday,

March 30, 2000 3:36 PM

To: DeRosa, Mary B. (LEGAL); Hollis, Caryn
C. (INTERAM)

Subject: FW: Elian's father applies for visa to come
to U.S [UNCLASSIFIED]

does this seem accurate to you?

-----Original

Message-----

From: Crowley, Philip J. (PRESS)

Sent: Thursday,

March 30, 2000 2:40 PM

To: @MULTILAT - Multilateral and Humanitarian
Affairs

Cc: @PRESS - Public Affairs

Subject: FW: Elian's father
applies for visa to come to U.S [UNCLASSIFIED]

So guidance has
to change slightly, to something like the following points:

-

Refer to Justice for specific comment, but understand Justice has/will be in touch with Mr. Craig.

- You should ask State Department if they have received visa paperwork. State has indicated it would process father's application on an expedited basis per its established guidelines.

- We continue to closely monitor developments.

OK?

PJ

-----Original

Message-----

From: Manning, Michael T. (WHSR)

Sent: Thursday,

March 30, 2000 2:30 PM

To: @INTERAM - Inter-American; @PRESS - Public Affairs; @MULTILAT - Multilateral and Humanitarian Affairs; @LEGAL - Legal Advisor; @EXECSEC - Executive Secretary; @NSA - Natl Security Advisor

Cc: @WHSR - WH Situation Room

Subject: Elian's father applies for visa to come to U.S [UNCLASSIFIED]

Importance: High

PRIORITY:

RUSH CATEGORY: WASHINGTON DATELINE

SUBJECT:

PRECEDE MIAMI ORIG: AP/East

RECEIPT_TIME: 000330142233

a0668

^PM-Cuban Boy, 4th Ld, a0644,140

^Precede MIAMI

^Elian's

father applies for visa to come to U.S.

^Eds: UPDATES with lawyer's news conference

^With PM-Cuban Boy-Castro

^AP Photos MH105,FLAD114

^By GEORGE GEDDA= ^Associated Press Writer=
WASHINGTON (AP)

The father of Elian Gonzalez today applied for a visa to travel

to the United States from Cuba to regain custody of his son, as

the U.S. government and the 6-year-old boy's Miami relatives resumed

talks to end the 4-month-old legal dispute.

Attorney Gregory
Craig submitted the visa application on behalf
of Juan Miguel
Gonzalez, his wife and other family members.
``The only person
that has the legal and moral authority to
speak for Elian Gonzalez
is his father," Craig told reporters. ``Juan
Miguel Gonzalez
is ready at a moment's notice to come to the United
States."

APE- 03/30/00 14:24:11

Exchange Mail

DATE-TIME 03/30/2000 5:27:42 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: CUBAN BOY PG Revised 3/30 [UNCLASSIFIED]
TO Feldman, Daniel F. (MULTI)

CARBON_COPY Hollis, Caryn C. (INTERAM)
Schwartz, Eric P. (MULTI)

TEXT_BODY

-----Original Message-----

From: Feldman, Daniel F. (MULTI)

Sent: Thursday, March 30, 2000 5:11 PM

To: DeRosa, Mary B. (LEGAL);

Hollis, Caryn C. (INTERAM); Schwartz, Eric P. (MULTI)

Subject: CUBAN

BOY PG Revised 3/30 [UNCLASSIFIED]

Importance: High

Trying

to update PG asap for PJ. Please give me your comments. You'll probably want to delete references to VP statement and one or two other comments, but thought we should at least have them on the table

initially, b/c questions are bound to come up.

TRANSLATED_ATTACHMENT

Elian PG March 30_.doc

CUBAN BOY

Afternoon, March 30, 2000

CONTEXT: Last night, in a televised roundtable discussion from Havana, Fidel

Castro indicated that Juan Gonzalez, Elian's father, was prepared to come to the

U.S. to await the outcome of the legal process involving Elian. His offer had

several caveats. First, Castro appeared to stipulate that, before leaving Cuba, the father would need assurance that U.S. authorities would grant the father custody in the U.S., presumably for the duration of the court process. In a press conference this afternoon, Greg Craig, attorney for Juan Gonzalez, confirmed that the father was willing to come to the U.S. as soon as he had assurances from INS that he would have custody of Elian for the duration of the court proceedings. Second, Castro also proposed that Elian's father be accompanied not only by his wife and Elian's half-brother, but by 12 of his classmates, two of Elian's school teachers, a favorite cousin, a team of doctors, and a legal adviser. State has yet to receive any applications for visas, though Craig told the press this afternoon that visa applications would be submitted just for Elian's 4 immediate family members some time today. He added that after Elian's father has received the assurances he is seeking regarding custody of Elian while in the U.S., visa requests for the remaining members of the entourage would be submitted. Once State receives the visa requests for Elian's four family members, it has indicated that it will process the applications expeditiously, per established guidelines.

Discussions continued today between INS and the boy's Miami relatives. INS is continuing its attempt to obtain a commitment from the family that they will relinquish custody of Elian if their appeal of the district court decision in this case fails. INS had originally threatened to revoke Elian's temporary parole status this morning at 9 a.m. if the great-uncle did not sign such a statement. INS has extended that deadline until tomorrow morning at the same time. According to INS, such revocation would not result in immediate enforcement action, but would set the stage for a transfer of custody and return to Cuba absent a Court injunction. INS has indicated that it will not seek

termination of Elian's temporary parole status as long as discussions with the family are ongoing.

Last week, a federal district court in Miami dismissed a lawsuit filed by the great uncle of Elian Gonzalez, in which he challenged the INS decision in this case. Earlier this week, the boy's family asked the U.S. Court of Appeals for the 11th Circuit to expedite their appeal, and the appellate court set an expedited hearing schedule, with briefing to be completed and arguments held by May 8.

On February 18, the INS replied to a letter from Juan Gonzalez, Elian's father, in which he asked INS to transfer custody of the child to a different uncle in Miami while awaiting his son's return. INS determined that the great uncle's home where Elian presently stays is adequate for his temporary care while a federal court reviews the INS decision, and that it would be inadvisable to move the child to a new and unfamiliar environment.

Legislation to confer citizenship on the boy is pending in both houses of Congress. Action by Congress to confer citizenship or residency on the child would effectively divest INS of jurisdiction over the matter, leaving a Florida state court to resolve a custody case filed by the boy's great uncle against the boy's father in Cuba.

What is your reaction to Castro's statement that Elian's father is prepared to come to the U.S. and is requesting a visa?

* As the Departments of State and Justice have indicated, we believe that the father's travel to the United States could contribute to a successful resolution of this matter.

* The State Department will give any visa applications all due consideration.

* In particular, the State Department has indicated that once it receives visa applications for Elian's father, stepmother, half-brother, and cousin, these visa applications will be processed expeditiously per established State Department guidelines.

* We continue to closely monitor developments on this issue.

Has the U.S. received any visa requests yet from Elian's father or any other Cubans involved in this issue?

* The State Department can provide you with information regarding its receipt of any particular visa paperwork.

What is your reaction to Castro's request to have many additional Cubans accompany Elian's father?

* Any visa requests will be considered by the State Department in accordance with appropriate regulations and guidelines.

* What was the outcome of the meetings held yesterday and today between the INS and the boy's relatives?

* Meetings are continuing today between the INS and the boy's relatives.

* We refer you to the INS and the Department of Justice for specific information on the meetings being held with Elian's family.

Any comment regarding Greg Craig's press conference today?

* We Refer any questions regarding Mr. Craig's statement to the INS and the Justice Department.

[Any comment regarding the Vice President's statement today urging Congress to

immediately pass legislation granting permanent resident status to Elian and his immediate family members?

* We would refer all questions regarding the Vice President's statement to his office.

* As the President has said, we hope the challenge to the INS decision will be resolved in court, not in the Congress, and strongly oppose this legislation.

* As the President has said, we have not made a decision on a veto, but would not rule it out.]

Will the Department of Justice move forward with the termination of Elian's parole tomorrow morning if the family does not commit to comply with the instructions of the INS concerning the transfer of Elian if the government prevails on appeal?

* The issue of Elian's temporary parole status and its potential termination is a legal matter for the Justice Department and the INS to handle. We refer you to them for more information.

* As the Attorney General has stated, the Justice Department is committed to reuniting Elian with his father in an orderly, fair, and prompt manner.

* [The Justice Department has indicated that it will not move forward with the termination of Elian's temporary parole status as long as discussions are ongoing between INS and Elian's great-uncle.]

What is your reaction to the Miami relatives' decision to appeal the district court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice. We refer you to them for more information.

What's your reaction to the federal judge's decision, dismissing the lawsuit filed by Elian's Miami relatives?

* We are pleased with the decision. It affirms the INS' judgment that this child should be reunited with his father.

What is the INS decision in the Elian Gonzalez case? Do you support it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

Does the White House support the Attorney General's and Elian's father's view that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

* * Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

2

3

Exchange Mail

DATE-TIME 03/30/2000 5:56:29 PM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian's father applies for visa to come to U.S [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Feldman, Daniel F. (MULTI)

CARBON_COPY**TEXT_BODY**

We don't want people to get confused. The visas are processed at the U.S. Interests Section in Havana, not main State. This seems to be confusing folks. They are preparing guidance which we should have soon.

-----Original Message-----

From: DeRosa, Mary B.
(LEGAL)
Sent: Thursday, March 30, 2000 5:08 PM
To: Feldman, Daniel
F. (MULTI); Hollis, Caryn C. (INTERAM)
Subject: RE: Elian's father
applies for visa to come to U.S [UNCLASSIFIED]

(1) I don't know
if Justice is confirming conversations with Greg Craig, although
I'm not sure why they wouldn't. I don't see why we need to say
this, though. (2) I don't know if State this tracks State guidance
on the visa process, particularly the part about it being expedited.
We certainly don't want to get ahead of them.

-----Original Message-----

From: Feldman,
Daniel F. (MULTI)
Sent: Thursday, March 30, 2000 3:36 PM
To: DeRosa,
Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Subject: FW: Elian's
father applies for visa to come to U.S [UNCLASSIFIED]

does this
seem accurate to you?

-----Original Message-----

From: Crowley,
Philip J. (PRESS)
Sent: Thursday, March 30, 2000 2:40 PM
To: @MULTILAT
- Multilateral and Humanitarian Affairs
Cc: @PRESS - Public Affairs
Subject: FW:
Elian's father applies for visa to come to U.S [UNCLASSIFIED]

So
guidance has to change slightly, to something like the following
points:

- Refer to Justice for specific comment, but understand
Justice has/will be in touch with Mr. Craig.
- You should ask State
Department if they have received visa paperwork. State has indicated
it would process father's application on an expedited basis per its
established guidelines.
- We continue to closely monitor developments.

OK?

PJ

-----Original
Message-----

From: Manning, Michael T. (WHSR)
Sent: Thursday,
March 30, 2000 2:30 PM
To: @INTERAM - Inter-American; @PRESS - Public
Affairs; @MULTILAT - Multilateral and Humanitarian Affairs; @LEGAL
- Legal Advisor; @EXECSEC - Executive Secretary; @NSA - Natl Security
Advisor
Cc: @WHSR - WH Situation Room
Subject: Elian's father applies
for visa to come to U.S [UNCLASSIFIED]
Importance: High

PRIORITY:
RUSH CATEGORY: WASHINGTON DATELINE
SUBJECT:
PRECEDE MIAMI ORIG: AP/East
RECEIPT_TIME: 000330142233
a0668
^PM-Cuban Boy, 4th Ld, a0644,140
^Precede MIAMI
^Elian's
father applies for visa to come to U.S.

^Eds: UPDATES with lawyer's
news conference

^With PM-Cuban Boy-Castro

^AP Photos MH105,FLAD114

^By GEORGE GEDDA= ^Associated Press Writer=
WASHINGTON (AP)

The father of Elian Gonzalez today applied
for a visa to travel
to the United States from Cuba to regain custody
of his son, as
the U.S. government and the 6-year-old boy's Miami relatives
resumed
talks to end the 4-month-old legal dispute.

Attorney Gregory
Craig submitted the visa application on behalf
of Juan Miguel
Gonzalez, his wife and other family members.

``The only person
that has the legal and moral authority to
speak for Elian Gonzalez
is his father," Craig told reporters. ``Juan
Miguel Gonzalez
is ready at a moment's notice to come to the United
States."

APE- 03/30/00 14:24:11

Exchange Mail

DATE-TIME 03/30/2000 6:13:29 PM

FROM Sibley, Matthew W. (WHSR)

CLASSIFICATION UNCLASSIFIED

SUBJECT ELIAN GONZALEZ UPDATE - 1800 30 MARCH 00 [UNCLASSIFIED]

TO Feldman, Daniel F. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
NSA Email
Rudman, Mara E. (NSA)
Scott-Perez, Marilyn L. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

CARBON_COPY Aguilo, Miguel A. (WHSR)
Bayley, Douglas C. (WHSR)
Blackburn, John (WHSR)
Bresnahan, Gary E. (WHSR/STP)
Broadwick, Bonnie . (WHSR)

Cheramie, Don E. (WHSR)
Crowder, Stevan D. (WHSR/STP)
Ehrendreich, Joel (WHSR)
Erdahl, Douglas M. (WHSR)
Fuchs, Joachim D. (WHSR)
Gentile, Donald J. (WHSR)
Jansen, Christian P. (WHSR)
Jarosinski, Frank J. (WHSR)
Laskowski, Gregory J. (WHSR)
Manning, Michael T. (WHSR)
McGee, Jenny A. (WHSR)
Merletti, Roger D. (WHSR)
Payne, Raymond H. (WHSR/STP)
Porterfield, Patrick C. (WHSR)
Powell, Elliott (WHSR/EXSEC)
Reyes, David (WHSR)
Rickard, Robin S. (WHSR)
Rogers, Elizabeth B. (WHSR)
Schrader, Joel M. (WHSR)
Sibley, Matthew W. (WHSR)
Sigler, Ralph H. (WHSR)
Sutliff, Deana R. (WHSR)
Swarm, Amy L. (WHSR)
Tarver, J. Sean (WHSR)
Williams, Robert S. (WHSR)

TEXT_BODY

INS District Director Robert A. Wall announced at a press conference that talks with Lazaro Gonzalez and his lawyers will resume at 1000 on Monday, April 3rd. Elian's status will remain unchanged and his parole will be extended until 0900 on Tuesday, April 4th. The INS will continue to monitor the events of Elian's father coming to the U.S.

Exchange Mail

DATE-TIME 03/30/2000 6:34:34 PM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian's father applies for visa to come to U.S [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Feldman, Daniel F. (MULTI)

CARBON_COPY**TEXT_BODY**

Just got off the phone with Wendy Sherman's office and Cuban Affairs. They don't believe there will be a conference call because the tlaks are continuing between INS and Lazaro. There will be a call at 9:00 am all assume that will cover the update. I am not confident that will be the case.

Cuban affairs is faxing me press guidance
-- I will pass they want it cleared tonight.

-----Original Message-----

From: DeRosa,
Mary B. (LEGAL)
Sent: Thursday, March 30, 2000 6:25 PM
To: Hollis,
Caryn C. (INTERAM); Feldman, Daniel F. (MULTI)
Subject: RE: Elian's
father applies for visa to come to U.S [UNCLASSIFIED]

When is
the conference call?

-----Original Message-----

From: Hollis,
Caryn C. (INTERAM)
Sent: Thursday, March 30, 2000 5:44 PM
To: Feldman,
Daniel F. (MULTI); DeRosa, Mary B. (LEGAL)
Subject: RE: Elian's
father applies for visa to come to U.S [UNCLASSIFIED]

Just spoke
with State. Greg Craig did deliver a letter requesting the four visas (Father, step-mother, brother, cousin) and one additional visa for Ricardo Alarcon. Apparently left in a huff as he was told

that the family would have to apply in Havana.

Asked about the talks with Lazaro--they didn't know status yet. they have a call in to DOJ but haven't heard back. (sounds like we are not the only ones.)

assume conf call is still on.

-----Original Message-----

From: Feldman, Daniel F. (MULTI)
Sent: Thursday, March 30, 2000 5:29 PM
To: DeRosa, Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Subject: RE: Elian's father applies for visa to come to U.S [UNCLASSIFIED]

spoke to state/cuba desk, and they confirmed that visa requests for the 4 immediate family members would be dealt with expeditiously.

spoke to pj, and he seemed most concerned in how to deal w/the vp's comments. ideas? definitely looks like we should address them.

any status on miami discussions? are they still ongoing? what about continuing to postpone the 9 am deadline on termination of temporary parole status.

any word on a conf. call tonight?

-----Original Message-----

From: DeRosa, Mary B. (LEGAL)
Sent: Thursday, March 30, 2000 5:08 PM
To: Feldman, Daniel F. (MULTI); Hollis, Caryn C. (INTERAM)
Subject: RE: Elian's father applies for visa to come to U.S [UNCLASSIFIED]

(1) I don't know if Justice is confirming conversations with Greg Craig, although I'm not sure why they wouldn't. I don't see why we need to say this, though. (2) I don't know if State this tracks State guidance on the visa process, particularly the part about it being expedited. We certainly don't want to get ahead of them.

-----Original Message-----

From: Feldman, Daniel
F. (MULTI)
Sent: Thursday, March 30, 2000 3:36 PM
To: DeRosa,
Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Subject: FW: Elian's
father applies for visa to come to U.S [UNCLASSIFIED]

does this
seem accurate to you?

-----Original Message-----

From: Crowley,
Philip J. (PRESS)
Sent: Thursday, March 30, 2000 2:40 PM
To: @MULTILAT
- Multilateral and Humanitarian Affairs
Cc: @PRESS - Public Affairs
Subject: FW:
Elian's father applies for visa to come to U.S [UNCLASSIFIED]

So
guidance has to change slightly, to something like the following
points:

- Refer to Justice for specific comment, but understand
Justice has/will be in touch with Mr. Craig.
- You should ask State
Department if they have received visa paperwork. State has indicated
it would process father's application on an expedited basis per its
established guidelines.
- We continue to closely monitor developments.

OK?

PJ

-----Original
Message-----

From: Manning, Michael T. (WHSR)
Sent: Thursday,
March 30, 2000 2:30 PM
To: @INTERAM - Inter-American; @PRESS - Public
Affairs; @MULTILAT - Multilateral and Humanitarian Affairs; @LEGAL
- Legal Advisor; @EXECSEC - Executive Secretary; @NSA - Natl Security
Advisor
Cc: @WHSR - WH Situation Room

Subject: Elian's father applies
for visa to come to U.S [UNCLASSIFIED]
Importance: High

PRIORITY:
RUSH CATEGORY: WASHINGTON DATELINE
SUBJECT:
PRECEDE MIAMI ORIG: AP/East
RECEIPT_TIME: 000330142233
a0668
^PM-Cuban Boy, 4th Ld, a0644,140
^Precede MIAMI
^Elian's
father applies for visa to come to U.S.
^Eds: UPDATES with lawyer's
news conference
^With PM-Cuban Boy-Castro
^AP Photos MH105,FLAD114

^By GEORGE GEDDA= ^Associated Press Writer=
WASHINGTON (AP)
The father of Elian Gonzalez today applied
for a visa to travel
to the United States from Cuba to regain custody
of his son, as
the U.S. government and the 6-year-old boy's Miami relatives
resumed
talks to end the 4-month-old legal dispute.
Attorney Gregory
Craig submitted the visa application on behalf
of Juan Miguel
Gonzalez, his wife and other family members.
``The only person
that has the legal and moral authority to
speak for Elian Gonzalez
is his father," Craig told reporters. ``Juan
Miguel Gonzalez
is ready at a moment's notice to come to the United
States."

APE- 003/30/2000 14:24:11

Exchange Mail

DATE-TIME 03/30/2000 7:54:31 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(b)(d)
DATECLASSIFIEDON 03/30/2000
DECLASSIFYON 03/31/2010
SUBJECT FW: CUBAN BOY Revised PG [CONFIDENTIAL]
TO Feldman, Daniel F. (MULTI)

CARBON_COPY Hollis, Caryn C. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY A few changes.

-----Original Message-----
From: Feldman, Daniel
F. (MULTI)
Sent: Thursday, March 30, 2000 7:39 PM
To: DeRosa,
Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Subject: CUBAN BOY
Revised PG [CONFIDENTIAL]
Importance: High

ok -- one last
pg. please try to clear on it before leaving tonight, so it's ready
for pj in the a.m. thanks. dan

TRANSLATED_ATTACHMENT Elian PG March 30 AFT_.doc
DECLASSIFIED E.O. 13526 CUBAN BOY
White House Guidelines, Evening, March 30, 2000

September 11, 2006
By NI NARA, Date 9/16/16
2012-0371-6

CONTEXT: Wednesday evening, in a televised roundtable discussion from Havana, Fidel Castro indicated that Juan Gonzalez, Elian's father, was prepared to come to the U.S. to await the outcome of the legal process involving Elian. His offer had several caveats. First, Castro appeared to stipulate that, before leaving Cuba, the father would need assurance that U.S. authorities would grant the father custody in the U.S., presumably for the duration of the court process. In a press conference this afternoon, Greg Craig, attorney for Juan Gonzalez, confirmed that the father was willing to come to the U.S. as soon as he had assurances from INS that he would have custody of Elian for the duration of the court proceedings.

Second, Castro also proposed that Elian's father be accompanied not only by his wife and Elian's half-brother, but by 12 of his classmates, two of Elian's school teachers, a favorite cousin, a team of doctors, and a special adviser. Craig told the press this afternoon that visa applications would be submitted in two different groups, and that Elian's 4 immediate family members would apply for visas today. Craig later delivered a letter to State requesting visa applications for the four family members as well as for National Assembly President Ricardo Alarcon, but was informed that visa application and issuance can only be done in Havana. Craig told the press that only after Elian's father has received the assurances he is seeking regarding custody of Elian while in the U.S., would visa requests for the remaining members of the entourage be submitted. Once the U.S. Interests Section receives the proper visa applications for Elian's immediate family members, State has indicated that it will process those requests expeditiously, per established guidelines..

Discussions took place on Wednesday and Thursday between INS and the boy's Miami relatives. INS is continuing its attempt to obtain a commitment from

the family
that they will relinquish custody of Elian if their appeal of the district
court
decision in this case fails. INS had originally threatened to revoke
Elian's
temporary parole status Thursday morning at 9 a.m. if the great-uncle
did not
sign such a statement. After Thursday's discussions, INS extended
Elian's
temporary parole status until 9 a.m. on Tuesday, April 4. Discussions
between
INS and Elian's Miami relatives will continue on Monday, April 3, at
10 a.m.
According to INS, revocation of temporary parole status would not
result in
immediate enforcement action, but would set the stage for a transfer
of custody
and return to Cuba absent a Court injunction

Last week, a federal district court in Miami dismissed a lawsuit filed
by the
great uncle of Elian Gonzalez, in which he challenged the INS
decision in this
case. Earlier this week, the boy's family asked the U.S. Court of
Appeals for
the 11th Circuit to expedite their appeal, and the appellate court set an
expedited hearing schedule, with briefing to be completed and
arguments held by
May 8.

On February 18, the INS replied to a letter from Juan Gonzalez,
Elian's father,
in which he asked INS to transfer custody of the child to a different
uncle in
Miami while awaiting his son's return. INS determined at that time
that the great
uncle's home where Elian presently stays was adequate for his
temporary care
while a federal court reviewed the INS decision, and that it would be
inadvisable
then to move the child to a new and unfamiliar environment.

Legislation to confer citizenship on the boy is pending in both houses
of
Congress. Action by Congress to confer citizenship or residency on
the child
would effectively divest INS of jurisdiction over the matter, leaving a
Florida
state court to resolve a custody case filed by the boy's great uncle
against the

boy's father in Cuba. The Vice President on Thursday broke with the Administration, and endorsed Congressional legislation granting permanent resident status to Elian and his immediate family.

What is your reaction to Castro's statement that Elian's father is prepared to come to the U.S. and is requesting a visa?

* As the Departments of State and Justice have indicated, we believe that the father's travel to the United States could contribute to a successful resolution of this matter.

* * In particular, the State Department has indicated that once it receives properly filed visa applications for Elian's father, stepmother, half-brother, and cousin, these visa requests will be processed expeditiously per established State Department guidelines.

* We continue to closely monitor developments on this issue.

Has the U.S. received any visa requests yet from Elian's father or any other Cubans involved in this issue?

* The State Department can provide you with information regarding its receipt of any particular visa paperwork.

* (If Asked) Greg Craig, attorney for Juan Gonzalez, met with State Department officials on Thursday and delivered a letter requesting that some visas be issued. The Department explained to him that visa applications and issuance would have to be done in Havana at the U.S. Interests Section, rather than at the State Department.

What is your reaction to Castro's request to have many additional Cubans accompany Elian's father?

* Any visa requests will be considered by the State Department in

accordance with
appropriate regulations and guidelines.

If Asked Only: Did Greg Craig request a visa specifically for Ricardo Alarcon,
and if so, will it be issued?

* We refer all questions about particular visa requests to the State Department.

*
What was the outcome of the meetings held Wednesday and Thursday between the INS and the boy's relatives?

* Meetings between the INS and the boy's relatives will be continued on Monday, April 3, at 10 a.m.

* We refer you to the INS and the Department of Justice for specific information on the meetings being held with Elian's family.

Any comment regarding Greg Craig's press conference today?

* We refer any questions regarding Mr. Craig's statement to the INS and the Justice Department.

Any comment regarding the Vice President's statement today urging Congress to immediately pass legislation granting permanent resident status to Elian and his immediate family members?

* There are no easy answers on the subject of Elian Gonzalez, we recognize that there can be honest differences of opinion about the right course. *
* We would refer all questions regarding the Vice President's statement to his office.

* The President has said that he hopes the challenge to the INS decision will be resolved in court, not in the Congress, and he opposes this legislation.

* The President has not yet made a decision on a veto for this

legislation, but
he would not rule out such an option.

Will the Department of Justice move forward with the termination of
Eliau's
parole Friday morning if the family does not commit to comply with
the
instructions of the INS concerning the transfer of Elian if the
government
prevails on appeal?

* INS announced on Thursday evening that it will extend Elian's
temporary parole
status until 9 a.m. on Tuesday, April 4.

* The issue of Elian's temporary parole status and its potential
termination is a
legal matter for the Justice Department and the INS to handle. We
refer all
other questions to them for more information.

* As the Attorney General has stated, the Justice Department is
committed to
reuniting Elian with his father in an orderly, fair, and prompt manner.

*

What is your reaction to the Miami relatives' decision to appeal the
district
court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice.
We refer
you to them for more information.

What's your reaction to the federal judge's decision, dismissing the
lawsuit
filed by Elian's Miami relatives?

* We are pleased with that decision. It affirms the INS' judgment that
this
child should be reunited with his father.

What is the INS decision in the Elian Gonzalez case? Do you support
it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

Does the White House support the Attorney General's and Elian's father's view that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

2

5

Exchange Mail

DATE-TIME 03/30/2000 8:12:41 PM

FROM Feldman, Daniel F. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT Updated Cuban Boy PG [UNCLASSIFIED]

TO Crowley, Philip J. (PRESS)
Anderson, Brooke D. (NSCCOMM)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Feldman, Daniel F. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

CARBON_COPY

TEXT_BODY

Cleared by Multilat and Legal. Interam cleared an earlier draft of the PG, and if they have additional revisions, will send directly to Press in the morning.

TRANSLATED_ATTACHMENT Elian PG March 30 AFT___.doc
CUBAN BOY
Evening, March 30, 2000

CONTEXT: Wednesday evening, in a televised roundtable discussion from Havana, Fidel Castro indicated that Juan Gonzalez, Elian's father, was prepared to come to the U.S. to await the outcome of the legal process involving Elian. His offer had several caveats. First, Castro appeared to stipulate that, before leaving Cuba, the father would need assurance that U.S. authorities would grant the father custody in the U.S., presumably for the duration of the court process. In a press conference this afternoon, Greg Craig, attorney for Juan Gonzalez, confirmed that the father was willing to come to the U.S. as soon as he had assurances from INS that he would have custody of Elian for the duration of the court proceedings.

Second, Castro also proposed that Elian's father be accompanied not only by his wife and Elian's half-brother, but by 12 of his classmates, two of Elian's school teachers, a favorite cousin, a team of doctors, and a special adviser. Craig told the press this afternoon that visa applications would be submitted in two different groups, and that Elian's 4 immediate family members would apply for visas today. Craig later delivered a letter to State requesting visa applications for the four family members as well as for National Assembly President Ricardo Alarcon, but was informed that visa application and issuance can only be done in Havana. Craig told the press that only after Elian's father has received the assurances he is seeking regarding custody of Elian while in the U.S., would visa requests for the remaining members of the entourage be

submitted. Once the U.S. Interests Section receives the proper visa applications for Elian's immediate family members, State has indicated that it will process those requests expeditiously, per established guidelines.

Discussions took place on Wednesday and Thursday between INS and the boy's Miami relatives. INS is continuing its attempt to obtain a commitment from the family that they will relinquish custody of Elian if their appeal of the district court decision in this case fails. INS had originally threatened to revoke Elian's temporary parole status Thursday morning at 9 a.m. if the great-uncle did not sign such a statement. After Thursday's discussions, INS extended Elian's temporary parole status until 9 a.m. on Tuesday, April 4. Discussions between INS and Elian's Miami relatives will continue on Monday, April 3, at 10 a.m. According to INS, revocation of temporary parole status would not result in immediate enforcement action, but would set the stage for a transfer of custody and return to Cuba absent a Court injunction.

Last week, a federal district court in Miami dismissed a lawsuit filed by the great uncle of Elian Gonzalez, in which he challenged the INS decision in this case. Earlier this week, the boy's family asked the U.S. Court of Appeals for the 11th Circuit to expedite their appeal, and the appellate court set an expedited hearing schedule, with briefing to be completed and arguments held by May 8.

On February 18, the INS replied to a letter from Juan Gonzalez, Elian's father, in which he asked INS to transfer custody of the child to a different uncle in Miami while awaiting his son's return. INS determined at that time that the great uncle's home where Elian presently stays was adequate for his temporary care while a federal court reviewed the INS decision, and that it would be inadvisable then to move the child to a new and unfamiliar environment.

Legislation to confer citizenship on the boy is pending in both houses of Congress. Action by Congress to confer citizenship or residency on the child would effectively divest INS of jurisdiction over the matter, leaving a Florida state court to resolve a custody case filed by the boy's great uncle against the boy's father in Cuba. The Vice President on Thursday broke with the Administration, and endorsed Congressional legislation granting permanent resident status to Elian and his immediate family.

What is your reaction to Castro's statement that Elian's father is prepared to come to the U.S. and is requesting a visa?

* As the Departments of State and Justice have indicated, we believe that the father's travel to the United States could contribute to a successful resolution of this matter.

* In particular, the State Department has indicated that once it receives properly filed visa applications for Elian's father, stepmother, half-brother, and cousin, these visa requests will be processed expeditiously per established State Department guidelines.

* We continue to closely monitor developments on this issue.

Has the U.S. received any visa requests yet from Elian's father or any other Cubans involved in this issue?

* The State Department can provide you with information regarding its receipt of any particular visa paperwork.

If Asked Only: What was the nature of Greg Craig's meetings at the State Department on Thursday?

* Greg Craig, attorney for Juan Gonzalez, met with State Department officials on

Thursday and delivered a letter requesting that some visas be issued.

* The Department explained to him that visa applications and issuance would have to be done in Havana at the U.S. Interests Section, rather than at the State Department.

If Asked Only: Did Greg Craig request a visa specifically for Ricardo Alarcon, and if so, will it be issued?

* We refer all questions about particular visa requests to the State Department.

What is your reaction to Castro's request to have many additional Cubans accompany Elian's father?

* Any visa requests will be considered by the State Department in accordance with appropriate regulations and guidelines.

What was the outcome of the meetings held Wednesday and Thursday between the INS and the boy's relatives?

* Meetings between the INS and the boy's relatives will be continued on Monday, April 3, at 10 a.m.

* We refer you to the INS and the Department of Justice for specific information on the meetings being held with Elian's family.

Any comment regarding Greg Craig's press conference today?

* We refer any questions regarding Mr. Craig's statement to the INS and the Justice Department.

Any comment regarding the Vice President's statement today urging Congress to immediately pass legislation granting permanent resident status to Elian and his

immediate family members?

* There are no easy answers on the subject of Elian Gonzalez, and we recognize that there can be honest differences of opinion about the right course.

* We would refer all questions regarding the Vice President's statement to his office.

* The President has said that he hopes the challenge to the INS decision will be resolved in court, not in the Congress, and he opposes this legislation.

* The President has not yet made a decision on a veto for this legislation, but he would not rule out such an option.

Will the Department of Justice move forward with the termination of Elian's parole Friday morning if the family does not commit to comply with the instructions of the INS concerning the transfer of Elian if the government prevails on appeal?

* INS announced on Thursday evening that it will extend Elian's temporary parole status until 9 a.m. on Tuesday, April 4.

* The issue of Elian's temporary parole status and its potential termination is a legal matter for the Justice Department and the INS to handle. We refer all other questions to them for more information.

* As the Attorney General has stated, the Justice Department is committed to reuniting Elian with his father in an orderly, fair, and prompt manner.

What is your reaction to the Miami relatives' decision to appeal the district court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice. We refer you to them for more information.

What's your reaction to the federal judge's decision, dismissing the lawsuit filed by Elian's Miami relatives?

* We are pleased with that decision. It affirms the INS' judgment that this child should be reunited with his father.

What is the INS decision in the Elian Gonzalez case? Do you support it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

Does the White House support the Attorney General's and Elian's father's view that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

4

4

Exchange Mail

DATE-TIME 03/30/2000 8:45:42 PM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION CONFIDENTIAL
CLASSIFICATIONREASON 1.5(b)(d)
DATECLASSIFIEDON 03/30/2000
DECLASSIFYON 03/31/2010
SUBJECT Updated Elian POTUS memo [CONFIDENTIAL]
TO Schwartz, Eric P. (MULTI)
DeRosa, Mary B. (LEGAL)
Hollis, Caryn C. (INTERAM)

CARBON_COPY
TEXT_BODY
TRANSLATED_ATTACHMENT ELIAN MEMO2.doc

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Status of Elian Gonzalez Issue

Castro's Announcement: In a televised roundtable discussion from Havana on Wednesday evening, Fidel Castro indicated that the father of Elian Gonzalez, Juan Miguel Gonzalez, was prepared to come to the United States to await the outcome of the legal process involving Elian. In itself, this could be a welcome development; the Justice Department has already indicated that the father's travel to the United States, where he could be close to his son, would facilitate an outcome to this matter.

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By MM NARA, Date 7/16/11
212-0371-6

Castro's offer, however, had several additional elements. Greg Craig, attorney for Juan Gonzalez, told the press Thursday afternoon that before the father travels to the U.S., he needs assurances from INS that he will have custody of Elian for the duration of the court proceedings. In fact, INS officials inform us that such a custody arrangement would be the normal course of action -- though effecting it could prove to be a challenge. Craig held discussions with the INS about the preconditions for the father's travel on Thursday afternoon, and these discussions will continue on Friday.

The other details of Castro's offer are more unusual. Castro proposed that Elian's father be accompanied not only by his wife (Elian's stepmother) and his other child, but also by 12 of Elian's classmates, two of Elian's school teachers, a favorite cousin, a team of doctors (including psychologists), and a legal adviser. State and INS do not believe that such an entourage would be conducive to a successful resolution of this matter, and are concerned that some members of the support group would not qualify for visas under current guidelines.

Craig delivered a letter to State on Thursday afternoon, requesting visas for Elian's father, step-mother, half-brother, and cousin, as well as for National Assembly President Ricardo Alarcon. State informed him that visa application and issuance can only be done by the U.S. Interests Section in Havana. State has alerted the Section to expect this imminent request, and has stated publicly that it will give properly filed visa requests for the four immediate family members expedited consideration under established State guidelines. State has not indicated how it will treat a visa request for Alarcon. Craig also told the press that only once Juan Gonzalez receives the assurances he seeks from INS

regarding custody of Elian would visa requests for the remaining members of the entourage be submitted.

Discussions With Family in Florida: As you know, INS has proposed to hold off on taking action to return the boy during an expedited appeals process, but insists on an agreement in writing that, if the family loses the appeal, they will cooperate in an orderly transfer of custody. DOJ and INS believe such a commitment is critical to ensuring some reasonable resolution of this difficult matter. INS has said it will revoke Elian's current parole status if the great-uncle does not sign such an agreement. According to INS, such revocation would not result in immediate enforcement action, but would set the stage for a transfer of custody absent a court injunction.

Discussions between INS and lawyers for the great-uncle were held Wednesday and Thursday, and will resume on Monday morning. INS has extended until next Tuesday morning, April 4, its deadline for a positive response from the Miami relatives. Should Elian's father come to the United States, the agreement INS is currently seeking with the Miami relatives would not prejudice INS efforts to transfer custody to the father pending the outcome of the appeal.

Guidance: We are making the following points:

On the father's request for a visa: As the Departments of State and Justice have indicated, the father's travel to the United States could contribute to a successful resolution of this matter. The Department of State has indicated that it will process properly filed visa applications for the four immediate family members expeditiously, per established guidelines.

On Castro's request to have many additional Cubans accompany the father: Any other visa requests would be considered by the Department of State in accordance with appropriate regulations and guidelines.

2

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL cc: Vice President

Classified by: Eric Schwartz Chief of Staff

Reason: 1.5(d)

Declassify On: 3-30-00

Exchange Mail

DATE-TIME 03/30/2000 9:27:28 PM

FROM Feldman, Daniel F. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT CUBAN BOY PG -- REVISED [UNCLASSIFIED]

TO Crowley, Philip J. (PRESS)
Anderson, Brooke D. (NSCCOMM)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

CARBON_COPY**TEXT_BODY**

PJ -- One final revision to the PG. This tick was removed per explicit direction of Jim S., relayed by Eric. Thanks. Dan

TRANSLATED_ATTACHMENT

Eliau PG March 30 AFT_.doc
CUBAN BOY
Evening, March 30, 2000

CONTEXT: Wednesday evening, in a televised roundtable discussion from Havana, Fidel Castro indicated that Juan Gonzalez, Elian's father, was prepared to come to the U.S. to await the outcome of the legal process involving Elian. His offer had several caveats. First, Castro appeared to stipulate that, before leaving Cuba, the father would need assurance that U.S. authorities would grant the father custody in the U.S., presumably for the duration of the court process. In a press conference this afternoon, Greg Craig, attorney for Juan Gonzalez, confirmed that the father was willing to come to the U.S. as soon as he had assurances from INS that he would have custody of Elian for the duration of the court proceedings.

Second, Castro also proposed that Elian's father be accompanied not only by his wife and Elian's half-brother, but by 12 of his classmates, two of Elian's school teachers, a favorite cousin, a team of doctors, and a special adviser. Craig told the press this afternoon that visa applications would be submitted in two different groups, and that Elian's 4 immediate family members would apply for visas today. Craig later delivered a letter to State requesting visa applications for the four family members as well as for National Assembly President Ricardo Alarcon, but was informed that visa application and issuance can only be done in Havana. Craig told the press that only after Elian's father has received the assurances he is seeking regarding custody of Elian while in the U.S., would visa requests for the remaining members of the entourage be submitted. Once the U.S. Interests Section receives the proper visa applications for Elian's immediate family members, State has indicated that it will process those requests expeditiously, per established guidelines.

Discussions took place on Wednesday and Thursday between INS and the boy's Miami

relatives. INS is continuing its attempt to obtain a commitment from the family that they will relinquish custody of Elian if their appeal of the district court decision in this case fails. INS had originally threatened to revoke Elian's temporary parole status Thursday morning at 9 a.m. if the great-uncle did not sign such a statement. After Thursday's discussions, INS extended Elian's temporary parole status until 9 a.m. on Tuesday, April 4. Discussions between INS and Elian's Miami relatives will continue on Monday, April 3, at 10 a.m. According to INS, revocation of temporary parole status would not result in immediate enforcement action, but would set the stage for a transfer of custody and return to Cuba absent a Court injunction.

Last week, a federal district court in Miami dismissed a lawsuit filed by the great uncle of Elian Gonzalez, in which he challenged the INS decision in this case. Earlier this week, the boy's family asked the U.S. Court of Appeals for the 11th Circuit to expedite their appeal, and the appellate court set an expedited hearing schedule, with briefing to be completed and arguments held by May 8.

On February 18, the INS replied to a letter from Juan Gonzalez, Elian's father, in which he asked INS to transfer custody of the child to a different uncle in Miami while awaiting his son's return. INS determined at that time that the great uncle's home where Elian presently stays was adequate for his temporary care while a federal court reviewed the INS decision, and that it would be inadvisable then to move the child to a new and unfamiliar environment.

Legislation to confer citizenship on the boy is pending in both houses of Congress. Action by Congress to confer citizenship or residency on the child would effectively divest INS of jurisdiction over the matter, leaving a Florida state court to resolve a custody case filed by the boy's great uncle.

against the
boy's father in Cuba. The Vice President on Thursday broke with the
Administration, and endorsed Congressional legislation granting
permanent
resident status to Elian and his immediate family.

What is your reaction to Castro's statement that Elian's father is
prepared to
come to the U.S. and is requesting a visa?

* As the Departments of State and Justice have indicated, we believe
that the
father's travel to the United States could contribute to a successful
resolution
of this matter.

* In particular, the State Department has indicated that once it
receives
properly filed visa applications for Elian's father, stepmother, half-
brother,
and cousin, these visa requests will be processed expeditiously per
established
State Department guidelines.

* We continue to closely monitor developments on this issue.

Has the U.S. received any visa requests yet from Elian's father or any
other
Cubans involved in this issue?

* The State Department can provide you with information regarding
its receipt of
any particular visa paperwork.

If Asked Only: What was the nature of Greg Craig's meetings at the
State
Department on Thursday?

* Greg Craig, attorney for Juan Gonzalez, met with State Department
officials on
Thursday and delivered a letter requesting that some visas be issued.

* The Department explained to him that visa applications and issuance
would have
to be done in Havana at the U.S. Interests Section, rather than at the
State
Department.

If Asked Only: Did Greg Craig request a visa specifically for Ricardo Alarcon,
and if so, will it be issued?

* We refer all questions about particular visa requests to the State Department.

What is your reaction to Castro's request to have many additional Cubans
accompany Elian's father?

* Any visa requests will be considered by the State Department in accordance with
appropriate regulations and guidelines.

What was the outcome of the meetings held Wednesday and Thursday between the INS
and the boy's relatives?

* Meetings between the INS and the boy's relatives will be continued on Monday,
April 3, at 10 a.m.

* We refer you to the INS and the Department of Justice for specific information
on the meetings being held with Elian's family.

Any comment regarding Greg Craig's press conference today?

* We refer any questions regarding Mr. Craig's statement to the INS and the
Justice Department.

Any comment regarding the Vice President's statement today urging Congress to
immediately pass legislation granting permanent resident status to Elian and his
immediate family members?

* * We refer all questions regarding the Vice President's statement to his
office.

* The President has said that he hopes the challenge to the INS decision will be

resolved in court, not in the Congress, and he opposes this legislation.

* The President has not yet made a decision on a veto for this legislation, but he would not rule out such an option.

Will the Department of Justice move forward with the termination of Elian's parole Friday morning if the family does not commit to comply with the instructions of the INS concerning the transfer of Elian if the government prevails on appeal?

* INS announced on Thursday evening that it will extend Elian's temporary parole status until 9 a.m. on Tuesday, April 4.

* The issue of Elian's temporary parole status and its potential termination is a legal matter for the Justice Department and the INS to handle. We refer all other questions to them for more information.

* As the Attorney General has stated, the Justice Department is committed to reuniting Elian with his father in an orderly, fair, and prompt manner.

What is your reaction to the Miami relatives' decision to appeal the district court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice. We refer you to them for more information.

What's your reaction to the federal judge's decision, dismissing the lawsuit filed by Elian's Miami relatives?

* We are pleased with that decision. It affirms the INS' judgment that this child should be reunited with his father.

What is the INS decision in the Elian Gonzalez case? Do you support it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

Does the White House support the Attorney General's and Elian's father's view that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

4

4

Exchange Mail

DATE-TIME 03/30/2000 9:31:44 PM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT Elian POTUS memo [UNCLASSIFIED]
TO Schwartz, Eric P. (MULTI)
DeRosa, Mary B. (LEGAL)
Hollis, Caryn C. (INTERAM)

CARBON_COPY

TEXT_BODY Needless to say, the POTUS memo did not include any mention of some domestic concerns (VP breaking with the Administration, the Mayors' letters about law enforcement, etc.) which at some point may deserve to be brought up in a POTUS memo, though perhaps not one by us.

Exchange Mail

DATE-TIME 03/31/2000 8:13:37 AM
FROM Schwartz, Eric P. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT In-House on Elian Gonzalez issue [UNCLASSIFIED]
TO Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
NSA Email
Rudman, Mara E. (NSA)
Scott-Perez, Marilyn L. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)

CARBON_COPY

TEXT_BODY Jim:

I recommend you put the meeting with Maria and others on Elian together today.

Eric

Exchange Mail

DATE-TIME 03/31/2000 10:29:18 AM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION CONFIDENTIAL
CLASSIFICATIONREASON 1.5(b)(d)
DATECLASSIFIEDON 03/31/2000
DECLASSIFYON 04/01/2010
SUBJECT RE: Elian POTUS memo [CONFIDENTIAL]
TO DeRosa, Mary B. (LEGAL)

CARBON_COPY

TEXT_BODY

thanks mary. it's in.

-----Original Message-----

From: DeRosa,
Mary B. (LEGAL)
Sent: Friday, March 31, 2000 10:20 AM
To: Feldman,
Daniel F. (MULTI)
Cc: Hollis, Caryn C. (INTERAM); Schwartz, Eric
P. (MULTI); @LEGAL - Legal Advisor
Subject: FW: Elian POTUS memo
[CONFIDENTIAL]
Importance: High

A few changes.

-----Original
Message-----

From: Feldman, Daniel F. (MULTI)
Sent: Friday, March
31, 2000 9:31 AM
To: DeRosa, Mary B. (LEGAL); Hollis, Caryn C.
(INTERAM)
Cc: Schwartz, Eric P. (MULTI)
Subject: Elian POTUS
memo [CONFIDENTIAL]
Importance: High

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By MI NARA, Date 9/14/12
2012-0376-f

<< File: ELIAN MEMO2.doc
>>

Mary/Caryn -- Eric would like to send this up immediately.
There are a few substantive changes since last time each of you cleared
due to incorporating yesterday afternoon's events. Could you please
look at it again and re-clear by 9:45. Thx.

Exchange Mail

DATE-TIME 03/31/2000 6:09:50 PM
FROM Schwartz, Eric P. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: ELIAN PG [UNCLASSIFIED]
TO Anderson, Brooke D. (NSCCOMM)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

CARBON_COPY

TEXT_BODY further revisions of elian guidance.

-----Original Message-----

From:
Feldman, Daniel F. (MULTI)
Sent: Friday, March 31, 2000 5:47 PM
To: Schwartz, Eric P. (MULTI)
Subject: ELIAN PG [UNCLASSIFIED]

This is the last draft of the PG, which I sent to PJ last night.

TRANSLATED_ATTACHMENT

Elian PG March 30 AFT.doc
CUBAN BOY
Evening, March 30, 2000

CONTEXT: Wednesday evening, in a televised roundtable discussion from Havana,
Fidel Castro indicated that Juan Gonzalez, Elian's father, was prepared to come to the U.S. to await the outcome of the legal process involving Elian.
His offer

had several caveats. First, Castro appeared to stipulate that, before leaving Cuba, the father would need assurance that U.S. authorities would grant the father custody in the U.S., presumably for the duration of the court process. In a press conference this afternoon, Greg Craig, attorney for Juan Gonzalez, confirmed that the father was willing to come to the U.S. as soon as he had assurances from INS that he would have custody of Elian for the duration of the court proceedings.

Second, Castro also proposed that Elian's father be accompanied not only by his wife and Elian's half-brother, but by 12 of his classmates, two of Elian's school teachers, a favorite cousin, a team of doctors, and a special adviser. Craig told the press this afternoon that visa applications would be submitted in two different groups, and that Elian's 4 immediate family members would apply for visas today. Craig later delivered a letter to State requesting visa applications for the four family members as well as for National Assembly President Ricardo Alarcon, but was informed that visa application and issuance can only be done in Havana. Craig told the press that only after Elian's father has received the assurances he is seeking regarding custody of Elian while in the U.S., would visa requests for the remaining members of the entourage be submitted. Once the U.S. Interests Section receives the proper visa applications for Elian's immediate family members, State has indicated that it will process those requests expeditiously, per established guidelines.

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did not
sign such a statement. After Thursday's discussions, INS extended
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According to INS, revocation of temporary parole status would not
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and return to Cuba absent a Court injunction

The catalyst for these events was a federal district court decision last
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which a federal judge dismissed a lawsuit filed by the great uncle of
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Gonzalez, in which he challenged the INS decision in this case. The
great uncle
subsequently asked the U.S. Court of Appeals for the 11th Circuit to
expedite an
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schedule, with briefing to be completed and arguments held by May 8.

Legislation to confer citizenship on the boy is pending in both houses
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resident status to Elian and his immediate family.

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* As the Departments of State and Justice have indicated, we believe
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resolution

of this matter.

* In particular, the State Department has indicated that once it receives properly filed visa applications for Elian's father, stepmother, half-brother, and cousin, these visa requests will be processed expeditiously per established State Department guidelines.

* We continue to closely monitor developments on this issue.

Has the U.S. received any visa requests yet from Elian's father or any other Cubans involved in this issue?

* The State Department can provide you with information regarding its receipt of any particular visa paperwork.

If Asked Only: What was the nature of Greg Craig's meetings at the State Department on Thursday?

* Greg Craig, attorney for Juan Gonzalez, met with State Department officials on Thursday and delivered a letter requesting that some visas be issued.

* The Department explained to him that visa applications and issuance would have to be done in Havana at the U.S. Interests Section, rather than at the State Department.

If Asked Only: Did Greg Craig request a visa specifically for Ricardo Alarcon, and if so, will it be issued?

* We refer all questions about particular visa requests to the State Department.

What is your reaction to Castro's request to have many additional Cubans accompany Elian's father?

* Any visa requests will be considered by the State Department in accordance with

appropriate regulations and guidelines.

What was the outcome of the meetings held Wednesday and Thursday between the INS and the boy's relatives?

* Meetings between the INS and the boy's relatives will be continued on Monday, April 3, at 10 a.m.

* We refer you to the INS and the Department of Justice for specific information on the meetings being held with Elian's family.

Any comment regarding Greg Craig's press conference today?

* We refer any questions regarding Mr. Craig's statement to the INS and the Justice Department.

Any comment regarding the Vice President's statement today urging Congress to immediately pass legislation granting permanent resident status to Elian and his immediate family members?

* We refer all questions regarding the Vice President's statement to his office.

* The President has said that he hopes the challenge to the INS decision will be resolved in court, not in the Congress, and he opposes this legislation.

* The President has not yet made a decision on a veto for this legislation, but he would not rule out such an option.

Will the Department of Justice move forward with the termination of Elian's parole Friday morning if the family does not commit to comply with the instructions of the INS concerning the transfer of Elian if the government prevails on appeal?

* INS announced on Thursday evening that it will extend Elian's

temporary parole
status until 9 a.m. on Tuesday, April 4.

* The issue of Elian's temporary parole status and its potential termination is a legal matter for the Justice Department and the INS to handle. We refer all other questions to them for more information.

* As the Attorney General has stated, the Justice Department is committed to reuniting Elian with his father in an orderly, fair, and prompt manner.

What is your reaction to the Miami relatives' decision to appeal the district court's decision to the 11th Circuit Court of Appeals?

* This matter is in the hands of the INS and the Department of Justice. We refer you to them for more information.

What's your reaction to the federal judge's decision, dismissing the lawsuit filed by Elian's Miami relatives?

* We are pleased with that decision. It affirms the INS' judgment that this child should be reunited with his father.

What is the INS decision in the Elian Gonzalez case? Do you support it?

* INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

* INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner, and we support their decision and want to see it carried out.

Does the White House support the Attorney General's and Elian's father's view

that the Florida state court does not have jurisdiction over the boy?

* As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

Do you have any reaction to Cuban President Fidel Castro's allegations that the Miami relatives might remove Elian to a third country, infect him with a contagious disease or even kill him?

* These allegations are outrageous.

4

2

Exchange Mail

DATE-TIME 03/31/2000 9:59:33 AM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION CONFIDENTIAL
CLASSIFICATIONREASON 1.5(b)(d)
DATECLASSIFIEDON 03/31/2000
DECLASSIFYON 04/01/2010
SUBJECT Elian POTUS memo [CONFIDENTIAL]
TO Schwartz, Eric P. (MULTI)
Kale, Dora A. (MULTI)

CARBON_COPY

TEXT_BODY

made a few nits. tried reaching mary, but couldn't. spoke to caryn. i'd say cleared in draft by both.

TRANSLATED_ATTACHMENT ELIAN MEMO2.doc

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Status of Elian Gonzalez Issue

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By MI NARA, Date 7/16/16
2012-0371-f

Castro's Announcement: In a televised roundtable discussion from Havana on Wednesday evening, Fidel Castro indicated that the father of Elian Gonzalez, Juan Miguel Gonzalez, was prepared to come to the United States to await the outcome of the legal process involving Elian. In itself, this could be a welcome development; the Justice Department has already indicated that the father's travel to the United States, where he could be close to his son, would

facilitate
an outcome to this matter.

Castro's offer, however, had several additional elements. Greg Craig, attorney for Juan Gonzalez, told the press Thursday afternoon that before the father travels to the U.S., he needs assurances from INS that he will have custody of Elian for the duration of the court proceedings. INS officials inform us that such a custody arrangement would be the normal course of action. Craig held discussions with the INS about the preconditions for the father's travel on Thursday afternoon, and these discussions will continue today.

The other details of Castro's offer are more unusual. Castro proposed that Elian's father be accompanied not only by his wife (Elian's stepmother) and his other child, but also by 12 of Elian's classmates, two of Elian's school teachers, a favorite cousin, a team of doctors (including psychologists), and a legal adviser. State and INS do not believe that such an entourage would be conducive to a successful resolution of this matter, and note that some members of the support group would not qualify for visas under current guidelines.

Craig delivered a letter to State on Thursday afternoon, requesting visas for Elian's father, step-mother, half-brother, and cousin, as well as for National Assembly President Ricardo Alarcon. Formal requests for visas may be made at the U.S. Interests Section in Havana today, and the Department of State has said it will give properly filed visa requests for the four immediate family members expedited consideration under established State guidelines. State has not indicated how it will treat a visa request for Alarcon. Craig also told the press that once Juan Gonzalez receives the assurances he seeks from INS regarding custody of Elian, then visa requests for the remaining members of the entourage would be submitted.

Discussions With Family in Florida: INS has proposed holding off any action on return to Cuba for Elian pending the outcome of an expedited appeals process, but insists on an agreement with the Miami relatives that, if the family loses the appeal, they will cooperate in an orderly transfer of custody. DOJ and INS believe such a commitment is critical to ensuring some reasonable resolution of this matter. INS has said it will revoke Elian's current parole status if the great-uncle does not sign such an agreement. According to INS, such revocation would not result in immediate enforcement action, but would set the stage for a transfer of custody absent a court injunction.

Discussions between INS and lawyers for the great-uncle were held Wednesday and Thursday, and will resume on Monday morning. INS has extended until next Tuesday morning, April 4, its deadline for a positive response from the Miami relatives. Should Elian's father come to the United States, the agreement INS is currently seeking with the Miami relatives would not prejudice INS efforts to transfer custody to the father pending the outcome of the appeal.

Guidance: We are making the following points:

On the father's request for a visa: As the Departments of State and Justice have indicated, the father's travel to the United States could contribute to a successful resolution of this matter. The Department of State has indicated that it will process properly filed visa applications for the four immediate family members expeditiously, per established guidelines.

On Castro's request to have additional Cubans accompany the father: Any other visa requests would be considered by the Department of State in accordance with appropriate regulations and guidelines.

2

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL cc: Vice President

Classified by: Eric Schwartz Chief of Staff

Reason: 1.5(d)

Declassify On: 3-30-00

Exchange Mail

DATE-TIME 03/31/2000 10:28:47 AM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION CONFIDENTIAL
CLASSIFICATIONREASON 1.5(b)(d)
DATECLASSIFIEDON 03/31/2000
DECLASSIFYON 04/01/2010
SUBJECT Elian POTUS Memo [CONFIDENTIAL]
TO Kale, Dora A. (MULTI)

CARBON_COPY

TEXT_BODY

Final final. Cleared by Legal and Interam.

TRANSLATED_ATTACHMENT ELIAN MEMO2__.doc

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Status of Elian Gonzalez Issue

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By LM NARA, Date 9/16/11

202-0871-6

Castro's Announcement: In a televised roundtable discussion from Havana on Wednesday evening, Fidel Castro indicated that the father of Elian Gonzalez, Juan Miguel Gonzalez, was prepared to come to the United States to await the outcome of the legal process involving Elian. In itself, this could be a welcome development; the Justice Department has already indicated that the father's travel to the United States, where he could be close to his son, would facilitate

an outcome to this matter.

Castro's offer, however, had several additional elements. Greg Craig, attorney for Juan Gonzalez, told the press Thursday afternoon that before the father travels to the U.S., he needs assurances from INS that he will have custody of Elian for the duration of the court proceedings. INS officials inform us that such a custody arrangement would be the normal course of action. Craig held preliminary discussions on Thursday afternoon with the INS about possible arrangements for the father's travel, and these discussions will continue today.

The other details of Castro's offer are more unusual. Castro proposed that Elian's father be accompanied not only by his wife (Elian's stepmother) and his other child, but also by 12 of Elian's classmates, two of Elian's school teachers, a favorite cousin, a team of doctors (including psychologists), and a legal adviser. State and INS do not believe that such an entourage would be conducive to a successful resolution of this matter, and note that some members of the support group would not qualify for visas under current guidelines.

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Discussions With Family in Florida: INS has proposed holding off any action on return to Cuba for Elian pending the outcome of an expedited appeals process, but has insisted on an agreement with the Miami relatives that, if the family loses the appeal, they will cooperate in an orderly transfer of custody. DOJ and INS believe such a commitment is critical to ensuring some reasonable resolution of this matter. INS has said it will revoke Elian's current parole status if the great-uncle does not sign such an agreement. According to INS, such revocation would not result in immediate enforcement action, but would set the stage for a transfer of custody absent a court injunction.

Discussions between INS and lawyers for the great-uncle were held Wednesday and Thursday, and will resume on Monday morning. INS has extended until next Tuesday morning, April 4, its deadline for a positive response from the Miami relatives. Should Elian's father come to the United States, the agreement INS is currently seeking with the Miami relatives would not prejudice INS efforts to transfer custody to the father pending the outcome of the appeal. Indeed, since the announcement that the father plans to travel to the U.S., the talks have focussed on a plan for transfer of custody if the father arrives.

Guidance: We are making the following points:

On the father's request for a visa: As the Departments of State and Justice have indicated, the father's travel to the United States could contribute to a successful resolution of this matter. The Department of State has indicated that it will process properly filed visa applications for the four immediate family members expeditiously, per established guidelines.

On Castro's request to have additional Cubans accompany the father: Any other visa requests would be considered by the Department of State in accordance with

appropriate regulations and guidelines.

2

2
CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL cc: Vice President
Classified by: Eric Schwartz Chief of Staff
Reason: 1.5(d)
Declassify On: 3-30-00

Exchange Mail

DATE-TIME 03/31/2000 11:27:24 AM
FROM Gobush, Matthew N. (PRESS)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Leon, Elian and Eliane [UNCLASSIFIED]
TO Rosshirt, Thomas M. (SPCHW)

CARBON_COPY**TEXT_BODY**

fyi

-----Original Message-----

From: Gobush, Matthew N. (PRESS)

Sent: Friday, March 31, 2000 11:27 AM

To: Saunders, Richard M.

(VP); Orfini, Michael H. (VP); Beardsley, Tyler S. (VP)

Subject: Leon,

Elian and Eliane [UNCLASSIFIED]

(How's that for a tongue twister?!)

A

concern: Leon is sitting down with Elaine Sciolino of the New York Times again on Monday. In addition to writing a major profile on Leon, Elaine is covering the Elian Gonzalez story for the Times. In fact, during yesterday's session with Leon, she pressed him on this issue (copied below is the transcript of that exchange). I have no doubt that she will quiz Leon again on this on Monday, in light of yesterday's announcement. My bet is that she will use this incident as a hook for the profile as a way of illustrating Leon's roles as both national security and campaign advisor. I fear her thesis is that the VP trusts Leon's policy advice, but not his political advice. Further, she may argue that a National Security Advisor to the President cannot be above politics, and therefore Leon is not the best fit for the job in a Gore Administration.

To prepare Leon for Monday,
we need to develop answers to the following questions (answers which only he may have) -

* Were you consulted on the decision to part
with the President and support legislation that would grant Elian
and his family permanent resident status last Thursday? How? When?

By whom?

* Did you advise the Vice President on the political ramifications of the decision? If so, what was your advice? If not, why not?

We should also try to reconstruct a "tic-toc" chronology of how this decision was made. I expect process stories in the days ahead. We should have our story straight.

Thanks.

Exchange Mail

DATE-TIME 03/31/2000 6:39:05 PM

FROM Allen, Charles A. (LEGAL)

CLASSIFICATION UNCLASSIFIED

SUBJECT Elian calls [UNCLASSIFIED]

TO DeRosa, Mary B. (LEGAL)

CARBON_COPY Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY Message from Jo: Marilyn called and said Jim wants a synopsis of tonight's call by email to bring him up to date for tomorrow's call.

Exchange Mail

DATE-TIME 03/31/2000 8:15:14 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT Phone call with Justice on Elian [UNCLASSIFIED]
TO Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
NSA Email
Rudman, Mara E. (NSA)
Scott-Perez, Marilyn L. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)

CARBON_COPY Schwartz, Eric P. (MULTI)
Patten, Wendy L. (MULTI)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY

Please pass to Jim

We had a phone call with Justice on Elian this evening. Eric Holder and James Costello participated from Justice, Maria Echaveste, Beth Nolan, Eric Schwartz, Dawn Chirwa (Counsel's office) and I participated from here. Important points from the call were:

* Justice updated us on discussions with Greg Craig. At this point they believe there is a strong chance that the father will come to the U.S. soon -- whether or not he has a guarantee that he will get custody of his son. He is increasingly concerned about the way Justice negotiations are proceeding and believes it will help for him to be here.

* Justice will be working with Craig tonight and over the weekend. Their goal is to have by Monday a proposal for transfer of Elian to his father for the duration of the appeals process that includes such things as allowing visitation by Lazaro and his daughter and consultation with child psychiatrists. The idea is to have a proposal that shows DOJ and the father are bending over backwards to be reasonable and accommodate the family's concerns. They hope to get the father to agree to locate in south Florida -- because that will make visitation more workable -- but Craig is reluctant about this, for obvious reasons.

* Justice discussed some of the options for enforcement in the event the family refuses to comply. Holder assured us that they have worked through options for any number of contingencies (they have a decision tree), but are remaining flexible because they just don't know what is going to happen next. They noted that one option is to seek a court order. It is not, however, without its downsides. A court could decide to wait until the appeal is decided, or it could refuse to issue an order on the theory that the INS already has the necessary authority.

* Maria asked a number of questions about how Justice is handling community outreach and public and congressional relations. Holder said they have discussed encouraging op eds from religious leaders and others, and he discussed his conversations with Bob Graham. Maria had several suggestions, including that the AG should ask the Mayors to meet with her and discuss the situation now that the father is in the picture (assuming it happens). Holder was very interested in this. He invited other suggestions of this type. Maria is going to talk to a people in OPL and elsewhere to generate other ideas.

* Maria suggested another phone call for an update later in the weekend -- she suggested Sunday afternoon. Justice agreed, but no time specific time was set. They will call later to suggest a time. They said Saturday might be better, if things move quickly with Craig.