

Exchange Mail

DATE-TIME 01/09/2000 5:42:47 PM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION UNCLASSIFIED
SUBJECT CUBAN BOY [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY**TEXT_BODY**

Wendy, I updated the guidance. Appears to me that for the most we should refer them to DOJ or INS with any questions.

On
my desk are some articles from the Miami Herald over the weekend. Feel free to take them. Interesting figures from the Saturday poll---110352 responses--70% agree with the decision and 29% Disagree---the Herald no less. there is an article I did not print out that it breaks down on hispanic non-hispanic lines.

I have to drop my car off
at 7:30 and should be in by around 8:30. caryn

TRANSLATED_ATTACHMENT

000110Cuban boy.doc
CUBAN BOY
January 10, 2000

CONTEXT: INS's decision that Elian Gonzalez should be reunited with his father has met with criticism from numerous quarters. Lazaro Gonzalez, Elian's great uncle, filed a petition for temporary custody of the boy with Miami Dade Circuit Court on January 7 which will be ruled on early this week. Late January 7 Representative Dan Burton (R-IN) issued a subpoena for Elian to appear before the

House Government Reform Committee on 10 February. In subsequent interview,

Burton claimed that his intent was not to have Elian testify but to keep him in the United States past the INS declared January 14 deadline. A delegation from Miami, --the Mayors from Miami and Dade County, along with a lawyer for the boy and a representative from the Cuban American National Foundations-- met with the Attorney General on January 7 to register their objections to the INS decision.

Senator Bob Smith (R-NH) visited Elian on January 8 and announced his intention to ask the Attorney General to drop the Friday deadline. The January 10 protest planned to shut down Miami International Airport has been postponed.

What is the INS decision in the Elian Gonzalez case?

* 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.

Gov. Bush of Florida is appealing to the President to overturn the INS decision.

Will he do that?

* As the President has said, this was a legal, not a political decision. The decision was made by the appropriate legal authority within the U.S. government -

the INS. INS followed the law and its procedures in determining that the boy's father speaks for the boy in immigration matters.

Was the decision to return Elian Gonzalez made so to appease Castro as reported in the January 6 edition of the New York Times?

* Let me repeat what the President said yesterday. This decision was a non-political decision made by the relevant officials at the

Immigration and Naturalization Service in consultation with the Department of Justice based on the facts of the case and in conformity with the law and with INS rules and procedures.

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 this decision, which, let me reiterate, was made solely by the responsible authorities following the law and INS rules and procedures.

Are U.S. officials concerned about the reaction of the Cuban American community in Miami?

* We understand that for many this is an emotional issue, but it is our hope that

the Miami community will remain peaceful in order to allow the legal process to work its course in this matter.

Representative Dan Burton (R-IN) issued a subpoena for Elian to appear before the

House Government Reform Committee on 10 February; will that prevent Elian from returning to his father by the INS deadline of January 14?

* It would be inappropriate for me to discuss this matter. I refer you to INS.

Exchange Mail

DATE-TIME 01/10/2000 4:47:51 PM

FROM Hollis, Caryn C. (INTERAM)

CLASSIFICATION UNCLASSIFIED

SUBJECT Judge rules on Elian [UNCLASSIFIED]

TO Valenzuela, Arturo A. (INTERAM)

CARBON_COPY Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

TEXT_BODY Miami judge just granted temporary custody to the Miami relatives, until she could hold hearings on 6 March. We will wait about an hour then contact DOJ for a read out. Wendy is working with @Legal.
caryn

Exchange Mail

DATE-TIME 01/12/2000 10:54:03 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian Guidance [UNCLASSIFIED]
TO Gobush, Matthew N. (PRESS)

CARBON_COPY Hammer, Michael A. (PRESS)

TEXT_BODY I am not up on the unclass system yet, so could it be faxed to me at 6-9140? I am sending you now my draft guidance for what it's worth.

thanks -- WLP

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

From: Gobush,
Matthew N. (PRESS)
Sent: Wednesday, January 12, 2000 10:28 AM
To: Patten,
Wendy L. (MULTI)
Cc: Hammer, Michael A. (PRESS)
Subject: Elian
Guidance [UNCLASSIFIED]

Wendy - Spoke with Jim Kennedy - he is doing guidance on Elian and DoJ letter now and will send to you and me on unclas before 11:00 a.m. I'm in a meeting until then - page me if you need me. Thanks.

Exchange Mail

DATE-TIME 01/14/2000 9:13:32 AM
FROM Darnes, Victoria J. (RECORDS)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: POTUS Correspondence & Elian Gonzales [UNCLASSIFIED]
TO Ficklin, John W. (RECORDS)
Bellamy, Ralph C. (RECORDS)
George, Christopher L. (RECORDS)
Good, Travis C. (RECORDS)
Kaplan, Dean M. (RECORDS/NESA)
Konrad, Elizabeth M. (RECORDS)
Marsh, Thomas S (RECORDS)
Porter, Pete (RECORDS)
Sanborn, Daniel R. K. (Records)
Starks, Tali T. (RECORDS)

CARBON_COPY**TEXT_BODY**

The Bush letter is already in the system under log #0130.

-----Original

Message-----

From: Ficklin, John W. (RECORDS)

Sent: Thursday,

January 13, 2000 3:35 PM

To: Bellamy, Ralph; Darnes, Victoria; Ficklin,

John; George, Christopher; Good, Travis; Kaplan, Dean; Konrad, Elizabeth;

Marsh, Thomas; Porter, Pete; Sanborn, Daniel; Starks, Tali

Subject: POTUS

Correspondence & Elian Gonzales [UNCLASSIFIED]

Presidential Correspondence

is drafting a standard response for letters to the President on the Gonzales case. It will be cleared by the NSC/Wendy Patten. Any Congressional or HS correspondence on the case will be handled by Patten.

We have allegedly received a letter from Jeb Bush on the Gonzales case that I cannot locate. If it surfaces, staff it to Patten.

Any letters addressed to Berger on the case should be staffed to Patten.

Thanks.

Exchange Mail

DATE-TIME 01/21/2000 7:39:15 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT Update on Elian Gonzalez [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY**TEXT_BODY**

Please pass to Sandy and Jim
from Mary and Wendy

INS Lawsuit

As you know, Elian's Miami relatives filed suit on Wednesday in Federal Court in Miami challenging the INS decision to deny the asylum petitions that they filed in Elian's name. The suit is a motion for preliminary and permanent injunction and a petition for writ of mandamus. The relatives ask the court to preclude the INS from returning Elian to Cuba "until defendants [INS] abide by their own rules and regulations and adjudicate [Elian's] applications for political asylum."

The first judge assigned to the case -- Judge King -- recused himself today, presumably because of a potential conflict of interest (Judge King's son is a state court judge who has used the spokesman for Elian's Miami relatives as his campaign manager). According to Justice, any views of the parties were filed under seal. Judge King has not given a reason publicly for his recusal. This afternoon Judge Hoovelin (ph) was assigned the case. Justice doesn't know much about him except that he is generally well regarded and presided over the Noriega case.

So far no schedule has been set in the matter. If it were to proceed under the normal briefing schedule for a preliminary injunction briefing would be complete on February 9. Early next week, when Justice files its first paper in the case, it will ask for an expedited schedule.

Legal Issues

with Legislation Justice is reviewing a number of legal issues related to the proposed legislation to confer citizenship or lawful permanent residency on Elian. There are potentially some constitutional issues with the legislation. For example, Justice is looking at whether

the legislation would cause a termination of parental rights that would amount to a deprivation of substantive due process. They are also reviewing the question of whether citizenship can be conferred on a person without his consent. They hope to have some, at least preliminary conclusions about these issues by early next week.

Exchange Mail

DATE-TIME 01/26/2000 11:40:43 AM
FROM Guarnieri, Valerie N. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: pls call marj tarmey. if we have new TPs on elian, she would like a copy--if she doesn't have them already [UNCLASSIFIED]
TO Gray, Wendy E. (NSA)

CARBON_COPY

TEXT_BODY I told Marge the status of the pts that you had done for Podesta (being reviewed internally, went to Mara a few minutes ago). Her main concern was that someone was making sure our points matched the State points that State (Susan Jacobs) had also sent over to the COS office. I told her that I knew you were working closely with State in general, and that it seemed that legis had the State points too, but would pass the word on.

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

From: Vaccaro,
Jonathan M. (Matt) (MULTI)
Sent: Wednesday, January 26, 2000 11:18 AM
To: Patten, Wendy L. (MULTI)
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs
Subject: pls call marj tarmey. if we have
new TPs on elian, she would like a copy--if she doesn't have them
already [UNCLASSIFIED]
Importance: High

Exchange Mail

DATE-TIME 02/08/2000 7:13:22 PM
FROM Naplan, Steven J. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT Elian's grandmother [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY Naplan, Steven J. (MULTI)

TEXT_BODY what did Elian's grandmother Mariela Quinatana tell Cuban TV she did to Elian that has some reporters interested?

Exchange Mail

DATE-TIME 03/21/2000 10:57:25 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: wendy--noticed this reaction by justice department to elian ruling
[UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)

CARBON_COPY**TEXT_BODY**

not the bit about "jackbooted thugs" that is troubling...

-----Original

Message-----

From: Hollis, Caryn C. (INTERAM)

Sent: Tuesday,

March 21, 2000 10:15 AM

To: Patten, Wendy L. (MULTI)

Subject: FW:

wendy--noticed this reaction by justice department to elian ruling
[UNCLASSIFIED]

Isn't that exactly what Jannelle said on the phone
this morning?

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

From: Manning, Michael

T. (WHSR)

Sent: Tuesday, March 21, 2000 10:07 AM

To: Patten,

Wendy L. (MULTI); DeRosa, Mary B. (LEGAL); Hollis, Caryn C. (INTERAM)

Subject: wendy--noticed

this reaction by justice department to elian ruling [UNCLASSIFIED]

PRIORITY: RUSH CATEGORY: DOMESTIC

SUBJECT:

cubanboy ORIG: UPI

RECEIPT_TIME: 000321094300

s1234

'No precipitous action' on Elian

WASHINGTON, March

21 (UPI) -- The Justice Department indicated Tuesday it would be moving slowly toward reuniting 6-year-old refugee Elian Gonzalez with his family in Havana now that a federal judge has opened the way. A department spokeswoman said: "We're not going to be taking any precipitous action....We are not going to be sending any jackbooted thugs...to pick up Elian."
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--

Message: WWN-UPI-1-20000321-09540100-bc-us-cubanboy
Content: SRVUPISPOT
Content: LEGAL POL Content: 02000000 11000000

UPI- 03/21/00 09:43:14

Exchange Mail

DATE-TIME 03/26/2000 7:23:28 PM

FROM Naplan, Steven J. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT Elian on GMA [UNCLASSIFIED]

TO 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)
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)

CARBON_COPY

TEXT_BODY ABC is promoting a Dianne Sawyer "visit" (presumably not an "interview") with Elian Gonzales on Good Morning America for tomorrow (Monday) morning.

fyi

Exchange Mail

DATE-TIME 03/27/2000 7:01:36 PM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION UNCLASSIFIED
SUBJECT The latest on Elian [UNCLASSIFIED]

TO Feldman, Daniel F. (MULTI)
DeRosa, Mary B. (LEGAL)
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)

CARBON_COPY

TEXT_BODY Apparently the Miami relatives have invited the press into their house because the Virgin Mary has appeared in Elian's room and her image in on the wall. She left the bank I guess.

Exchange Mail

DATE-TIME 04/06/2000 4:05:52 PM
FROM Crocker, Bathsheba N. (NSA)
CLASSIFICATION UNCLASSIFIED
SUBJECT Elian case & Wendy Patten [UNCLASSIFIED]
TO Moretz, Sheila K. (NSA)
Scott-Perez, Marilyn L. (NSA)

CARBON_COPY

TEXT_BODY Marilyn, Sheila:

Eric called today to make a request that we do our best to remember that Wendy Patten (multilat person who handles Elian case) is included in stuff related to the case, along with Mary D. - e.g., the conference call we found out at the last minute this morning.

So I'm just passing along the message (in the spirit of communicating . . .)!

Sheba

Exchange Mail

DATE-TIME 04/20/2000 2:09:55 PM
FROM Williams, Mary C. (ADMIN)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: POTUS Q&A on Elian [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY Feldman, Daniel F. (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)
Williams, Mary C. (ADMIN)

TEXT_BODY

WENDY:

NATALIE, PJ CROWLEY's OFFICE CALLED A REGARDING YOUR
COMMENTS,
ETC. I TOLD HER THAT YOU SHOULD BE BACK SHORTLY.

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

From: Crowley, Philip J. (PRESS)
Sent: Thursday,
April 20, 2000 12:38 PM
To: @MULTILAT - Multilateral and Humanitarian
Affairs
Cc: @PRESS - Public Affairs; @LEGAL - Legal Advisor; @INTERAM
- Inter-American
Subject: POTUS Q&A on Elian [UNCLASSIFIED]
Importance: High

Wendy,
POTUS will have a brief pool spray with Arafat this afternoon. While
I think they will take a couple of questions and they are more likely
than not to be on the MEPP, I think we need to backstop SRB with
a couple of Elian questions. How do these sound?

Mr. President,
you spent some 45 minutes with Janet Reno on Air Force One yesterday.
It appears clear today that, while the Miami relatives may agree

to a meeting with Elian's father, they have no intention of turning him over voluntarily. Can you tell us if you discussed with the Attorney General plans to send in U.S. Marshals to get the boy? Have you given the Justice Department your clearance to take that action? If they decide to take that step, will they clear it with you first?

* We did talk about the situation yesterday. The Justice Department is considering the appropriate course of action under the circumstances. I have confidence in the Attorney General and the Justice Department that they will act consistent with the law and in the best interest of this child.

* As I have said before, I support the conclusions of the Justice Department and the INS that what is best for this child is to be reunited with his father. I believe that everyone needs to step back from the emotionalism of this case and resolve this promptly and peacefully, with complete respect for the law and the legal decisions made in this case.

Do you think that Elian should spend Easter with his father or with the Miami relatives?

* I believe, as the Justice Department and INS have determined, that this child should be reunited with his father as soon as possible.

PJ

Exchange Mail

DATE-TIME 04/25/2000 11:19:12 AM
FROM Vaccaro, Jonathan M. (Matt) (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT all should see friedman's piece on elian in today's nyt. on mark.
[UNCLASSIFIED]
TO Feldman, Daniel F. (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)
Williams, Mary C. (ADMIN)

CARBON_COPY

TEXT_BODY

Exchange Mail

DATE-TIME 04/25/2000 4:55:57 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian Assurances [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY**TEXT_BODY**

I would just say "Elian will not be going back to Cuba until the injunction is lifted." The injunction is only until the 11th Circuit rules, but they could conceivably extend it after their ruling pending a decision on cert from the supreme court.

Other than that, no comments.

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

From: Patten, Wendy L.
(MULTI)

Sent: Tuesday, April 25, 2000 4:48 PM

To: DeRosa, Mary
B. (LEGAL)

Subject: RE: Elian Assurances [UNCLASSIFIED]

He seems to misunderstand -- or obfuscate -- the fact that INS had paroled this alien into the US and can, under the law, set conditions on his parole until such time as his status is resolved. So the notion that there is no federal interest in where he lives or what the terms of his parole are until the appeal is heard is just wrong.

I think the word "custody" has contributed to much confusion in this case because it has two different legal meanings in this matter. People keep confusing custody of a child in the family law sense with custody of an alien in the immigration sense. Add to that physical custody -- separate and apart from legal custody -- and it's hard to make sense of what's being discussed. I heard the AG clarify this point in one of the myriad news programs she has done recently, pointing out that Lazaro did not have custody of the child as ordered by a family court, but as conditioned by INS when it paroled Elian the alien into the US. I wish there were a way to make this point clearer.

Anyway, would love a read out of your conversation with James or if you are amenable and I am here, to be conferenced in to your call.

thanks -- WLP

PS -- did you see anything in the State guidance that troubled you? Note my edit. The injunction is until the 11th Circuit rules, not until all appeals are exhausted, right?

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

From: DeRosa, Mary B. (LEGAL)

Sent: Tuesday, April 25, 2000 3:12 PM

To: Patten, Wendy L. (MULTI)

Subject: RE:

Elian Assurances [UNCLASSIFIED]

Can I have a copy of that guidance as well? Also, I read the Tribe piece. I've left a message with James saying I want to discuss it with him (and also your question about the visas for kids). Tribe's argument is pretty hard to follow. He argues that the INS needed a warrant (I'm not sure that's even true -- they have administrative authority to adjudicate and enforce), but he didn't like the warrant they got. Even though he recognizes that this kind of warrant is ok in most immigration matters, he somehow tries to say this isn't really an immigration matter. He says there is not real federal interest. These statements are just wrong. Although he makes very dramatic statements about the operation being unconstitutional, his arguments are not really legal.

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

From: Patten, Wendy L. (MULTI)

Sent: Tuesday, April
25, 2000 1:49 PM

To: Crowley, Philip J. (PRESS); @MULTILAT - Multilateral
and Humanitarian Affairs

Cc: @INTERAM - Inter-American; @LEGISLAT

- Legislative Affairs; @PRESS - Public Affairs; @LEGAL - Legal Advisor

Subject: RE:

Elian Assurances [UNCLASSIFIED]

PJ -- State has received the same requests from him, and Caryn and I have cleared on guidance on this issue for State. I agree with Joe that just relying on the 11th Circuit will not cut it. State's guidance addresses the point and should work for us. I will fax you a copy.

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

From: Crowley,

Philip J. (PRESS)

Sent: Tuesday, April 25, 2000 1:42 PM

To: @MULTILAT

- Multilateral and Humanitarian Affairs

Cc: @INTERAM - Inter-American;

@LEGISLAT - Legislative Affairs; @PRESS - Public Affairs; @LEGAL

- Legal Advisor

Subject: Elian Assurances [UNCLASSIFIED]

This

is a toughie, but looking for collective wisdom here. Senator Graham asked today what assurances we have/have sought from the GOC that, should Elian return to Cuba, he would not become a propaganda pawn, would not be put in a special reeducation school, but would truly be able to return to "normal" life. My thought is to rely on the 11th Circuit, that everyone will have the opportunity to focus on the long-term interest of the child at that time. Joe doesn't necessarily think that is a satisfying answer. I know that we are in discussion with the GOC on the possibility of access rights for the relatives, but have we had any conversations on this subject, or will we, and notwithstanding that we can't dictate what will happen if the boy returns to Cuba, what do we say about this?

PJ

Exchange Mail

DATE-TIME 04/25/2000 8:18:04 PM
FROM DeRosa, Mary B. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Elian Assurances [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY

TEXT_BODY

Looks ok to me.

FYI -- I never heard from james.

Also, let's
talk about the Hermanas board.

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

From: Patten,
Wendy L. (MULTI)
Sent: Tuesday, April 25, 2000 6:40 PM
To: Crowley,
Philip J. (PRESS); @MULTILAT - Multilateral and Humanitarian Affairs
Cc: @INTERAM
- Inter-American; @LEGISLAT - Legislative Affairs; @PRESS - Public
Affairs; @LEGAL - Legal Advisor
Subject: RE: Elian Assurances [UNCLASSIFIED]

Here's
the Q and A that David requested:

Q: Senator Graham has asked
what assurances we are seeking from the Cuban government, should
Elian return to Cuba, that he would not be used as propaganda, would
not be placed in a special school, and would return to his "normal"
life?

A: Elian Gonzalez cannot return to Cuba until the federal
court injunction is lifted. From the beginning, we have tried to
depoliticize this case, and we have spoken to Cuban officials in
Havana, Geneva, and Washington about the need to do so. On the issues
raised by Senator Graham, the State Department met with representatives
of the Cuban Interests Section today in Washington. We will continue
to discuss with Cuban officials Elian's treatment should he return
to Cuba.

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

From: Patten, Wendy L. (MULTI)

Sent: Tuesday, April 25, 2000 1:49 PM

To: Crowley, Philip J.

(PRESS); @MULTILAT - Multilateral and Humanitarian Affairs

Cc: @INTERAM

- Inter-American; @LEGISLAT - Legislative Affairs; @PRESS - Public Affairs; @LEGAL - Legal Advisor

Subject: RE: Elian Assurances [UNCLASSIFIED]

PJ

-- State has received the same requests from him, and Caryn and I have cleared on guidance on this issue for State. I agree with Joe that just relying on the 11th Circuit will not cut it. State's guidance addresses the point and should work for us. I will fax you a copy.

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

From: Crowley, Philip J. (PRESS)

Sent: Tuesday,

April 25, 2000 1:42 PM

To: @MULTILAT - Multilateral and Humanitarian
Affairs

Cc: @INTERAM - Inter-American; @LEGISLAT - Legislative Affairs;
@PRESS - Public Affairs; @LEGAL - Legal Advisor

Subject: Elian Assurances
[UNCLASSIFIED]

This is a toughie, but looking for collective wisdom here. Senator Graham asked today what assurances we have/have sought from the GOC that, should Elian return to Cuba, he would not become a propaganda pawn, would not be put in a special reeducation school, but would truly be able to return to "normal" life. My thought is to rely on the 11th Circuit, that everyone will have the opportunity to focus on the long-term interest of the child at that time. Joe doesn't necessarily think that is a satisfying answer. I know that we are in discussion with the GOC on the possibility of access rights for the relatives, but have we had any conversations on this subject, or will we, and notwithstanding that we can't dictate what will happen if the boy returns to Cuba, what do we say about this?

PJ

Exchange Mail

DATE-TIME 05/18/2000 11:03:03 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Cuba: Elian's Classmates [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Hollis, Caryn C. (INTERAM)

CARBON_COPY**TEXT_BODY**

and I remember somebody saying some other people were indecisive!

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

From: DeRosa, Mary B. (LEGAL)
Sent: Thursday,
May 18, 2000 11:02 AM
To: Patten, Wendy L. (MULTI); Hollis, Caryn
C. (INTERAM)
Subject: RE: Cuba: Elian's Classmates [UNCLASSIFIED]

I
clear. I don't really have a view about the visa extension.

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

From: Patten, Wendy L. (MULTI)
Sent: Wednesday,
May 17, 2000 7:12 PM
To: Hollis, Caryn C. (INTERAM); DeRosa, Mary
B. (LEGAL)
Subject: RE: Cuba: Elian's Classmates [UNCLASSIFIED]

see
my changes. Mary -- obvious question -- do you agree with State
on visa extension question? I do, but haven't heard Justice's reasons
and could be talked out of it. also, should we find out when the
call is and ask to join? It would surely be helpful to me, but defer
to you.

thanks -- WLP

-----Original Message-----
From: Hollis,

Caryn C. (INTERAM)
Sent: Wednesday, May 17, 2000 7:00 PM
To: Patten,
Wendy L. (MULTI); DeRosa, Mary B. (LEGAL)
Subject: Cuba: Elian's
Classmates [UNCLASSIFIED]

Wendy, Mary, Please clear I want to
get this down tonight or at latest early in the morning. thanks, caryn

Please pass to Jim from Caryn. Cleared by Multi and Legal.

Jim,

At
the Wendy Sherman Cuba policy meeting, the issue of I-94 (I WOULD
SAY VISA EXTENSIONS -- NOT SURE JIM WILL KNOW WHAT I-94 IS)
extensions
for the four Cuban children and their parents was raised. As you
recall, these children and their family members came to the United
States to provide playmates for Elian Gonzalez. Originally on two
week tourist visas, these were extended for an additional two weeks.
The extensions WILL run out next Wednesday.

INS and Justice
may want to grant another extension, BUT State strongly disagrees.
It believes that the time has come to rotate this group of four
children out and grant visas to a second group of four. We agree.

The Cubans set up a school for Elian and the children at Wye,
something State asked them not to do. This morning the Miami Herald
ran a photo of Elian in his Pioneer uniform that appeared in Cuban
press on May 16. The Cuban media proclaimed that Elian is being
provided with a Cuban education under Communist principles while
staying at Wye. Bob Menendez is outraged and reportedly will call
Madeleine to demand that the teacher's visa be pulled. The teacher
is here on a 90-day visa. State will call Greg Craig and summoning
the head of the Cuban Interests Section to tell them it is inappropriate
behavior and has the potential to damage Juan Miguel's case.

Wendy
Sherman will hold a "serious" conference call on the VISA I-94 extension
matter later this week with Doris Meisner AND James Costello CASTELLO
and she would like you to participate.

Caryn

Exchange Mail

DATE-TIME 05/21/2000 8:50:52 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT elian correspondence [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Hollis, Caryn C. (INTERAM)

CARBON_COPY

TEXT_BODY Hi -- need your advice. I have two old letters from Mayor Penelas and Gov. (Jeb) Bush, each written during the week after the district court ruling (March 29). Each letter asks POTUS to direct the AG to cease pressing the Miami relatives to agree to expedite appeal and turn Elian over to INS if they should lose. They decry the ultimatum as unreasonable and inflammatory, call INS behavior outrageous, and in P's case, state that any tragic consequences will be POTUS's responsibility.

I
put a policy review hold on these letters because events were moving far too quickly to draft a reply. Now that they are totally OBE'd, there is no point in responding to the specific points raised, nor do I see the point of generally defending INS actions to these two writers. Such a reply would only restate the president's public statements and might stir up a negative reaction just as things are calming down.

Do you agree? With whom should I consult regarding the appropriateness of not replying to letters from State and local officials in these circumstances?

thanks -- WLP

Exchange Mail

DATE-TIME 05/26/2000 7:03:52 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: draft note to mara on cong letters on elian [UNCLASSIFIED]
TO Shapiro, Daniel B. (LEGIS)
DeRosa, Mary B. (LEGAL)

CARBON_COPY**TEXT_BODY**

mary -- hear you just left, but since you approved this note and want to treat specter separately, I'm sending the note now and we'll deal with Specter next week. I'm out Tues. see you all wed -- WLP

-----Original

Message-----

From: Shapiro, Daniel B. (LEGIS)

Sent: Friday, May

26, 2000 6:49 PM

To: Patten, Wendy L. (MULTI); DeRosa, Mary B.
(LEGAL)

Subject: RE: draft note to mara on cong letters on elian
[UNCLASSIFIED]

Send this one forward.

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

From: Patten,

Wendy L. (MULTI)

Sent: Friday, May 26, 2000 6:49 PM

To: DeRosa,

Mary B. (LEGAL); Shapiro, Daniel B. (LEGIS)

Subject: RE: draft

note to mara on cong letters on elian [UNCLASSIFIED]

I tried to

call James but he may already be gone. I vote we send this forward as is now. As to Specter, if we learn that DOJ has responded, we should not also respond. If they have not or aren't planning to, then we can figure out whether we should.

Reactions?

-----Original

Message-----

From: DeRosa, Mary B. (LEGAL)

Sent: Friday, May

26, 2000 6:44 PM

To: Patten, Wendy L. (MULTI); Shapiro, Daniel

B. (LEGIS)

Subject: RE: draft note to mara on cong letters on elian
[UNCLASSIFIED]

Note looks good.

I think you should treat
the Specter letter separately because his approach was so different.
I'm not sure we should answer, though, particularly if the AG has
already answered the companion letter he sent to her. You should
find out from Justice whether she has.

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

From: Patten,

Wendy L. (MULTI)

Sent: Friday, May 26, 2000 6:36 PM

To: Shapiro,

Daniel B. (LEGIS); DeRosa, Mary B. (LEGAL)

Subject: draft note

to mara on cong letters on elian [UNCLASSIFIED]

please review

and (Mary) let me know if Specter letter should be included here
for no further action. thanks -- WLP

Please pass to Mara. thanks.

From

Wendy

Cleared by Dan Shapiro and Mary DeRosa

Mara,

After

reviewing several letter 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 y, 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 06/01/2000 4:38:13 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: draft reply to Nobel Laureates on elian case [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)
DeRosa, Mary B. (LEGAL)

CARBON_COPY**TEXT_BODY**

it says -- "...intervene immediately to ensure that Elian is returned to his father in Havana, Cuba..."

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

From: Hollis,
Caryn C. (INTERAM)
Sent: Thursday, June 01, 2000 3:12 PM
To: Patten,
Wendy L. (MULTI); DeRosa, Mary B. (LEGAL)
Subject: RE: draft reply
to Nobel Laureates on elian case [UNCLASSIFIED]

One question on
the POTUS memo. You say to reunite the child with his father "in
Cuba" does incoming say to reunite in Cuba or to simply reunite?

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

Exchange Mail

DATE-TIME 06/05/2000 1:08:27 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: draft note to mara on cong letters on elian [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)
Shapiro, Daniel B. (LEGIS)

CARBON_COPY**TEXT_BODY**

We need to close the loop on the Specter letter. He sent us a copy of a letter he sent to the AG, and in his cover letter urges POTUS to be personally invovled in any action to effect a transfer of the child.

Justice is indeed replying to the Specter letter. Draft is with INS OGC. Given our concerns about a POTUS reply to this group of letters in general, Mara's endorsement of closing out the files without responding, Mary's specific concerns with this letter, and the fact that DOJ is responding to this letter, I vote for closing out this file without a reply as well.

Dan -- Please let me know
if you concur.

thanks -- WLP

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

From: DeRosa,
Mary B. (LEGAL)
Sent: Friday, May 26, 2000 6:44 PM
To: Patten,
Wendy L. (MULTI); Shapiro, Daniel B. (LEGIS)
Subject: RE: draft
note to mara on cong letters on elian [UNCLASSIFIED]

Note looks
good.

I think you should treat the Specter letter separately because his approach was so different. I'm not sure we should answer, though, particularly if the AG has already answered the companion letter he sent to her. You should find out from Justice whether she has.

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

From: Patten, Wendy L. (MULTI)

Sent: Friday, May 26, 2000 6:36 PM

To: Shapiro, Daniel B. (LEGIS);

DeRosa, Mary B. (LEGAL)

Subject: draft note to mara on cong letters
on elian [UNCLASSIFIED]

please review and (Mary) let me know if
Specter letter should be included here for no further action. thanks
-- WLP

Please pass to Mara. thanks.

From Wendy

Cleared by

Dan Shapiro and Mary DeRosa

Mara,

After reviewing several
letter 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 y, 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 06/26/2000 11:16:09 AM
FROM Crowley, Philip J. (PRESS)
CLASSIFICATION UNCLASSIFIED
SUBJECT POTUS Q&A ON ELIAN [UNCLASSIFIED]

TO 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)

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 Mr. President, unless the Supreme Court acts today, Elian Gonzalez will be free to go home to Cuba tomorrow. First of all, do you think it's time for the Miami relatives to give up the legal fight and let the boy go home? Secondly, in retrospect, do you think this went on too long? Should your Administration have stepped in more decisively in November?

PJ

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 07/03/2000 1:49:52 PM
FROM Brown, Katherine A. (PRESS/INTERN)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: CUBA/ELIAN/ SANCTIONS [UNCLASSIFIED]
TO DeRosa, Mary B. (LEGAL)

CARBON_COPY 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)
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)
Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Wallace, Joanna B. (INTERAM)
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 Mary, The Cuba guidance for today is below. Could you please take a look at it? Many Thanks.

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

From: Naplan,
Steven J. (MULTI)
Sent: Monday, July 03, 2000 1:45 PM
To: @INTERAM
- Inter-American
Cc: @MULTILAT - Multilateral and Humanitarian
Affairs; @PRESS - Public Affairs
Subject: FW: CUBA/ELIAN/ SANCTIONS
[UNCLASSIFIED]

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 07/03/2000 2:05:43 PM
FROM Brown, Katherine A. (PRESS/INTERN)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: CUBA/ELIAN/ SANCTIONS [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)

CARBON_COPY**TEXT_BODY**

Caryn,
thank you and sorry about all of this - just wanted to take
the draft off of it and get it to Lockhart. just did so! appreciate
it!
Kathy

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

From: Hollis, Caryn C.
(INTERAM)
Sent: Monday, July 03, 2000 1:57 PM
To: Naplan, Steven
J. (MULTI); @INTERAM - Inter-American
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs; @PRESS - Public Affairs
Subject: RE: CUBA/ELIAN/
SANCTIONS [UNCLASSIFIED]

We both were and she is on leave. This
guidance was cleared last week except for the first question.

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

From: Naplan, Steven J. (MULTI)
Sent: Monday, July
03, 2000 1:45 PM
To: @INTERAM - Inter-American
Cc: @MULTILAT -
Multilateral and Humanitarian Affairs; @PRESS - Public Affairs
Subject: FW:
CUBA/ELIAN/ SANCTIONS [UNCLASSIFIED]

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]

<< File: 070300Cuba guidance.doc >> PLease clear. Added one question
on the demonstrations.