

Exchange Mail

DATE-TIME 05/25/2000 9:06:50 AM
FROM Hunerwadel, Joan S. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: letter from Sen mack on Elian for clearance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY

TEXT_BODY Wendy, since we got a nasty note from Brooks because of typos on someone else's work, I made a few corrections -- like s on attachment, zip code addition, and line spaces -- very minor.

-----Original
Message-----
From: Patten, Wendy L. (MULTI)
Sent: Wednesday,
May 24, 2000 8:18 PM
To: Shapiro, Daniel B. (LEGIS); DeRosa, Mary
B. (LEGAL); Hollis, Caryn C. (INTERAM)
Cc: @INTERAM - Inter-American;
@LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs;
@MULTILAT
- Multilateral and Humanitarian Affairs
Subject: letter from Sen
mack on Elian for clearance [UNCLASSIFIED]

Caryn, mary, dan --
here's another -- WLP

TRANSLATED_ATTACHMENT

2310 Mack-Eliau.doc

Dear Senator Mack:

Thank you for your letter regarding the Elian Gonzalez case. I appreciate hearing your views and agree that respect for the rule of law must always be of paramount concern.

When the INS took measures to reunite Elian with his father, it acted to secure compliance with its lawful and appropriate directives and to ensure that the fundamental bond between a parent and child would be protected. Let me assure you that the Justice Department has not impeded a full judicial review of the matter. The legal challenge to the INS decision that Juan Miguel Gonzalez has sole authority to speak for his son in immigration matters is proceeding through the federal courts, while Elian remains in the United States in his father's care.

Again, thank you for writing and for sharing your views about this boy's case.

Sincerely,

The Honorable Connie Mack
United States Senate
Washington, D.C. 20510-0904

TRANSLATED_ATTACHMENT 2310POTUSmemo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

CHARLES M. BRAIN

SUBJECT: Letter from Senator Mack on Elian Gonzalez Case

Purpose

Respond to a letter from Senator Mack requesting that Elian Gonzalez be allowed to remain in the United States until all legal proceedings are completed in his case.

Background

Senator Connie Mack wrote to urge you to instruct the Attorney General to extend Elian Gonzalez's parole until all legal proceedings are completed in his case, including appeals. Senator Mack criticizes the Justice Department for making unrealistic demands on Elian's Miami relatives and for attempting to circumvent the appellate process.

In your reply, you indicate that, in acting to reunite Elian with his father, INS upheld the rule of law and the fundamental bond between a parent and child. You also emphasize that the Justice Department has not impeded full judicial review of the case, which is proceeding through the federal courts while Elian remains in his father's care in the United States.

RECOMMENDATION

That you sign the attached response.

Attachments

Tab A Reply to Senator Mack on Elian Gonzalez Case

Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 2310SRBmemo.doc

May 24, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: WENDY PATTEN

SUBJECT: Letter from Senator Mack on Elian Gonzalez Case

Attached is a memorandum to the President and proposed response to a letter from Senator Mack on the Elian Gonzalez case. We held this response pending the reunification of Elian and his father and a solid indication about whether Congress would hold hearings to review the INS reunification action.

The NSC received the incoming correspondence on April 3, 2000.

Concurrence by: Mary DeRosa, Caryn Hollis, Dan Shapiro

RECOMMENDATION

That you sign the attached memorandum at Tab I.

Attachments

Tab I Memorandum for the President

Tab A Response to Senator Mack

Tab B Incoming Correspondence

2310

Exchange Mail

DATE-TIME 05/25/2000 9:09:33 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: letter from Sen mack on Elian for clearance [UNCLASSIFIED]
TO Hunerwadel, Joan S. (LEGAL)

CARBON_COPY**TEXT_BODY**

thank you very much!

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

From: Hunerwadel,
Joan S. (LEGAL)
Sent: Thursday, May 25, 2000 9:07 AM
To: Patten,
Wendy L. (MULTI)
Subject: FW: letter from Sen mack on Elian for
clearance [UNCLASSIFIED]

Wendy, since we got a nasty note from
Brooks because of typos on someone else's work, I made a few corrections
-- like s on attachment, zip code addition, and line spaces -- very
minor.

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

From: Patten, Wendy L. (MULTI)

Sent: Wednesday, May 24, 2000 8:18 PM
To: Shapiro, Daniel B.
(LEGIS); DeRosa, Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Cc: @INTERAM
- Inter-American; @LEGAL - Legal Advisor; @LEGISLAT - Legislative
Affairs; @MULTILAT - Multilateral and Humanitarian Affairs
Subject: letter
from Sen mack on Elian for clearance [UNCLASSIFIED]

Caryn, mary,
dan -- here's another -- WLP

<< File: 2310 Mack-Eliau.doc
>> << File: 2310POTUSmemo.doc >> << File: 2310SRBmemo.doc >>



Exchange Mail

DATE-TIME 05/25/2000 9:11:48 AM

FROM Patten, Wendy L. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT updated Elian guidance [UNCLASSIFIED]

TO Avery, Dale R. (INTERAM)
Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
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)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)
Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Wozniak, Natalie S. (PRESS)

CARBON_COPY

TEXT_BODY

TRANSLATED_ATTACHMENT

CubanboyPG58.doc

CUBAN BOY
May 25, 2000

CONTEXT: Several papers are reporting that Elian Gonzalez, his family, and his visitors from Cuba are moving from Wye Plantation to the northwest Washington estate of the Youth For Understanding Global Exchange. Press reports suggest that members of the entourage are bored and would prefer a less isolated location. The Marshals Service is providing security for the family and ensuring that they do not violate a federal court injunction prohibiting them from taking Elian out of the country or to a location with diplomatic immunity. We are not certain whether or when the move will take place. Elian's father's attorney, Greg Craig, has approached the INS to express the family's interest in moving to DC, but we cannot confirm that any final decision has been made. Separately, INS has extended the stays of Elian's four classmates and their parents until June 2.

What's your reaction to the move by Elian Gonzalez and his entourage from their rural location in Maryland to northwest Washington?

* We understand that Elian's family wishes to move to Washington. At this point, we cannot confirm that they are moving or when any move would take place.

* Refer you to Juan Miguel Gonzalez' attorney, Greg Craig, for more information.

4

4

Exchange Mail

DATE-TIME 05/25/2000 7:49:29 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: letter from Sen mack on Elian for clearance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

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

TEXT_BODY Clear, with some changes. It's a legislative call, but it seems to me this letter and the one to Arme y, et al. might not be worth sending. We aren't (and shouldn't be) saying anything remotely conciliatory, so it seems like the letter is a little in their face. What do you think, Dan?

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

From: Hollis, Caryn C.
(INTERAM)
Sent: Thursday, May 25, 2000 11:10 AM
To: Patten, Wendy
L. (MULTI); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B.
(LEGIS)
Subject: FW:
letter from Sen mack on Elian for clearance [UNCLASSIFIED]

Interam
clears with changes.

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

From: Patten,
Wendy L. (MULTI)
Sent: Wednesday, May 24, 2000 8:18 PM
To: Shapiro,
Daniel B. (LEGIS); DeRosa, Mary B. (LEGAL); Hollis, Caryn C.

(INTERAM)

Cc: @INTERAM

- Inter-American; @LEGAL - Legal Advisor; @LEGISLAT -
Legislative

Affairs; @MULTILAT - Multilateral and Humanitarian Affairs

Subject: letter

from Sen mack on Elian for clearance [UNCLASSIFIED]

Caryn, mary,

dan -- here's another -- WLP

TRANSLATED_ATTACHMENT 2310 Mack-Elian.doc

Dear Senator Mack:

Thank you for your letter regarding the Elian Gonzalez case. I
appreciate
hearing your views. [He didn't really say this, so I think it sounds a
little
cute.]

When the Immigration and Naturalization Service (INS) took
measures to reunite
Elian with his father, it acted to secure compliance with its lawful and
appropriate directives and to ensure that the fundamental bond
between a parent
and child would be protected. the Justice Department has not impeded
judicial
review of the matter. The legal challenge to the INS decision that Juan
Miguel
Gonzalez has sole authority to speak for his son in immigration
matters is
proceeding through the federal courts, while Elian remains in the
United States
in his father's care.

Again, thank you for writing and for sharing your views about this
boy's case.

Sincerely,

The Honorable Connie Mack
United States Senate
Washington, D.C. 20510

TRANSLATED_ATTACHMENT 2310POTUSmemo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL R. BERGER
CHARLES M. BRAIN

SUBJECT: Letter from Senator Mack on Elian Gonzalez Case

Purpose

Respond to a letter from Senator Mack requesting that Elian Gonzalez be allowed to remain in the United States until all legal proceedings are completed in his case.

Background

Senator Connie Mack wrote to urge you to instruct the Attorney General to extend Elian Gonzalez's parole until all legal proceedings are completed in his case, including appeals. Senator Mack criticizes the Justice Department for making unrealistic demands on Elian's Miami relatives and for attempting to circumvent the appellate process.

In your reply, you indicate that, in acting to reunite Elian with his father, Immigration and Naturalization Service upheld the rule of law and the fundamental bond between a parent and child. You also emphasize that the Justice Department has not impeded judicial review of the case, which is

proceeding
through the federal courts while Elian remains in his father's care in
the United
States.

RECOMMENDATION

That you sign the attached response.

Attachment
Tab A Reply to Senator Mack on Elian Gonzalez Case
Tab B Incoming Correspondence

1

2310

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 2310SRBmemo.doc

May 24, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: WENDY PATTEN

SUBJECT: Letter from Senator Mack on Elian Gonzalez Case

Attached is a memorandum to the President and proposed response to
a letter from
Senator Mack on the Elian Gonzalez case. We held this response
pending the
reunification of Elian and his father and a solid indication about
whether
Congress would hold hearings to review the Immigration and
Naturalization Service
reunification action.

The NSC received the incoming correspondence on April 3, 2000.

Concurrence by: Mary DeRosa, Caryn Hollis, Dan Shapiro

RECOMMENDATION

That you sign the attached memorandum at Tab I.

Attachment

Tab I Memorandum for the President

Tab A Response to Senator Mack

Tab B Incoming Correspondence

2

2310

Exchange Mail

DATE-TIME 05/25/2000 7:55:22 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: cong correspondence on Elian for clearance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

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

TEXT_BODY Clear with some changes. I have the same questions here as with the Mack letter -- should we send it at all?

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

From: Hollis,
Caryn C. (INTERAM)
Sent: Thursday, May 25, 2000 11:01 AM
To: Patten,
Wendy L. (MULTI); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B. (LEGIS)
Subject: FW: cong correspondence on Elian for clearance [UNCLASSIFIED]

Sorry

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

From: Patten,
Wendy L. (MULTI)
Sent: Wednesday, May 24, 2000 7:59 PM
To: Hollis,
Caryn C. (INTERAM); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B. (LEGIS)
Cc: @INTERAM - Inter-American; @LEGAL - Legal Advisor;
@LEGISLAT - Legislative Affairs; @MULTILAT - Multilateral and Humanitarian

Affairs
Subject: cong correspondence on Elian for clearance
[UNCLASSIFIED]

Caryn,
Mary, Dan -- please clear. thanks -- WLP

TRANSLATED_ATTACHMENT 2232 Arme y-Elian.doc

Dear Representative Arme y:

Thank you for your letter regarding the Elian Gonzalez case. I appreciate hearing your views. When the Immigration and Naturalization Service (INS) took measures to reunite Elian with his father, it acted to secure compliance with its lawful and appropriate directives and to ensure that the fundamental bond between a parent and child would be protected. The Justice Department has not impeded judicial review of the matter. The legal challenge to the INS decision that Juan Miguel Gonzalez has sole authority to speak for his son in immigration matters is proceeding through the federal courts, while Elian remains in the United States in his father's care.

Again, thank you for writing and for sharing your views about this boy's case.

Sincerely,

The Honorable Dick Arme y
House of Representatives
Washington, D.C. 20515

2

TRANSLATED_ATTACHMENT 2232POTUSmemo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL R. BERGER
CHARLES M. BRAIN

SUBJECT: Letter from Members of Congress on Elian Gonzalez Case

Purpose

Respond to a letter from four members of Congress requesting that INS refrain from removing Elian Gonzalez from his Miami residence and returning him to Cuba.

Background

Representatives Armey, DeLay, Hastert, and Watts wrote to urge you to instruct the Attorney General not to remove Elian Gonzalez by force from his Miami relatives' residence and return him to Cuba. They contended that a Florida family court should determine disposition of this case.

In your reply, you indicate that, in acting to reunite Elian with his father, the Immigration and Naturalization Service upheld the rule of law and the

fundamental
bond between a parent and child. You also emphasize that the Justice
Department
has not impeded judicial review of the case, which is proceeding
through the
federal courts while Elian remains in his father's care in the United
States.

RECOMMENDATION

That you sign the attached response.

Attachment
Tab A Reply to Members of Congress on Elian Gonzalez Case
Tab B Incoming Correspondence

2

2232

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 2232SRBmemo.doc

May 22, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: WENDY PATTEN

SUBJECT: Letter from Members of Congress on Elian Gonzalez Case

Attached is a memorandum to the President and proposed response to
a letter from
Representatives Arney, DeLay, Hastert, and Watts on the Elian
Gonzalez case. We
held this response pending the reunification of Elian and his father
and a solid
indication about whether Congress would hold hearings to review the
Immigration

and Naturalization Service reunification action.

The NSC received the incoming correspondence on March 30, 2000.

Concurrence by: Mary DeRosa, Caryn Hollis, Dan Shapiro

RECOMMENDATION

That you sign the attached memorandum at Tab I.

Attachment

Tab I Memorandum for the President

Tab A Response to Members of Congress

Tab B Incoming Correspondence

1

2232

Exchange Mail

DATE-TIME 05/26/2000 2:02:44 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: cong correspondence on Elian for clearance [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)

CARBON_COPY Hollis, Caryn C. (INTERAM)
Shapiro, Daniel B. (LEGIS)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)

TEXT_BODY dan -- what's your view. I need to move these packages today if we are going to send as I will be out for part of next week. Please let me know.

thanks -- WLP

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

From: DeRosa,
Mary B. (LEGAL)
Sent: Thursday, May 25, 2000 7:55 PM
To: Patten,
Wendy L. (MULTI)
Cc: Hollis, Caryn C. (INTERAM); Shapiro, Daniel
B. (LEGIS); @LEGAL - Legal Advisor
Subject: FW: cong correspondence

on Elian for clearance [UNCLASSIFIED]

Clear with some changes.

I have the same questions here as with the Mack letter -- should we send it at all?

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

From: Hollis, Caryn

C. (INTERAM)

Sent: Thursday, May 25, 2000 11:01 AM

To: Patten,

Wendy L. (MULTI); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B. (LEGIS)

Subject: FW: cong correspondence on Elian for clearance [UNCLASSIFIED]

Sorry

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

From: Patten,

Wendy L. (MULTI)

Sent: Wednesday, May 24, 2000 7:59 PM

To: Hollis,

Caryn C. (INTERAM); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B. (LEGIS)

Cc: @INTERAM - Inter-American; @LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs; @MULTILAT - Multilateral and Humanitarian

Affairs

Subject: cong correspondence on Elian for clearance [UNCLASSIFIED]

Caryn,

Mary, Dan -- please clear. thanks -- WLP

<< File: 2232 Armey-Elian.doc

>> << File: 2232POTUSmemo.doc >> << File: 2232SRBmemo.doc >>

Exchange Mail

DATE-TIME 05/26/2000 7:06:09 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT congressional correspondence on Elian [UNCLASSIFIED]
TO Rudman, Mara E. (NSA)
Gray, Wendy E. (NSA)
Rudman, Mara E. (NSA)

CARBON_COPY Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)

TEXT_BODY Please pass to Mara. thanks.

From Wendy Patten
Cleared by Dan
Shapiro and Mary DeRosa

Mara,

After reviewing two letters

from Congress on the Elian case and even drafting responses, we feel that it would be best not to reply.

The letters -- one from Mack and another from Armey, Hastert, DeLay, and Watts -- urge the President to direct the Attorney General not to remove Elian from his Miami residence by force and return him to Cuba, to refrain from making unrealistic demands on the Miami relatives, and ensure that the appeals process is allowed to proceed to conclusion.

Given the fast moving pace of events surrounding the case in April, it would have been difficult to craft a response that would not have been OBE'd by the time it arrived on the President's desk. Now, the letters have clearly been OBE'd, and there seems to us to be nothing to be gained by responding. All we really can do is justify the INS action to reunite Elian with his father, which would draw attention to the issue of the appropriateness of the INS action at a time when congressional interest in hearings has subsided.

In sum, we would like to close these letters out without responding, but first wanted to seek your views.

Exchange Mail

DATE-TIME 05/30/2000 10:28:16 AM
FROM Shapiro, Daniel B. (LEGIS)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: congressional correspondence on Elian [UNCLASSIFIED]
TO Gray, Wendy E. (NSA)
Patten, Wendy L. (MULTI)
Rudman, Mara E. (NSA)
Gray, Wendy E. (NSA)
Rudman, Mara E. (NSA)

CARBON_COPY Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)
Bartlett, L. June (EXSEC)
Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Gire, Cynthia L. (EXSEC)
Gray, Wendy E. (NSA)
Hilliard, Brenda I. (EXSEC)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Powell, Elliott (WHSR/EXSEC)

Wasserman, Elaine P. (EXSEC)

TEXT_BODY

And Miles was okay with it provided we had front office awareness and sign-off. Close away!

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

From: Gray,
Wendy E. (NSA)
Sent: Monday, May 29, 2000 9:57 AM
To: Patten,
Wendy L. (MULTI); Rudman, Mara E. (NSA); @RUDMAN
Cc: @MULTILAT
- Multilateral and Humanitarian Affairs; @LEGAL - Legal Advisor;
@LEGISLAT - Legislative Affairs; @EXECSEC - Executive Secretary
Subject: RE:
congressional correspondence on Elian [UNCLASSIFIED]

Hi Wendy

--

Mara is OK with closing out if both Dan and Miles concur on such action. Thanks!

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

From: Patten,
Wendy L. (MULTI)
Sent: Friday, May 26, 2000 7:06 PM
To: Rudman,
Mara E. (NSA); @RUDMAN
Cc: @MULTILAT - Multilateral and Humanitarian
Affairs; @LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs
Subject: congressional
correspondence on Elian [UNCLASSIFIED]

Please pass to Mara. thanks.

From
Wendy Patten
Cleared by Dan Shapiro and Mary DeRosa

Mara,

After
reviewing two letters from Congress on the Elian case and even drafting responses, we feel that it would be best not to reply.

The letters
-- one from Mack and another from Arme, Hastert, DeLay, and Watts
-- urge the President to direct the Attorney General not to remove

Elian from his Miami residence by force and return him to Cuba, to refrain from making unrealistic demands on the Miami relatives, and ensure that the appeals process is allowed to proceed to conclusion.

Given

the fast moving pace of events surrounding the case in April, it would have been difficult to craft a response that would not have been OBE'd by the time it arrived on the President's desk. Now, the letters have clearly been OBE'd, and there seems to us to be nothing to be gained by responding. All we really can do is justify the INS action to reunite Elian with his father, which would draw attention to the issue of the appropriateness of the INS action at a time when congressional interest in hearings has subsided.

In

sum, we would like to close these letters out without responding, but first wanted to seek your views.

Exchange Mail

DATE-TIME 05/31/2000 7:12:28 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: draft reply to Nobel Laureates on elian case [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)
Hollis, Caryn C. (INTERAM)
DeRosa, Mary B. (LEGAL)

CARBON_COPY

TEXT_BODY any reactions?

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

From: Patten, Wendy
L. (MULTI)

Sent: Friday, May 26, 2000 7:46 PM

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

Subject: draft reply to
Nobel Laureates on elian case [UNCLASSIFIED]

Please clear. Letter
is hardly a work of brilliance, but not sure what else to say. Open
to suggestions.

thanks -- WLP

<< File: 2671 Menchu-Eliau.doc

>> << File: 2671POTUSmemo.doc >> << File: 2671SRBmemo.doc >>

Exchange Mail

DATE-TIME 06/01/2000 10:01:47 AM
FROM Brown, Katherine A. (PRESS/INTERN)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian Guidance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY Wozniak, Natalie S. (PRESS)

TEXT_BODY Thanks, Wendy.

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

From: Patten, Wendy
L. (MULTI)
Sent: Thursday, June 01, 2000 9:51 AM
To: Brown, Katherine
A. (PRESS/INTERN)
Cc: Wozniak, Natalie S. (PRESS)
Subject: RE:
Elian Guidance [UNCLASSIFIED]

starting at about 6am! he seems
most likely to call me for guidance, given time crunch. but I will
write something up as well.

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

From: Brown,
Katherine A. (PRESS/INTERN)
Sent: Thursday, June 01, 2000 9:43
AM
To: Patten, Wendy L. (MULTI)
Cc: Wozniak, Natalie S. (PRESS)
Subject: FW:
Elian Guidance [UNCLASSIFIED]

Sorry, Wendy. We didn't realize
you had been talking to Mike.
Thanks.

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

From: Brown,
Katherine A. (PRESS/INTERN)

Sent: Thursday, June 01, 2000 9:41
AM
To: Patten, Wendy L. (MULTI)
Cc: Wozniak, Natalie S. (PRESS)
Subject: Elian
Guidance [UNCLASSIFIED]

We know that you know, but WH Press wants
to make absolutely sure that they receive guidance from us on the
Elian case so that Joe can see it as soon as its available. Many
Thanks.

Exchange Mail

DATE-TIME 06/01/2000 11:21:14 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT guidance on elian for now [UNCLASSIFIED]
TO Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Avery, Dale R. (INTERAM)
Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)

TEXT_BODY hi -- until we are able to read and digest the decision, here's the guidance. Mary, Caryn -- please send any comments directly to @press. I'm at State but reachable thru sit room on my cell phone. Back about 12:15, but don't hesitate to call.

Background

US Court

of Appeals for the 11th Circuit has affirmed the District Court's decision, holding that Elian Gonzalez is not entitled to an asylum hearing. the Justice Department is reviewing the decision to determine whether Elian must remain in the U.S. pending the time for filing an appeal.

Guidance

What's your reaction to the court of appeals' decision?

* The Justice Department is still reviewing the decision, which is quite lengthy.

Exchange Mail

DATE-TIME 06/01/2000 3:43:13 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: draft reply to Nobel Laureates on elian case [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)
Hollis, Caryn C. (INTERAM)

CARBON_COPY

TEXT_BODY I clear.

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

From: Patten, Wendy L. (MULTI)

Sent: Thursday, June 01, 2000 1:02 PM

To: DeRosa, Mary B. (LEGAL);

Hollis, Caryn C. (INTERAM)

Subject: FW: draft reply to Nobel Laureates
on elian case [UNCLASSIFIED]

C and M -- please review the attached.

I sentt this to you last Friday and people are after me! thanks
very much -- WLP

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

From: Patten, Wendy

L. (MULTI)

Sent: Friday, May 26, 2000 7:46 PM

To: Hollis, Caryn

C. (INTERAM); DeRosa, Mary B. (LEGAL)

Subject: draft reply to
Nobel Laureates on elian case [UNCLASSIFIED]

Please clear. Letter
is hardly a work of brilliance, but not sure what else to say. Open
to suggestions.

thanks -- WLP

<< File: 2671 Menchu-Elia.doc

>> << File: 2671POTUSmemo.doc >> << File: 2671SRBmemo.doc >>

Exchange Mail

DATE-TIME 06/02/2000 9:35:50 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT updated Elian guidance for review [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Hollis, Caryn C. (INTERAM)

CARBON_COPY Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Wozniak, Natalie S. (PRESS)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)
Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

TEXT_BODY

Caryn, Mary -- please review and send any changes directly to @press. Mary -- let me know if the context section accurately summarizes the decision. Thanks -- WLP

TRANSLATED_ATTACHMENT

CubanboyPG60.doc
CUBAN BOY
June 2, 2000

CONTEXT: Yesterday, a three-judge panel of the 11th Circuit Court

of Appeals in
Atlanta upheld the decision of the federal district court, dismissing the
challenge to the INS decision filed by the Miami relatives of Elian
Gonzalez.
The court found that the INS had acted within the bounds of its
discretion in
determining that Elian's father has sole legal authority to speak for his
son in
immigration matters. The court set a deadline of 14 days for appeal or
rehearing, and will issue its mandate 7 days thereafter if no action is
taken by
the Miami relatives. Once the mandate is issued, the injunction
barring Elian's
removal from the United States will dissolve.

What's your reaction to yesterday's decision by the 11th Circuit Court
of
Appeals, dismissing the appeal by Elian's Miami relatives?

* We are pleased with the decision. It underscores the importance of
family and
the bond between a parent and child.

When will injunction on Elian's family returning to Cuba be lifted?

* We understand that they will be here for at least 21 more days, but
we refer
you to the Justice Department for more details.

[IF ASKED] Isn't it time for Elian and his family to go to home to
Cuba?

* With the injunction still in place, it would be premature to discuss
this
issue.

4

4

Exchange Mail

DATE-TIME 06/05/2000 6:57:20 PM

FROM Patten, Wendy L. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT RE: congressional correspondence on Elian [UNCLASSIFIED]

TO Gray, Wendy E. (NSA)
Rudman, Mara E. (NSA)
Gray, Wendy E. (NSA)
Rudman, Mara E. (NSA)

CARBON_COPY Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)
Bartlett, L. June (EXSEC)
Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Gire, Cynthia L. (EXSEC)
Gray, Wendy E. (NSA)
Hilliard, Brenda I. (EXSEC)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Powell, Elliott (WSHR/EXSEC)
Wasserman, Elaine P. (EXSEC)

TEXT_BODY

Wendy -- please pass to Mara. thanks -- Wendy

Mara,

There

is an additional letter that we believe should receive the same treatment. Sen. Specter wrote on April 21 (the day before Elian's reunification with his father), enclosing a copy of a letter to the AG in which he recommended several legal steps to be taken before INS acted to remove Elian from the home of his Miami relatives. The cover letter to POTUS urges his personal involvement in the matter.

Justice

is preparing a response to Specter's letter to the AG. For the same reasons set out below, we feel the best course of action from our end would be not to respond. Legal and Legislat concur in this recommendation, but we wanted to ask your views.

thanks -- WLP

-----Original

Message-----

From: Gray, Wendy E. (NSA)

Sent: Monday, May 29,
2000 9:57 AM

To: Patten, Wendy L. (MULTI); Rudman, Mara E. (NSA);
@RUDMAN

Cc: @MULTILAT - Multilateral and Humanitarian Affairs;
@LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs; @EXECSEC
- Executive Secretary

Subject: RE: congressional correspondence
on Elian [UNCLASSIFIED]

Hi Wendy --

Mara is OK with closing
out if both Dan and Miles concur on such action. Thanks!

-----Original

Message-----

From: Patten, Wendy L. (MULTI)

Sent: Friday, May
26, 2000 7:06 PM

To: Rudman, Mara E. (NSA); @RUDMAN

Cc: @MULTILAT
- Multilateral and Humanitarian Affairs; @LEGAL - Legal Advisor;
@LEGISLAT - Legislative Affairs

Subject: congressional correspondence
on Elian [UNCLASSIFIED]

Please pass to Mara. thanks.

From
Wendy Patten
Cleared by Dan Shapiro and Mary DeRosa

Mara,

After
reviewing two letters from Congress on the Elian case and even drafting
responses, we feel that it would be best not to reply.

The letters
-- one from Mack and another from Armev, Hastert, DeLay, and Watts
-- urge the President to direct the Attorney General not to remove
Elian from his Miami residence by force and return him to Cuba, to
refrain from making unrealistic demands on the Miami relatives, and
ensure that the appeals process is allowed to proceed to conclusion.

Given
the fast moving pace of events surrounding the case in April, it
would have been difficult to craft a response that would not have
been OBE'd by the time it arrived on the President's desk. Now,
the letters have clearly been OBE'd, and there seems to us to be
nothing to be gained by responding. All we really can do is justify
the INS action to reunite Elian with his father, which would draw
attention to the issue of the appropriateness of the INS action at
a time when congressional interest in hearings has subsided.

In
sum, we would like to close these letters out without responding,
but first wanted to seek your views.

Exchange Mail

DATE-TIME 06/06/2000 12:02:08 PM
FROM Shapiro, Daniel B. (LEGIS)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: congressional correspondence on Elian [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY**TEXT_BODY**

Please. The only way I would shoot you is if you got in Eric's way.
: -)

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

From: Patten, Wendy L. (MULTI)

Sent: Tuesday, June 06, 2000 11:16 AM

To: Shapiro, Daniel B.

(LEGIS)

Subject: RE: congressional correspondence on Elian [UNCLASSIFIED]

good

-- I was calling you to say don't shoot the messenger....

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

From: Shapiro, Daniel B. (LEGIS)

Sent: Tuesday,

June 06, 2000 11:12 AM

To: Patten, Wendy L. (MULTI)

Subject: RE:

congressional correspondence on Elian [UNCLASSIFIED]

Trust me,

I know this is Mara's problem, not yours.

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

From: Patten,

Wendy L. (MULTI)

Sent: Tuesday, June 06, 2000 10:47 AM

To: Shapiro,

Daniel B. (LEGIS)

Subject: RE: congressional correspondence on
Elian [UNCLASSIFIED]

of course -- that's what I thought. When I listed @legislat as concurring I assumed that meant Miles. But Mara was explicit/insistent so I was just trying to follow up.

-----Original

Message-----

From: Shapiro, Daniel B. (LEGIS)

Sent: Tuesday,

June 06, 2000 10:44 AM

To: Patten, Wendy L. (MULTI)

Subject: RE:

congressional correspondence on Elian [UNCLASSIFIED]

The answer

to this question is, of course, that Miles concurs. I would not have given you our concurrence without clearing it with him. For Mara's benefit, I will endeavor to make him put it in an email.

-----Original

Message-----

From: Patten, Wendy L. (MULTI)

Sent: Tuesday, June

06, 2000 9:22 AM

To: Lackey, Miles M. (LEGIS); Shapiro, Daniel

B. (LEGIS)

Cc: @LEGISLAT - Legislative Affairs; @MULTILAT - Multilateral and Humanitarian Affairs

Subject: FW: congressional correspondence on Elian [UNCLASSIFIED]

Miles??

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

From: Rudman,

Mara E. (NSA)

Sent: Monday, June 05, 2000 9:10 PM

To: Patten,

Wendy L. (MULTI); Gray, Wendy E. (NSA); @RUDMAN

Cc: @MULTILAT -

Multilateral and Humanitarian Affairs; @LEGAL - Legal Advisor; @LEGISLAT

- Legislative Affairs; @EXECSEC - Executive Secretary

Subject: RE:

congressional correspondence on Elian [UNCLASSIFIED]

i'm fine

with that as long as @legislat is ok. pls make sure on this one, given the senator sending, that miles specifically concurs with no response. thanks

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

From: Patten, Wendy
L. (MULTI)
Sent: Monday, June 05, 2000 6:57 PM
To: Gray, Wendy
E. (NSA); Rudman, Mara E. (NSA); @RUDMAN
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs; @LEGAL - Legal Advisor; @LEGISLAT -
Legislative
Affairs; @EXECSEC - Executive Secretary
Subject: RE: congressional
correspondence on Elian [UNCLASSIFIED]

Wendy -- please pass to
Mara. thanks -- Wendy

Mara,

There is an additional letter
that we believe should receive the same treatment. Sen. Specter
wrote on April 21 (the day before Elian's reunification with his
father), enclosing a copy of a letter to the AG in which he recommended
several legal steps to be taken before INS acted to remove Elian
from the home of his Miami relatives. The cover letter to POTUS
urges his personal involvement in the matter.

Justice is preparing
a response to Specter's letter to the AG. For the same reasons set
out below, we feel the best course of action from our end would be
not to respond. Legal and Legislat concur in this recommendation,
but we wanted to ask your views.

thanks -- WLP

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

From: Gray, Wendy E. (NSA)
Sent: Monday, May 29,
2000 9:57 AM
To: Patten, Wendy L. (MULTI); Rudman, Mara E. (NSA);
@RUDMAN
Cc: @MULTILAT - Multilateral and Humanitarian Affairs;
@LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs; @EXECSEC
- Executive Secretary
Subject: RE: congressional correspondence
on Elian [UNCLASSIFIED]

Hi Wendy --

Mara is OK with closing out if both Dan and Miles concur on such action. Thanks!

-----Original

Message-----

From: Patten, Wendy L. (MULTI)

Sent: Friday, May

26, 2000 7:06 PM

To: Rudman, Mara E. (NSA); @RUDMAN

Cc: @MULTILAT

- Multilateral and Humanitarian Affairs; @LEGAL - Legal Advisor;

@LEGISLAT - Legislative Affairs

Subject: congressional correspondence on Elian [UNCLASSIFIED]

Please pass to Mara. thanks.

From

Wendy Patten

Cleared by Dan Shapiro and Mary DeRosa

Mara,

After

reviewing two letters from Congress on the Elian case and even drafting responses, we feel that it would be best not to reply.

The letters

-- one from Mack and another from Armeiy, Hastert, DeLay, and Watts
-- urge the President to direct the Attorney General not to remove Elian from his Miami residence by force and return him to Cuba, to refrain from making unrealistic demands on the Miami relatives, and ensure that the appeals process is allowed to proceed to conclusion.

Given

the fast moving pace of events surrounding the case in April, it would have been difficult to craft a response that would not have been OBE'd by the time it arrived on the President's desk. Now, the letters have clearly been OBE'd, and there seems to us to be nothing to be gained by responding. All we really can do is justify the INS action to reunite Elian with his father, which would draw attention to the issue of the appropriateness of the INS action at a time when congressional interest in hearings has subsided.

In

sum, we would like to close these letters out without responding, but first wanted to seek your views.

Exchange Mail

DATE-TIME 06/09/2000 3:35:06 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT CUBAN BOY [UNCLASSIFIED]
TO Gobush, Matthew N. (VP)

CARBON_COPY**TEXT_BODY**

here's the guidance on 11th Cir decision. short and sweet.
SBTP really carries the message.

thanks -- WLP

TRANSLATED_ATTACHMENT

CubanboyPG60.doc
CUBAN BOY
June 2, 2000

CONTEXT: Yesterday, a three-judge panel of the 11th Circuit Court of Appeals in Atlanta upheld the decision of the federal district court, dismissing the

challenge to the INS decision filed by the Miami relatives of Elian Gonzalez.

The court found that the INS had acted within the bounds of its discretion in determining that Elian's father has sole legal authority to speak for his son in immigration matters. The court set a deadline of 14 days for appeal or rehearing, and will issue its mandate 7 days thereafter if no action is taken by the Miami relatives. Once the mandate is issued, the injunction barring Elian's removal from the United States will dissolve.

What's your reaction to yesterday's decision by the 11th Circuit Court of Appeals, dismissing the appeal by Elian's Miami relatives?

* We are pleased with the decision. It underscores the importance of

family and
the bond between a parent and child.

When will injunction on Elian's family returning to Cuba be lifted?

* We understand that they will be here for at least 21 more days, but we refer you to the Justice Department for more details.

[IF ASKED] Isn't it time for Elian and his family to go to home to Cuba?

* With the injunction still in place, it would be premature to discuss this issue.

4

4

Exchange Mail

DATE-TIME 06/15/2000 1:04:41 PM
FROM Stockwell, David B. (PRESS)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: updated Elian guidance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)
Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Avery, Dale R. (INTERAM)
Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

TEXT_BODY Thanks, Wendy. I'll let you know if we get questions.

-----Original

Message-----

From: Patten, Wendy L. (MULTI)

Sent: Thursday, June
15, 2000 12:01 PM

To: @PRESS - Public Affairs

Cc: @LEGAL - Legal

Advisor; @MULTILAT - Multilateral and Humanitarian Affairs; @INTERAM
- Inter-American

Subject: updated Elian guidance [UNCLASSIFIED]

<< File: CubanboyPG61.doc >>

Hi -- not sure you will get any
questions today, but since the relatives have announced their intention
to seek rehearing en banc, here it is just in case.

thanks -
WLP

Exchange Mail

DATE-TIME 06/23/2000 3:01:32 PM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: 11th Cir ruling in Elian case imminent [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY

TEXT_BODY that was almost uncanny. i thought i was joking.

-----Original
Message-----
From: Patten, Wendy L. (MULTI)
Sent: Friday, June
23, 2000 3:01 PM
To: @PRESS - Public Affairs
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs
Subject: 11th Cir ruling in Elian case
imminent [UNCLASSIFIED]

Exchange Mail

DATE-TIME 06/23/2000 5:45:15 PM
FROM Baker, James E. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: draft of updated Elian guidance for clearance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY

Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Hurwitz, Marc I. (ADMIN)
Merletti, Roger D. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Wallace, Joanna B. (INTERAM)
Hollis, Caryn C. (INTERAM)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)
Banbury, Anthony N. (MULTI)
Feldman, Daniel F. (MULTI)
Hurwitz, Marc I. (ADMIN)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)

Wozniak, Natalie S. (PRESS)

TEXT_BODY

Wendy:

Legal concurs with one edit. See below. Beth Nolan concurs as well, but notes that the third Q and A is more appropriate for NSC or State to make and should not be included with whatever we give to WH Press. Rather on questions like that WH press should refer the question to State. Thank you.

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

From: Patten,

Wendy L. (MULTI)

Sent: Friday, June 23, 2000 4:46 PM

To: Baker,

James E. (LEGAL); Hollis, Caryn C. (INTERAM)

Cc: @INTERAM - Inter-American;

@LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs;

@MULTILAT

- Multilateral and Humanitarian Affairs; @PRESS - Public Affairs

Subject: draft

of updated Elian guidance for clearance [UNCLASSIFIED]

Jamie,

Caryn -- please review. thanks -- WLP

Also, note for @press:

I will be out from tomorrow until July 4 on leave. Caryn and mary Derosa will handle guidance on Elian in my absence, with help from Dan Feldman once he returns to the office next Thursday.

thanks

-- WLP

TRANSLATED_ATTACHMENT

CubanboyPG62.doc

CUBAN BOY

June 23, 2000

CONTEXT: Today, the 11th Circuit Court of Appeals in Atlanta unanimously denied a request filed by Elian Gonzalez's Miami relatives for rehearing of its June 1 ruling in this case. The appeals court's June 1 decision therefore stands. In that decision, the court dismissed the challenge to the INS decision filed by Elian's Miami relatives. The court found that the INS had acted within

the
bounds of its discretion in determining that Elian's father has sole
legal
authority to speak for his son in immigration matters. In its decision
today,
the appeals court stated that all injunctions in the case will dissolve
next
Wednesday, June 28, at 4:00pm. Any further requests for stays or
injunctions
must be filed with the Supreme Court. The ruling means that, unless
Elian's
relatives seek and the Supreme Court grants an injunction prohibiting
his
departure from the US, Elian Gonzalez will be free to return home to
Cuba as of
4:00pm next Wednesday.

What's your reaction to today's decision by the 11th Circuit Court of
Appeals,
dismissing the appeal by Elian's Miami relatives?

* We are pleased with the decision. It underscores the importance of
family and
the bond between a parent and child.

When will injunction on Elian's family returning to Cuba be lifted?

* We understand that they will be here for 5 more days, but then
would be free to
return home unless the Miami relatives sought and were granted an
injunction by
the Supreme Court.

* We refer you to the Justice Department for more details.

What assurances are you seeking from the Cuban government --
should Elian return
to Cuba next week -- that he would not be used as propaganda, would
not be placed
in a special school, and would return to his "normal" life?

* From the beginning, we have tried to de-politicize this case, and we
have
spoken to Cuban officials in Havana, Geneva, and Washington about
the need to do
so.

* Officials from the State Department have met with representatives of the Cuban Interests Section in Washington and voiced concern on how Elian would be treated in the event he returns to Cuba. These conversations have been constructive. We will continue to discuss with Cuban officials Elian's treatment should he return to Cuba.

[IF ASKED] Isn't it time for the Miami relatives to drop their appeal and let Elian and his family to go to home to Cuba?

* We hope that this matter will reach final resolution soon so that Elian and his family can resume their normal lives.

4

2

Exchange Mail

DATE-TIME 06/23/2000 6:46:09 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT final guidance on Elian [UNCLASSIFIED]
TO Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Hurwitz, Marc I. (ADMIN)
Merletti, Roger D. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Wallace, Joanna B. (INTERAM)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Banbury, Anthony N. (MULTI)
Feldman, Daniel F. (MULTI)
Hurwitz, Marc I. (ADMIN)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Orfini, Michael H. (VP)

TEXT_BODY

TRANSLATED_ATTACHMENT CubanboyPG62_.doc
CUBAN BOY

June 23, 2000

CONTEXT: Today, the 11th Circuit Court of Appeals in Atlanta unanimously denied a request filed by Elian Gonzalez's Miami relatives for rehearing of its June 1 ruling in this case. The appeals court's June 1 decision therefore stands. In that decision, the court dismissed the challenge to the INS decision filed by Elian's Miami relatives. The court found that the INS had acted within the bounds of its discretion in determining that Elian's father has sole legal authority to speak for his son in immigration matters. In its decision today, the appeals court stated that all injunctions in the case will dissolve next Wednesday, June 28, at 4:00pm. Any further requests for stays or injunctions must be filed with the Supreme Court. The ruling means that, unless Elian's relatives seek and the Supreme Court grants an injunction prohibiting his departure from the US, Elian Gonzalez will be free to return home to Cuba as of 4:00pm next Wednesday.

What's your reaction to today's decision by the 11th Circuit Court of Appeals, dismissing the appeal by Elian's Miami relatives?

* We are pleased with the decision. It underscores the importance of family and the bond between a parent and child.

When will injunction on Elian's family returning to Cuba be lifted?

* We understand that they will be here for 5 more days, but then would be free to return home unless the Miami relatives sought and were granted an injunction by the Supreme Court.

* We refer you to the Justice Department for more details.

What assurances are you seeking from the Cuban government -- should Elian return

to Cuba next week -- that he would not be used as propaganda, would not be placed in a special school, and would return to his "normal" life?

FOR WH PRESS

* I would refer you to the State Department.

FOR NSC PRESS:

* From the beginning, we have tried to de-politicize this case, and we have spoken to Cuban officials in Havana, Geneva, and Washington about the need to do so.

* Officials from the State Department have met with representatives of the Cuban Interests Section in Washington and voiced concern on how Elian would be treated in the event he returns to Cuba. These conversations have been constructive. We will continue to discuss with Cuban officials Elian's treatment should he return to Cuba.

[IF ASKED] Isn't it time for the Miami relatives to drop their appeal and let Elian and his family to go to home to Cuba?

* We hope that this matter will reach final resolution soon so that Elian and his family can resume their normal lives.

4

2

Exchange Mail

DATE-TIME 06/27/2000 11:30:55 AM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT draft Elian press guidance [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)

CARBON_COPY Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Wallace, Joanna B. (INTERAM)
Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Hurwitz, Marc I. (ADMIN)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY Here is draft press guidance on Elian. Please give me any comments quickly. Thanks. @press: apparently WH press is looking for this for Joe's 1:00.

TRANSLATED_ATTACHMENT

elianpg.doc
CUBAN BOY
June 23, 2000

CONTEXT: Last Friday, the 11th Circuit Court of Appeals in Atlanta unanimously denied a request filed by Elian Gonzalez's Miami relatives for rehearing of its June 1 ruling in this case. The appeals court's June 1 decision therefore stands. In that decision, the court dismissed the challenge to the INS decision filed by Elian's Miami relatives. The court found that the INS had acted within the bounds of its discretion in determining that Elian's father has sole legal authority to speak for his son in immigration matters. In its decision, the appeals court stated that all injunctions in the case will dissolve Wednesday, June 28, at 4:00pm. Elian's Miami relatives have asked the Supreme Court to accept the case, and to issue an injunction to prevent Elian from leaving the United States while they consider the matter. If the Supreme Court does not issue such an injunction, Elian Gonzalez will be free to return home to Cuba as of 4:00pm tomorrow.

When will injunction on Elian's family returning to Cuba be lifted?

* We understand that the injunction will end at 4:00 tomorrow. At that time Elian's family would be free to return home unless the Supreme Court grants the Miami relatives' request for an injunction.

* We refer you to the Justice Department for more details.

What assurances are you seeking from the Cuban government -- should Elian return to Cuba next week -- that he would not be used as propaganda, would not be placed in a special school, and would return to his "normal" life?

FOR WH PRESS

* I would refer you to the State Department.

FOR NSC PRESS:

* From the beginning, we have tried to de-politicize this case, and we have spoken to Cuban officials in Havana, Geneva, and Washington about the need to do so.

* Officials from the State Department have met with representatives of the Cuban Interests Section in Washington and voiced concern on how Elian would be treated in the event he returns to Cuba. These conversations have been constructive. We will continue to discuss with Cuban officials Elian's treatment should he return to Cuba.

[IF ASKED] Isn't it time for the Miami relatives to drop their appeal and let Elian and his family to go home to Cuba?

* We hope that this matter will reach final resolution soon so that Elian and his family can resume their normal lives.

[IF ASKED] In retrospect, do you think this went on too long? Should your Administration have stepped in more decisively in November?

* As I have said before, I support completely the Justice Department's handling of this matter. The Justice Department followed a deliberate and careful process in order to reunite this child with his father safely and with as little disruption as possible. This was a matter in litigation and it was important to let the judicial process run its course.

* I hope now the matter will reach final resolution. It is important that Elian and his family be able to resume a normal life.

4

Exchange Mail

DATE-TIME 06/27/2000 1:30:17 PM
FROM Tierney, Mary T. (Theresa) (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Elian letter for clearance [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)
DeRosa, Mary B. (LEGAL)
Shapiro, Daniel B. (LEGIS)

CARBON_COPY Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
Mclean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)

TEXT_BODY Greetings - I have not heard back on this yet - it is not due until
COB tomorrow. Just let me know.
Theresa

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

From: Patten,
Wendy L. (MULTI)
Sent: Saturday, June 24, 2000 3:16 AM
To: Hollis,
Caryn C. (INTERAM); DeRosa, Mary B. (LEGAL); Shapiro, Daniel
B.
(LEGIS); Tierney, Mary T. (Theresa) (MULTI)
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs
Subject: Elian letter for clearance [UNCLASSIFIED]

caryn,
mary, dan -

please review the attached and reply to @multi.
Please look at the incoming and let me know if you think this
response
works. Since it makes little sense to send this forward referring

to Elian's continued presence in the US if he could be returning home on Wednesday, I'm proposing we hold it til then. I used the tense that assumes he will return soon, but obviously it will need to be changed if the S. Ct. grants a stay.

Theresa --I'm leaving the folder on your chair. Could you please fax the incoming to these three? Then, when they respond, please incorporate their changes (original docs on my G drive under packages) and print out for Eric's review. This is written to go forward COB Wed (not before).

thanks
again for your help getting this package out -- WLP

TRANSLATED_ATTACHMENT 3655 MenendezElian let.doc

Dear Representative Menendez:

Thank you for your letter concerning Elian Gonzalez.

During Elian's stay near Wye Plantation and in Washington, Elian, his father, and his family enjoyed quiet time together away from the media spotlight. They were able to become a strong family once again. Cuban government officials did not dictate their daily activities, nor did they interfere with the strong bond between parent and child that lies at the core of this matter.

It is my hope that, with the legal proceedings now completed, Elian and his family will be able to resume their normal lives, far from the public attention of recent months.

Thank you for writing and sharing your thoughts with me on this important matter.

Sincerely,

[Name/Title in Initial Caps]
[Title/Senate/House in Initial Caps]
[Organization/Position - Initial Caps]
[Address - Initial Caps]

TRANSLATED_ATTACHMENT 3655 POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
CHARLES M. BRAIN

SUBJECT: Letter from Rep. Menendez on Elian Gonzalez Case

Purpose

Respond to a letter from Representative Menendez, urging you to intervene to end what he perceives as Castro's attempts to indoctrinate Elian Gonzalez on U.S. soil.

Background

In his letter, Rep. Robert Menendez criticizes the U.S. for allegedly permitting the communist indoctrination of Elian Gonzalez through classes conducted by his Cuban teacher at the Gonzalez's temporary residence near Wye Plantation. He also contends that Cuban officials were dictating the family's daily activities.

Your response notes that Elian and his family spent time together away from the media spotlight. You indicate that Cuban government officials did not dictate

their daily activities, nor did they interfere with the strong bond between parent and child that lies at the heart of this matter. You express your hope that Elian and his family will now be able to resume their normal lives, far from the public attention of recent months.

RECOMMENDATION

That you sign the attached response.

Attachment
Tab A Response to Rep. Menendez
Tab B Incoming Correspondence

2

3655

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 3655 SRB memo.doc

June 28, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: WENDY PATTEN

SUBJECT: Letter from Rep. Menendez on Elian Gonzalez Case

Attached is a memorandum to the President and proposed response to a letter from Rep. Robert Menendez on the Elian Gonzalez case.

The NSC received the incoming correspondence on May 31, 2000.

Concurrence by: Caryn Hollis, Mary DeRosa, Dan Shapiro

RECOMMENDATION

That you sign the attached memorandum.

Attachment

Tab I Memorandum for the President

Tab A Response to Rep. Menendez

Tab B Incoming Correspondence

1

3655

Exchange Mail

DATE-TIME 06/28/2000 3:24:25 PM
FROM Tierney, Mary T. (Theresa) (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: 2nd Reminder: FW: Eliau letter for clearance [UNCLASSIFIED]
TO Shapiro, Daniel B. (LEGIS)

CARBON_COPY**TEXT_BODY**

Thank you!

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

From: Shapiro, Daniel B.
(LEGIS)

Sent: Wednesday, June 28, 2000 1:53 PM

To: Tierney, Mary
T. (Theresa) (MULTI); Hollis, Caryn C. (INTERAM); DeRosa, Mary B.
(LEGAL)

Cc: @MULTILAT - Multilateral and Humanitarian Affairs

Subject: RE:

2nd Reminder: FW: Eliau letter for clearance [UNCLASSIFIED]

Leg.
clears.

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

From: Tierney, Mary T. (Theresa)
(MULTI)

Sent: Wednesday, June 28, 2000 1:35 PM

To: Hollis, Caryn
C. (INTERAM); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B. (LEGIS)
Cc: @MULTILAT

- Multilateral and Humanitarian Affairs

Subject: 2nd Reminder:

FW: Eliau letter for clearance [UNCLASSIFIED]

Importance: High

Any
response?
Theresa

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

From: Patten,
Wendy L. (MULTI)

Sent: Saturday, June 24, 2000 3:16 AM
To: Hollis,
Caryn C. (INTERAM); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B.
(LEGIS); Tierney, Mary T. (Theresa) (MULTI)
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs
Subject: Elian letter for clearance [UNCLASSIFIED]

caryn,
mary, dan -

please review the attached and reply to @multi.
Please look at the incoming and let me know if you think this response works. Since it makes little sense to send this forward referring to Elian's continued presence in the US if he could be returning home on Wednesday, I'm proposing we hold it til then. I used the tense that assumes he will return soon, but obviously it will need to be changed if the S. Ct. grants a stay.

Theresa --I'm leaving
the folder on your chair. Could you please fax the incoming to these three? Then, when they respond, please incorporate their changes (original docs on my G drive under packages) and print out for Eric's review. This is written to go forward COB Wed (not before).

thanks
again for your help getting this package out -- WLP

<< File:
3655 MenendezElian let.doc >> << File: 3655 POTUS memo.doc >> <<
File: 3655 SRB memo.doc >>

Exchange Mail

DATE-TIME 06/29/2000 9:00:38 AM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: 3rd request FW: Eliau letter for clearance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY**TEXT_BODY**

I've now gotten three phone calls and two e-mails from Theresa on this. I think she might have taken your suggestion that she bug me a tad too seriously.

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

From: Tierney,
Mary T. (Theresa) (MULTI)
Sent: Thursday, June 29, 2000 8:50 AM
To: DeRosa,
Mary B. (LEGAL)
Cc: Hurwitz, Marc I. (ADMIN); Patten, Wendy L.
(MULTI)
Subject: 3rd request FW: Eliau letter for clearance [UNCLASSIFIED]
Importance: High

Hello

- this was supposed to go out yesterday. Any clearance yet?

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

From: Patten, Wendy L. (MULTI)
Sent: Saturday, June
24, 2000 3:16 AM
To: Hollis, Caryn C. (INTERAM); DeRosa, Mary B.
(LEGAL); Shapiro, Daniel B. (LEGIS); Tierney, Mary T. (Theresa)
(MULTI)
Cc: @MULTILAT - Multilateral and Humanitarian Affairs
Subject: Eliau
letter for clearance [UNCLASSIFIED]

caryn, mary, dan -

please
review the attached and reply to @multi. Please look at the incoming
and let me know if you think this response works. Since it makes

little sense to send this forward referring to Elian's continued presence in the US if he could be returning home on Wednesday, I'm proposing we hold it til then. I used the tense that assumes he will return soon, but obviously it will need to be changed if the S. Ct. grants a stay.

Theresa --I'm leaving the folder on your chair. Could you please fax the incoming to these three? Then, when they respond, please incorporate their changes (original docs on my G drive under packages) and print out for Eric's review. This is written to go forward COB Wed (not before). If they don't respond by then - bug them. That way, they'll feel like I'm still here (!)

thanks
again for your help getting this package out -- WLP

TRANSLATED_ATTACHMENT 3655 MenendezElian let.doc

Dear Representative Menendez:

Thank you for your letter concerning Elian Gonzalez.

During Elian's stay near Wye Plantation and in Washington, Elian, his father, and his family enjoyed quiet time together away from the media spotlight. They were able to become a strong family once again. Cuban government officials did not dictate their daily activities, nor did they interfere with the strong bond between parent and child that lies at the core of this matter.

It is my hope that, with the legal proceedings now completed, Elian and his family will be able to resume their normal lives, far from the public attention of recent months.

Thank you for writing and sharing your thoughts with me on this important matter.

Sincerely,

[Name/Title in Initial Caps]
[Title/Senate/House in Initial Caps]
[Organization/Position - Initial Caps]
[Address - Initial Caps]

TRANSLATED_ATTACHMENT 3655 POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
CHARLES M. BRAIN

SUBJECT: Letter from Rep. Menendez on Elian Gonzalez Case

Purpose

Respond to a letter from Representative Menendez, urging you to intervene to end what he perceives as Castro's attempts to indoctrinate Elian Gonzalez on U.S. soil.

Background

In his letter, Rep. Robert Menendez criticizes the U.S. for allegedly permitting the communist indoctrination of Elian Gonzalez through classes conducted by his Cuban teacher at the Gonzalez's temporary residence near Wye Plantation. He also contends that Cuban officials were dictating the family's daily activities.

Your response notes that Elian and his family spent time together away from the

media spotlight. You indicate that Cuban government officials did not dictate their daily activities, nor did they interfere with the strong bond between parent and child that lies at the heart of this matter. You express your hope that Elian and his family will now be able to resume their normal lives, far from the public attention of recent months.

RECOMMENDATION

That you sign the attached response.

Attachment
Tab A Response to Rep. Menendez
Tab B Incoming Correspondence

2

3655

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 3655 SRB memo.doc

June 28, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: WENDY PATTEN

SUBJECT: Letter from Rep. Menendez on Elian Gonzalez Case

Attached is a memorandum to the President and proposed response to a letter from Rep. Robert Menendez on the Elian Gonzalez case.

The NSC received the incoming correspondence on May 31, 2000.

Concurrence by: Caryn Hollis, Mary DeRosa, Dan Shapiro

RECOMMENDATION

That you sign the attached memorandum.

Attachment

Tab I Memorandum for the President

Tab A Response to Rep. Menendez

Tab B Incoming Correspondence

1

3655

Exchange Mail

DATE-TIME 06/29/2000 10:49:42 AM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian Guidance [UNCLASSIFIED]

TO Crowley, Philip J. (PRESS)
Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Wallace, Joanna B. (INTERAM)

CARBON_COPY Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Hurwitz, Marc I. (ADMIN)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY I think you've got it!! Questions about guarantees were raised by Senator Graham, State has had numerous discussions with the Cuban Interests section on the question of his treatment after he returns

and while there have been no guarantees that he won't be exploited they understand our concerns. US Interests Section in Havana will monitor his treatment.

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

From: Crowley,
Philip J. (PRESS)
Sent: Thursday, June 29, 2000 10:24 AM
To: @MULTILAT
- Multilateral and Humanitarian Affairs; @INTERAM - Inter-American
Cc: @PRESS
- Public Affairs; @LEGAL - Legal Advisor
Subject: Elian Guidance
[UNCLASSIFIED]

Wendy/Caryn, just when you thought it was safe to go back in the water, one question occurs to me as a follow up, with a possible answer for your consideration.

What do you make of the fact that Castro was not at the airport to greet Elian last night? Did you end up getting any assurances from the Cuban government that they would not exploit Elian for propaganda purposes?

* That really is a question to ask the Cuban government. We did express our concerns to Cuban officials about how he would be treated if and when he returned to Cuba. Our actions have always been guided by what was best for Elian. We hope the Cuban government will do the same.

The father appeared to be very conciliatory in his remarks at the airport about a desire to build better relations between the two countries. Do you think that is the legacy of this case, that it could provide an opportunity for a shift in policy?

* As the President said yesterday, we will continue to do everything we can to promote stronger people-to-people contacts between our two countries. At the same time, he doubted that there would be any bipartisan consensus to change our policy without fundamental change within the Castro regime.

* The legacy here is that the United States government acted to uphold the rule of law, and acted based on the belief that reuniting father and son was in the boy's best interest.

PJ

Exchange Mail

DATE-TIME 06/29/2000 11:32:25 AM
FROM Tierney, Mary T. (Theresa) (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian Guidance [UNCLASSIFIED]
TO Crowley, Philip J. (PRESS)

CARBON_COPY**TEXT_BODY**

I just check my email - did Steve or anyone else get back to you?

-----Original

Message-----

From: Crowley, Philip J. (PRESS)

Sent: Thursday,

June 29, 2000 10:52 AM

To: Tierney, Mary T. (Theresa) (MULTI)

Subject: RE:

Elian Guidance [UNCLASSIFIED]

We need the guidance for Joe Lockhart
by 11:30.

PJ

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

From: Tierney, Mary

T. (Theresa) (MULTI)

Sent: Thursday, June 29, 2000 10:51 AM

To: Crowley,

Philip J. (PRESS)

Subject: RE: Elian Guidance [UNCLASSIFIED]

FYI

- Wendy is on leave - I am sure someone will get back to you. Do
you have a deadline on this?

Theresa

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

From: Crowley,

Philip J. (PRESS)

Sent: Thursday, June 29, 2000 10:24 AM

To: @MULTILAT

- Multilateral and Humanitarian Affairs; @INTERAM - Inter-American

Cc: @PRESS
- Public Affairs; @LEGAL - Legal Advisor
Subject: Elian Guidance
[UNCLASSIFIED]

Wendy/Caryn, just when you thought it was safe to go back in the water, one question occurs to me as a follow up, with a possible answer for your consideration.

What do you make of the fact that Castro was not at the airport to greet Elian last night? Did you end up getting any assurances from the Cuban government that they would not exploit Elian for propaganda purposes?

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* As the President said yesterday, we will continue to do everything we can to promote stronger people-to-people contacts between our two countries. At the same time, he doubted that there would be any bipartisan consensus to change our policy without fundamental change within the Castro regime.

* The legacy here is that the United States government acted to uphold the rule of law, and acted based on the belief that reuniting father and son was in the boy's best interest.

PJ

Exchange Mail

DATE-TIME 07/01/2000 12:52:45 PM
FROM Tierney, Mary T. (Theresa) (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: 3655 Elian letter for clearance [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY Banbury, Anthony N. (MULTI)
Cooper, Colby J. (ADMIN)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)

TEXT_BODY Wendy - this package is ready for Eric to clear and then good to go. I have saved the letter to show you Mary's small changes.
Theresa

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

From: DeRosa, Mary B. (LEGAL)
Sent: Friday, June
30, 2000 2:14 PM
To: Tierney, Mary T. (Theresa) (MULTI)
Cc: Patten,
Wendy L. (MULTI); @MULTILAT - Multilateral and Humanitarian Affairs;
Shapiro, Daniel B. (LEGIS); Hollis, Caryn C. (INTERAM); @LEGAL
- Legal Advisor
Subject: FW: Elian letter for clearance [UNCLASSIFIED]

Clear,
with some changes to the letter.

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

From: Patten,
Wendy L. (MULTI)
Sent: Saturday, June 24, 2000 3:16 AM
To: Hollis,
Caryn C. (INTERAM); DeRosa, Mary B. (LEGAL); Shapiro, Daniel B.

(LEGIS); Tierney, Mary T. (Theresa) (MULTI)
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs
Subject: Elian letter for clearance [UNCLASSIFIED]

caryn,
mary, dan -

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Theresa --I'm leaving
the folder on your chair. Could you please fax the incoming to these three? Then, when they respond, please incorporate their changes (original docs on my G drive under packages) and print out for Eric's review. This is written to go forward COB Wed (not before). If they don't respond by then - bug them. That way, they'll feel like I'm still here (!)

thanks again for your help getting this package
out -- WLP

<< File: 3655 MenendezElian let.doc >> << File: 3655
POTUS memo.doc >> << File: 3655 SRB memo.doc >>

Exchange Mail

DATE-TIME 07/03/2000 1:44:47 PM
FROM Naplan, Steven J. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: CUBA/ELIAN/ SANCTIONS [UNCLASSIFIED]
TO Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Wallace, Joanna B. (INTERAM)

CARBON_COPY Banbury, Anthony N. (MULTI)
Feldman, Daniel F. (MULTI)
Mclean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary T. (Theresa) (MULTI)
Wilcox, Richard M. (MULTI)
Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

TEXT_BODY this looks fine to me.

It was my understanding that Mary DeRosa
was watching Elian-related matters in Wendy's absence.

you may
want to get her chop on this.

SN

-----Original Message-----
From: Feldman,
Daniel F. (MULTI)

Sent: Monday, July 03, 2000 12:25 PM
To: Naplan,
Steven J. (MULTI); @MULTILAT - Multilateral and Humanitarian
Affairs
Subject: FW:
CUBA/ELIAN/ SANCTIONS [UNCLASSIFIED]

steve -- do you mind taking
a look at this? i'm crashing on child soldiers. i'm sure it's fine.

-----Original
Message-----
From: Brown, Katherine A. (PRESS/INTERN)
Sent: Monday,
July 03, 2000 12:09 PM
To: @INTERAM - Inter-American
Cc: @PRESS
- Public Affairs; @MULTILAT - Multilateral and Humanitarian
Affairs
Subject: FW:
CUBA/ELIAN/ SANCTIONS [UNCLASSIFIED]

does @MULTILAT clear on
this? i know Wendy was unavailable to clear last week. am putting
together guidance now.

-----Original Message-----
From: Hollis,
Caryn C. (INTERAM)
Sent: Monday, July 03, 2000 9:45 AM
To: @PRESS
- Public Affairs; @MULTILAT - Multilateral and Humanitarian
Affairs
Cc: @INTERAM
- Inter-American
Subject: CUBA/ELIAN/ SANCTIONS [UNCLASSIFIED]

PLease clear. Added one question on the demonstrations.

TRANSLATED_ATTACHMENT 070300Cuba guidance.doc
CUBA/ELIAN/ SANCTIONS
July 3, 2000

What do you think about the statements by Castro and others that the
weekly
demonstrations will continue despite Elian's return and that they will
now focus

on the Cuban Adjustment Act and the economic embargo?

* That really is a question for the Cuban government. The demonstrations will have little impact on our policy. We support safe, orderly and legal migration to the United States.

Did you end up getting any assurances from the Cuban government that they would not exploit Elian for propaganda purposes?

* We did express our concerns to Cuban officials about how Elian would be treated if and when he returned to Cuba. Our actions have always been guided by what was best for Elian. We hope the Cuban government will do the same.

The father appeared to be very conciliatory in his remarks at the airport about a desire to build better relations between the two countries. Do you think that is the legacy of this case, that it could provide an opportunity for a shift in policy?

* As the President said, we will continue to do everything we can to promote stronger people-to-people contacts between our two countries. At the same time, he doubted that there would be any bipartisan consensus to change our policy without fundamental change within the Castro regime.

* The legacy here is that the United States government acted to uphold the rule of law, and acted based on the belief that reuniting father and son was in the boy's best interest.

The Hill is moving to lift food and medicine sanctions against Cuba. Isn't it time for the Administration to end the embargo against Cuba, especially since you are working to open trade with China and North Korea?

* Our Cuba policy, including the embargo, is based on a bipartisan consensus spanning more than three decades. The Cuban Liberty and Democratic Solidarity

Act, or Helms-Burton Act, became law in the wake of Cuba's shutdown of two U.S. civilian aircraft in international airspace in February 1996.

* Helms Burton was intended to increase pressure on the Castro government to undertake reforms and to better protect the rights of U.S. citizens whose property in Cuba was illegally confiscated and later used by foreign investors.

* Our policy is to provide support for the Cuban people without strengthening the Cuban government. While the embargo receives the most media and international attention, support for the Cuban people is the central theme of our policy. For example, we support cultural exchanges between the U.S. and Cuban people, and permit sales of food to independent, non-governmental entities in Cuba.

* We are prepared to consider alterations in our policy in response to clear and unequivocal steps toward democracy in Cuba. So far we have seen little indication that the Cuban government is prepared to make such moves.

Will the President veto the agriculture sanctions proposals in Congress, like the Nethercutt bill?

* The President believes that commercial exports of food and medicine should not be used as a tool of foreign policy, except under compelling circumstances. He has taken executive measures to exempt those products from most unilateral sanctions.

* [Background - Administration announced on April 28, 1999 that the U.S. would exempt commercial sales of agricultural commodities and products for humanitarian purposes, as well as medicine and medicinal equipment, from future unilateral Executive Branch economic sanctions regimes - unless the President determines our national interest requires otherwise.]

* The President supports legislation such as Senator Lugar's "Agricultural Trade Freedom Act." It reflects this policy: the bill carries a presumption

that food
and medicine sales are permitted without distinction as to country, but
includes
a national interest waiver for use in compelling circumstances.
* The President is concerned, however, about legislative proposals on
sanctions
that would seriously limit any President's ability to implement foreign
policy
and would have grave implications for our non proliferation, counter
terrorism
and counter narcotics initiatives.

Doesn't the Nethercutt bill provide new openings on U.S.-Cuba
policy?

* It's not clear what the latest version of this bill does. Our
understanding is
that it actually now further restricts travel to Cuba, which is counter to
our
people-to-people effort. The President thinks that's unfortunate.
* Again, the President thinks Senator Lugar's agriculture trade bill
reflects the
best legislative approach across the board on this issue.

Exchange Mail

DATE-TIME 07/08/2000 6:03:59 PM
FROM Wasserman, Elaine P. (EXSEC)
CLASSIFICATION UNCLASSIFIED
SUBJECT Package 3655 Ltr to Rep. Menendez on Elian Gonzalez Case [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY Banbury, Anthony N. (MULTI)
Feldman, Daniel F. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Tierney, Mary "Theresa" T. (MULTI)
Wilcox, Richard M. (MULTI)
Bartlett, L. June (EXSEC)
Bradtke, Robert A. (EXSEC)
Gire, Cynthia L. (EXSEC)
Gray, Wendy E. (NSA)
Hilliard, Brenda I. (EXSEC)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Powell, Elliott (WHSR/EXSEC)
Wasserman, Elaine P. (EXSEC)

TEXT_BODY Subject package was returned from Jim Steinberg with the following note: Redo. See note on text. In text of letter, first para, second sentence, he wrote: How do we know this?

Package and diskette
will be returned in Monday a.m. first mail run.

Thank you.

Exchange Mail

DATE-TIME 07/19/2000 6:15:26 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: revised letter to Menendez on elian [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)
Shapiro, Daniel B. (LEGIS)
Hollis, Caryn C. (INTERAM)

CARBON_COPY Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY What were Jim's concerns?

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

From: Patten,
Wendy L. (MULTI)
Sent: Wednesday, July 19, 2000 5:43 PM
To: Shapiro,
Daniel B. (LEGIS); DeRosa, Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Cc: @INTERAM
- Inter-American; @LEGAL - Legal Advisor; @LEGISLAT - Legislative
Affairs; @MULTILAT - Multilateral and Humanitarian Affairs
Subject: RE:
revised letter to Menendez on elian [UNCLASSIFIED]

Dan -- This
approach was preferred by State and Justice as a way of addressing
Jim;s concerns. Call me and we can discuss

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

From: Shapiro,
Daniel B. (LEGIS)
Sent: Wednesday, July 19, 2000 1:33 PM
To: Patten,
Wendy L. (MULTI); DeRosa, Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)
Cc: @INTERAM
- Inter-American; @LEGAL - Legal Advisor; @LEGISLAT - Legislative
Affairs; @MULTILAT - Multilateral and Humanitarian Affairs

Subject: RE:
revised letter to Menendez on elian [UNCLASSIFIED]

Seems like
a strange approach. I liked the original letter better. But if
Jim turned it around, there is no point in making those revisions.
So I clear.

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

From: Patten, Wendy L.

(MULTI)

Sent: Wednesday, July 19, 2000 12:52 PM

To: DeRosa, Mary

B. (LEGAL); Hollis, Caryn C. (INTERAM); Shapiro, Daniel B. (LEGIS)

Cc: @INTERAM

- Inter-American; @LEGAL - Legal Advisor; @LEGISLAT - Legislative
Affairs; @MULTILAT - Multilateral and Humanitarian Affairs

Subject: revised

letter to Menendez on elian [UNCLASSIFIED]

Dan/Caryn/mary -- this
package was returned with comments from Jim. I've reworked the entire
letter with Justice and State. Please review. I've attached the
prior versions of the accompanying memos, which i'll change to reflect
the letter's content. Since I'm in the marathan alien smuggling
and trafficking meeting this afternoon, I wanted to get the letter
to you before I disappear from a (long) while. Appreciate your quick
review on this very overdue letter.

thanks -- WLP

<< File:

3655 MenendezElian REDO.doc >> << File: 3655 POTUS memo REDO.doc

>> << File: 3655 SRB memo REDO.doc >>