

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Dorinda A. Salcido (CN=Dorinda A. Salcido/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:10-DEC-1999 12:08:53.00

SUBJECT: Meeting w/Cuban boy

TO: David C. Leavy (CN=David C. Leavy/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: Michael A. Hammer (CN=Michael A. Hammer/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

----- Forwarded by Dorinda A. Salcido/WHO/EOP on 12/10/99
12:08 PM -----

DORINDA A. SALCIDO

12/10/99 11:35:20 AM

Record Type: Record

To: Richard L. Siewert/WHO/EOP@EOP

cc:

Subject: Meeting w/Cuban boy

There are reports that the President is going to meet with the cuban boy while in Florida. The press advance in Miami relayed this information.

What can Steve Boyd say to his press?

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: David C. Leavy (CN=David C. Leavy/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:10-DEC-1999 12:10:08.00

SUBJECT: Re: Meeting w/Cuban boy

TO: Dorinda A. Salcido (CN=Dorinda A. Salcido/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

CC: Richard L. Siewert (CN=Richard L. Siewert/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

CC: michael a. hammer (CN=michael a. hammer/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

TEXT:

first i heard of it...seriously doubt it though...i would tell steve to
say no plans to meet...

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:18-DEC-1999 14:22:19.00

SUBJECT: Re: Elian Gonzalaz Decision Roll-Out

TO: Matt Gobush (CN=Matt Gobush/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: Mona K. Sutphen (CN=Mona K. Sutphen/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: David C. Leavy (CN=David C. Leavy/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Thanks for the update--looks like a good plan--are you working with barretto/maureen shea in opl to make sure you have a list of 10-12 outside validators, from some hispanic groups; also some religious--for example, national council of churches has expressed desire to help in any way --you might want to talk to them over weekend so they'll be ready whenever this decision comes down--also, you need to think about congressional calls (to both pro and con) and a couple of iga folks, like mayor pinelas of dade county--I'm not suggesting white house do all of these, but rather that INS and state dept divide the list among each other--let me know if there's anything else I can help with--thanks again.

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Matt Gobush (CN=Matt Gobush/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:20-DEC-1999 10:20:14.00

SUBJECT: Elian Gonzalaz Decision Roll-Out

TO: Maureen T. Shea (CN=Maureen T. Shea/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Christine A. Stanek (CN=Christine A. Stanek/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Brian A. Barreto (CN=Brian A. Barreto/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

FYI

----- Forwarded by Matt Gobush/NSC/EOP on 12/20/99 10:19 AM -----

Matt Gobush

12/18/99 02:01:41 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP@EOP

cc: Marjorie Tarmey/WHO/EOP@EOP, David C. Leavy/NSC/EOP@EOP, Mona K. Sutphen/NSC/EOP@EOP

Subject: Elian Gonzalaz Decision Roll-Out

Maria - Sandy wanted to make sure we kept you abreast of our press planning on the Elian Gonzalaz decision, and to seek your input.

In anticipation of the INS decision on the case next week, we have worked with INS and State Public Affairs to coordinate the roll-out of the announcement. Our proposal is premised on the notion that the INS is making this decision independently, and that it should not depart from standard operating procedure in its public handling of this decision.

As you know, the INS sent a letter Friday to Elian's family in Miami inviting them to provide any information they deem relevant to the case. Although the INS did not announce that it sent the letter, we anticipate the family will share the letter with the press. INS has drafted press guidance, which we have reviewed, to handle any questions (although we are referring press calls we receive to the INS). The INS basic line is that they are following standard procedure in interviewing family members of the child, they have yet to come to a decision on the case, and they will not speculate on the timing of the decision. Their primary interest is that of the child, and although they seek to resolve the issue promptly, they are not rushing to decision.

When the INS does reach its decision (as early as Monday), it plans to announce it as follows:

1. Issue press release announcing decision and providing rationale behind it

2. INS Commissionr Doris Meissner makes targetted calls to select reporters covering the issue
3. Meissner interviews with major networks for evening news

INS prefers not to have Meissner hold a press briefing at Justice, fearing it will spark an uncontrolled and counterproductive feeding frenzy.

State PA is also reaching out to supporters within the Cuban-American community in Miami, and WH OPL is identifying other potential validators of any INS decision.

Thoughts? Thanks.

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Brian A. Barreto (CN=Brian A. Barreto/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:20-DEC-1999 11:17:02.00

SUBJECT: Re: Elian Gonzalaz Decision Roll-Out

TO: Matt Gobush (CN=Matt Gobush/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Thanks for the information . . .we should talk . . . this is the first I have heard about the roll-out plan and a possible decision on this. I have been following it in the papers but was not aware of the below.

Anything I can do to help out let me know.

Matt Gobush
12/20/99 10:20:07 AM
Record Type: Record

To: Brian A. Barreto/WHO/EOP@EOP, Maureen T. Shea/WHO/EOP@EOP,
Christine A. Stanek/WHO/EOP@EOP
cc:
Subject: Elian Gonzalaz Decision Roll-Out

FYI

----- Forwarded by Matt Gobush/NSC/EOP on 12/20/99 10:19 AM -----

Matt Gobush
12/18/99 02:01:41 PM
Record Type: Record

To: Maria Echaveste/WHO/EOP@EOP
cc: Marjorie Tarmey/WHO/EOP@EOP, David C. Leavy/NSC/EOP@EOP, Mona K. Sutphen/NSC/EOP@EOP
Subject: Elian Gonzalaz Decision Roll-Out

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Thoughts? Thanks.

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Stephen N. Boyd (CN=Stephen N. Boyd/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-DEC-1999 11:04:46.00

SUBJECT: Sen. Mack/GOP leadership letter to POTUS concerning Cuban boy -- see Miami

TO: David C. Leavy (CN=David C. Leavy/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: James R. Fallin (CN=James R. Fallin/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: Richard L. Siewert (CN=Richard L. Siewert/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: Christine L. Anderson (CN=Christine L. Anderson/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: Jennifer M. Palmieri (CN=Jennifer M. Palmieri/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

David, Jim --

As a follow-up to the copy of the GOP letter concerning the Cuban boy I faxed you yesterday, here is a story from today's Miami Herald.

Jamie Norrins of Potomac TV called just now to indicate that he plans to ask Joe about this letter at today's 2pm briefing [for their Miami client station]. No other questions have come in from Miami or other area media yet -- but I'll keep you advised.

I've faxed copies of the letter and this Herald article to Jason and Christine as well.

MIAMI HERALD, 12/22

SEE BOLD SECTION BELOW

Published Wednesday, December 22, 1999, in the Miami Herald

Officials reviewing boy's case

INS commissioner will make decision

ALFONSO CHARDY

achardy@herald.com

U.S. Immigration and Naturalization Service officials are preparing a report on Elian Gonzalez reflecting all sides in the case -- the father in Cuba who wants his 6-year-old child back, the family in Miami that wants to keep him here, and the child's own wishes.

Once the report is completed, INS officials said, it will be forwarded to INS Commissioner Doris Meissner, who will review it when she decides Elian's immigration status.

How soon this will happen is unclear.

Elian is scheduled to appear for ``inspection'' at the INS building on Biscayne Boulevard and Northeast 79th Street on Thursday.

But Karen Kraushaar, an INS spokeswoman, said early Tuesday that Elian doesn't have to be present for the inspection and that someone can appear on his behalf.

Later in the day, however, Kraushaar changed her tone. She said she could only confirm that the appointment was still on.

Spencer Eig, Elian's Miami family lawyer, said INS has not told him how to proceed.

Miami Cuban exiles are organizing a demonstration outside the INS building that day to show solidarity.

As the Miami family prepared for the Thursday appointment, Elian got a Christmas surprise Tuesday: Miami City Commissioner Joe Sanchez, dressed as Santa Claus, and baseball agent Joe Cubas gave Elian a toy car as well as a baseball bat and glove and a cap.

Generally, Kraushaar said, an inspection occurs shortly after an immigrant arrives. But in Elian's case, the inspection was deferred because of the tragic circumstances of his arrival.

Two men on a fishing trip Thanksgiving Day discovered Elian clinging to an inner tube off the Fort Lauderdale coast. His mother and 10 other Cubans died when their boat sank.

``The child was so traumatized that we felt it was important to make sure he was in a safe and comfortable environment first and in good care and in good hands,''
Kraushaar said.

NO FOSTER CARE

After being rescued, Elian was released into the care of his local relatives. His

Miami family fears that INS will take Elian and place him in foster care until a decision is made. But INS said firmly on Tuesday that this won't happen.

``INS has no plans to place this child in foster care or any other type of care,''

Kraushaar said. ``It's not under discussion, nor has it been.''

Local relatives also asked INS officials questions about Elian's future but became

frustrated when they received no answer. Kraushaar said INS officials did not

respond because they themselves don't know the answers.

``We all want to know what will happen to the child, but it has not been decided,

yet,''

Kraushaar said.

The local family's desire to retain Elian is at sharp odds with that of the child's

father. Juan Miguel Gonzalez, a national park worker in Cuba, met with an INS

officer Dec. 13 and formally asked that his son be returned.

What does Elian want to do? ``I want to stay,''

Elian told reporters Dec. 7.

But Elian made that statement only after his Miami relatives prodded him to

answer the question. ``Tell them how you feel,''

his great-uncle Lazaro Gonzalez

said to him. ``Do you want to stay?''

``Yes,''

Elian replied, looking at the floor.

Elian's father, contacted by The Herald after Elian spoke, said his son was

coerced.

BOY'S WISHES

There is no question Elian's wishes will be taken into account, INS officials said

Tuesday.

Though there is no date for Meissner to rule on Elian's case, U.S. Attorney

General Janet Reno has said she hopes the case will be resolved by year's end.

One potential major complication arose Monday, however.

Several Senate Republican leaders asked President Clinton to delay the decision

on Elian's fate until Congress reconvenes Jan. 24 and they can grant the child

American citizenship through a private relief act.

If such a bill is filed, one Clinton administration official said Tuesday, the INS

review may be ``frozen'' and Elian would get to stay much longer.

In Havana, the Cuban government continued its campaign for Elian's return. In a

statement published Tuesday in the Communist Party daily newspaper,

Granma,

Cuban President Fidel Castro said, ``The hypocrisy, the crude and unbelievable

flaunting of gaudy gifts, with which they they are so eager to buy the soul of a

6-year-old boy, convey an idea of the deranged society and world they want to

impose upon that Cuban boy through arbitrariness and force.''

Castro also conceded that the recent mass demonstrations calling for Elian's

return are cutting into worker productivity and urged Cubans not to attend the

rallies in numbers greater than ``the numbers summoned.''

And he said there should be no public celebrations to welcome Elian home in

order to spare the child further harm.

Herald staff translator Renato Perez and The Associated Press contributed to this

report.

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RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:18-JAN-2000 13:40:37.00

SUBJECT: Cuban boy

TO: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Please see e-mail from OMB person who works on clearing immigration legislation. Is there a process set up for the consideration of this legislation and developing our position and how it will be communicated?
----- Forwarded by Irene Bueno/OPD/EOP on 01/18/2000
01:39 PM -----

From: Lisa J. Macecevic on 01/18/2000 01:36:59 PM

Record Type: Record

To: Irene Bueno/OPD/EOP@EOP

cc:

Subject: Cuban boy

Hi Irene,

Yes, more questions from me...

As it seems legislation could be brought up as early as next Monday when Congress comes back, concerning the Cuban boy, do you have any feel about the release of an Administration's position (versus that of just the Justice Dept) in order to get on the record (i.e., submit a letter). Around our office, we're not sure of the procedure for something like this. For instance, if Janet Reno makes a statement, would a letter still be sent to Congress, if legislation is proposed? (And, I know you gave me the name of someone from the NSC, so maybe they have the lead.)

Just looking for any information that would help us make the process run more smoothly if a letter would come to be appropriate for the situation.

Thanks,

Lisa

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:18-JAN-2000 15:03:24.00

SUBJECT: Re: Cuban boy

TO: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

TEXT:

Irene -- I will talk to Justice and find out what the current thinking is. (I am still learning Lotus notes, so bear with me!)

thanks -- WLP

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:24-JAN-2000 13:02:54.00

SUBJECT: Re: OMB call re: SOP on Elian bill

TO: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Thanks I mentioned the same to Lisa and her boss Richard.

Wendy L. Patten

01/24/2000 12:59:13 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP@EOP

cc: Irene Bueno/OPD/EOP@EOP, Joel K. Wiginton/WHO/EOP@EOP, Daniel

B. Shapiro/NSC/EOP@EOP, Miles M. Lackey/NSC/EOP@EOP

Subject: OMB call re: SOP on Elian bill

Maria,

An issue related to this afternoon's conference call: OMB (Lisa Macecevic) called me this morning to say that if we plan to prepare a Statement of Administration Position on a bill related to Elian Gonzalez, OMB would need a draft by early tomorrow. Their sense of urgency stems from word that such a bill may reach the floor as early as Wednesday. I let her know that there is an interagency process for developing our strategy to handle Elian legislation, and that your office was coordinating another conference call later today.

thanks -- WLP

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:25-JAN-2000 19:18:40.00

SUBJECT: Important Followup on Elian conference call today

TO: Miles M. Lackey (CN=Miles M. Lackey/OU=NSC/O=EOP@EOP [NSC])
READ:UNKNOWN

TO: Maureen T. Shea (CN=Maureen T. Shea/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

TO: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

TO: Mara E. Rudman (CN=Mara E. Rudman/OU=NSC/O=EOP@EOP [NSC])
READ:UNKNOWN

TO: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP@EOP [NSC])
READ:UNKNOWN

TO: Joel K. Wiginton (CN=Joel K. Wiginton/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

TO: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

TEXT:

Justice's Office of Legislative Affairs reported on the call that Feinstein was interested in supporting the INS decision in this case. Justice later called and asked to let you all know that Feinstein's office subsequently indicated that they would like to keep their interest in this matter quiet at this point.

thanks -- WLP

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:28-JAN-2000 19:24:20.00

SUBJECT: Re: elian letter

TO: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Sounds fine to me.

Wendy L. Patten

01/28/2000 07:23:29 PM

Record Type: Record

To: Lisa J. Macecevic/OMB/EOP@EOP

cc: irene bueno/opd/eop@eop

bcc:

Subject: Re: elian letter

Irene -- I agree with the Justice comment. do you? -- WLP

From: Lisa J. Macecevic on 01/28/2000 01:29:15 PM

Record Type: Record

To: Irene Bueno/OPD/EOP@EOP

cc: Wendy L. Patten/NSC/EOP@EOP

Subject: elian letter

Hi Irene,

Let me know when you get NSC's comments; and let me know if you think Maria should see them (and yours) before I pass back to State--b/c they're so hardy...

Justice thinks the letter needs to be toned down a bit and should use some of the language used in Mary Ryan's "declaration" for the lawsuit...words like "wrongful retention" versus kidnapping.

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 2-FEB-2000 15:25:31.00

SUBJECT: Re: DoJ letter on Elian

TO: Lisa J. Macecevic (CN=Lisa J. Macecevic/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

CC: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Thanks.

Mark comments make sense. I will try to come up with something.

It's Gonzalez.

I think the letter looks good (Maria agreed but thought it could be shorter). My main comment is that DOJ needs a paragraph or some discussion on the legislation conferring lawful residency status. I asked DOJ why they did not include it and they forgot or something so they will draft something.

Wendy - do you have any comments on the DOJ Letter?

From: Lisa J. Macecevic on 02/02/2000 03:20:36 PM

Record Type: Record

To: Irene Bueno/OPD/EOP@EOP

cc:

Subject: DoJ letter on Elian

Hello again,

I wanted to pass along comments before your conference call

--from Mark Magana on this INS letter....

he suggests giving a little more background in the second paragraph.

So instead of just saying "Elian...is a six-year-old child who has lost his mother."

Say something like... "On November 26th, 1999, Elian Gonzales was found...and his mother died..."

and to add he is a Cuban child.

Also, he wasn't sure if INS had the power to label Elian's father as the "custodial" parent--if so, this would be helpful later when/if custody was the main issue.

--From me...do we know the correct spelling of Elian's last name...State spells it "Gonzales" and INS says "Gonzalez" I would assume they are not interchangeable.

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Mark R. Schlakman (CN=Mark R. Schlakman/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:23-MAR-2000 13:06:02.00

SUBJECT: Florida experience/Elian contingencies...

TO: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

CC: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

Irene:

As I suggested in my voice-mail message earlier this morning, I would like to discuss briefly some of my Florida oriented observations and experiences relating to DOJ/INS contingency planning as such may apply to the Elian scenario in particular. Essentially, I believe that certain lingering institutional variables may bear upon Administration strategy and effective implementation thereof.

I planned to attend the IWG meeting which was originally scheduled for 3/22. Unfortunately, I will not be able to attend the rescheduled IWG -- I will be in New Orleans at the IDB Conference with Governor MacKay through Monday, 3/27. (I should be back in the office on Tuesday, 3/28.)

If you need to reach me for any reason prior to 3/28, my cel.# will be 202/905-4137 -- effective 3/24. Thanks.

Have a good weekend!

Mark

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:23-MAR-2000 15:05:07.00

SUBJECT: Re: Letter from Sen. Mack on Eliau bill

TO: Daniel F. Feldman (CN=Daniel F. Feldman/OU=NSC/O=EOP@EOP [NSC])
READ:UNKNOWN

TEXT:

I don't think Jim needs to know about this right away, maybe you should report it to him when it is about to go over and we know what's in it. We should find out whether they plan to circulate the report before sending it. It seems like they should, unless they have a practice of not doing that with reports like this.

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Renee Sagiv (CN=Renee Sagiv/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:31-MAR-2000 12:18:14.00

SUBJECT: elian

TO: Wendy L. Patten (CN=Wendy L. Patten/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Hi, Wendy. I have just received a letter to the President from Gov. Jeb Bush and the Attorney General of FL. Tracy Sisser (who, as you may know, has left the WH) told me that NSC wrote the response to Jeb Bush's last letter re: Elian Gonzalez. Does your office want to handle this one as well? Or would you rather we drafted it? I'll fax you the incoming letter. Thanks.

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Daniel F. Feldman (CN=Daniel F. Feldman/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:23-MAR-2000 17:45:35.00

SUBJECT: Re: Letter from Sen. Mack on Elian bill

TO: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

CC: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Irene -- Do you know whether INS plans to circulate a draft of the report before sending it out? If so, we'd like to get a heads' up on what's in the report and when INS plans to send it out or release it. Thanks. Dan

Irene Bueno

03/23/2000 10:17:51 AM

Record Type: Record

To: Maria Echaveste/WHO/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Letter from Sen. Mack on Elian bill

INS faxed me a letter from Senator Abramham requesting a "departmental report" on Senator Mack's bill to naturalize Elian. INS believes this letter only seeks the normal INS report that is requested in private relief cases that gives factual background info that INS has and not a views letter on the Mack legislation. INS is working on this report and expects it will take about a week or longer to prepare. I will fax letter to you.

Message Copied

To:

Daniel F. Feldman/NSC/EOP@EOP

Mark D. Magana/WHO/EOP@EOP

Joel K. Wiginton/WHO/EOP@EOP

Reynaldo Valencia/WHO/EOP@EOP

Marjorie Tarmey/WHO/EOP@EOP

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:20-JUN-2000 15:34:47.00

SUBJECT: Status of the 11th Circuit injunction on Elian

TO: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: Beth Nolan (CN=Beth Nolan/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

Beth said you asked when the injunction against Elian's departure will end.

The 11th Circuit opinion said the injunction will dissolve when the court's mandate issues. If there had been no request for rehearing in the 11th Circuit, that would have happened this Thursday (21 days after the decision).

The motion for rehearing, which the Miami relatives filed last Thursday, delays the issuance of the mandate. If the court decides not to rehear the case, the court will issue its mandate 7 days after that decision is announced. (If it accepts the case for rehearing, presumably there will be additional briefing and oral arguments, which would delay issuance of the mandate considerably.) The court has not announced a timetable for making a decision on whether to accept the case for rehearing, but they seem to want to move quickly -- they ordered expedited briefing on the issue (Justice and Elian's father were ordered to file their briefs by today).

If rehearing is denied, the Miami relatives will have 7 days to ask the Supreme Court for a similar injunction. They have already said they will seek review by the Supreme Court, so it is very likely that they will ask for an injunction. Typically the Supreme Court would decide quickly (within a day or two) whether to grant an injunction.