

FOIA MARKER

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Original OA/ID Number: 4072				
Document ID: 0000130				
Stack: v	Row: 47	Section: 1	Shelf: 11	Position: 3

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 0000130
RECEIVED: 07 JAN 00 15

TO: BUSH, JEB

FROM: PRESIDENT

DOC DATE: 11 FEB 00
SOURCE REF:

KEYWORDS: HUMAN RIGHTS CUBA
PRESIDENTIAL CORRESPONDENCE

PERSONS:

SUBJECT: LTR FM GOV BUSH ON ELIAN GONZALEZ CASE

ACTION: FOR DISPATCH

DUE DATE: 19 JAN 00 STATUS: C

STAFF OFFICER: PATTEN

LOGREF:

FILES: PA

NSCP:

CODES:

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

FOR ACTION
WH STRIPPING DESK

FOR CONCURRENCE

FOR INFO
NSC CHRON
PATTEN

COMMENTS:

DISPATCHED BY

JP

DATE

2/14

BY HAND

W/ATTCH

OPENED BY: NSTCG

CLOSED BY: NSGP

DOC 4 OF 4

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 0000130

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001	PATTEN	Z	00010715	PREPARE MEMO FOR BERGER
002	BERGER	Z	00020420	FWD TO PRESIDENT FOR SIGNATURE
003	PRESIDENT	Z	00020915	FOR SIGNATURE
004		X	00021405	PRESIDENT SGD LTR
004	WH STRIPPING DESK	X	00021405	FOR DISPATCH

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003	000209		VICE PRESIDENT
003	000209		PODESTA, J
004	000211	WH STRIPPING DESK	
004	000211	BUSH, JEB	

UNCLASSIFIED

**NATIONAL SECURITY COUNCIL
THE WHITE HOUSE**

PROOFED BY: _____ LOG # 0130
 URGENT NOT PROOFED: _____ SYSTEM PRS INT ARS
 BYPASSED WW DESK: _____ DOCLOG T A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
BASH	<u>1</u>	<u>BB/2/11</u>	<u>DATE</u>
BRADTKE	_____	_____	_____
RUDMAN	_____	_____	_____
STEINBERG	_____	_____	_____
BERGER	_____	_____	_____
SITUATION ROOM	_____	_____	_____
WEST WING DESK	<u>2</u>	<u>1/2 2/11</u>	<u>D</u>
RECORDS MGMT.	<u>3</u>	_____	<u>D</u>
_____	_____	_____	_____

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

08 FEB 11 PM 4:16

CC:

COMMENTS:

Date 11 FEBRUARY 2000 ?

EXEC SEC OFFICE HAS DISKETTE _____

**NATIONAL SECURITY COUNCIL
THE WHITE HOUSE**

PROOFED BY: _____ LOG # 0130
 URGENT NOT PROOFED: _____ SYSTEM PRS INT ARS
 BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
SARGEANT	_____	_____	_____
BRADTKE	_____	_____	_____
RUDMAN	_____	_____	_____
STEINBERG	_____	_____	_____
BERGER	_____	_____	_____
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RECORDS MGMT.	_____	_____	_____
_____	_____	_____	_____

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

CC:

COMMENTS:

EXEC SEC OFFICE HAS DISKETTE _____

*Please Staff to Wendy
 Patten w/ Concurrence
 by Mary De Rosa per
 Rudman
 Wex*

LOG # 0130

ADDITIONAL COMMENTS

FM _____ To _____ DATE _____

Mara - I think you'll
want to send this
upstairs.

10

FM _____ To _____ DATE _____

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

PROOFED BY: _____ LOG # 0130
 URGENT NOT PROOFED: _____ SYSTEM PRS INT ARS
 BYPASSED WW DESK: _____ DOCLOG T A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
BASH	<u># 1</u>	<u>20/2/11</u>	<u>DATE</u>
BRADTKE	_____	_____	_____
RUDMAN	_____	_____	_____
STEINBERG	_____	_____	_____
BERGER	_____	_____	_____
SITUATION ROOM	_____	_____	_____
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RECORDS MGMT.	<u>3</u>	_____	<u>D</u>
_____	_____	_____	_____

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

00 FEB 11 PM 4:18

CC:

COMMENTS:

Date - 11 - FEBRUARY 2000 ?

EXEC SEC OFFICE HAS DISKETTE _____

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

2/7

PROOFED BY: LOG # 0130
 URGENT NOT PROOFED: SYSTEM PRS INT ARS
 BYPASSED WW DESK: DOCLOG " A/O

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE			
JACOBSON	1	D 2/5	
POWELL			
BASH			
BRADTKE			
RUDMAN	2	MR 2/5	
STEINBERG	2		
BERGER	3		
SITUATION ROOM			
WEST WING DESK	4	TTC 2/9	SIBARRA
RECORDS MGMT.			

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

CC:

00 FEB 4 PM 7:38

COMMENTS:

Letter to Gov Jeb Bush
 re: Gonzalez Bay Cuba

EXEC SEC OFFICE HAS DISKETTE

yes

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

PROOFED BY: _____ LOG # 0130
 URGENT NOT PROOFED: _____ SYSTEM PRS INT ARS
 BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
SARGEANT	_____	_____	_____
BRADTKE	_____	_____	_____
RUDMAN	_____	_____	_____
STEINBERG	_____	_____	_____
BERGER	_____	_____	_____
SITUATION ROOM	_____	_____	_____
WEST WING DESK	<u>1</u>	_____	_____
RECORDS MGMT.	_____	_____	_____
_____	_____	_____	_____

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

CC: *Please Staff to Wendy*
 COMMENTS: *Patten w/ Concurrence*
by Mary De Rosa per
Rudman
 EXEC SEC OFFICE HAS DISKETTE _____
Weg

THE WHITE HOUSE

WASHINGTON

February 11, 2000

Dear Governor Bush:

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

As you know, the Immigration and Naturalization Service has decided that Elian Gonzalez's father, Juan Gonzalez, has the sole legal authority to speak for his son in immigration matters, and that the boy should be reunited with his father. INS followed the applicable law and procedures in reaching this determination.

The parties involved in this matter have now challenged the INS decision in federal court, which is the appropriate place to resolve concerns about the decision. Throughout this process, I have worked to ensure that this case is handled according to the law, free from the influence of political or other factors.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Clinton", written in a cursive style.

The Honorable Jeb Bush
Governor of Florida
Tallahassee, Florida 32399-0001

211-00

THE WHITE HOUSE

WASHINGTON

'00 FEB 9 PM 2:47

February 9, 2000

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
MICKEY IBARRA 

SUBJECT: Letter from Gov. Jeb Bush on Elian Gonzalez Case

Purpose

Respond to a letter from Florida Governor Jeb Bush, expressing his concerns about the INS decision to return Elian Gonzalez to his father in Cuba.

Background

Governor Jeb Bush wrote to express his concerns regarding the INS decision announced on January 5. In his letter, he criticizes the INS decision as arbitrary and unilateral, and takes issue with INS' failure to afford the child a hearing on the request for asylum filed on his behalf, which he claims runs contrary to his constitutional rights. The letter asks you to reverse the decision made by the Attorney General and INS, thereby allowing the case to be decided by a Florida state court.

Your response indicates that the parties involved in this matter have challenged the INS decision in federal court, which is the appropriate place to resolve concerns about that decision. The response also makes clear that you have endeavored to ensure that the INS decision would be made according to the applicable law and procedures, and not politics.

RECOMMENDATION

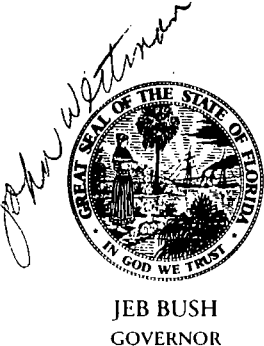
That you sign the attached response.

Attachment

Tab A Letter to Governor Bush

cc: Vice President
Chief of Staff

PHOTOCOPY WJC HANDWRITING

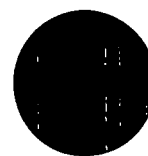


JEB BUSH
GOVERNOR

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

5068611

0130



January 6, 2000

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Clinton:

Ms. Doris Meissner, Commissioner of Immigration and Naturalization Service, announced yesterday that Elian Gonzalez would be returned to his father's custody in Cuba. Today, Attorney General Janet Reno announced she would not reverse the Commissioner's decision. This unilateral decision by INS came before Elian's scheduled asylum hearing with INS, and ignores its previously stated commitment to protect the needs of refugee children such as Elian. INS's order sadly makes no mention of the fact that Elian's mother sacrificed her own life so that Elian might live in freedom and liberty in the United States.

Many in the South Florida community are incensed by the failure of INS to afford Elian any hearing or appropriate due process, and are justifiably concerned about the welfare of this child. Elian's father has not been permitted to leave Cuba to visit his son here, and may not have been permitted to speak freely while in Cuba. Thus, his statements to the INS expressing a desire to remain in Cuba are suspect. Fidel Castro has made Elian a poster child for his communist dictatorship, and has turned what should be a determination as to the child's best interests into a way to advance his own political tyranny. As a result of this arbitrary and unilateral decision to return Elian to Cuba, civil protests in Miami have already commenced.

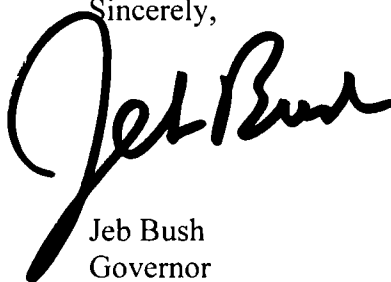
JAN 10 2000

The Honorable William J. Clinton
January 6, 2000
Page Two

The actions of the Commissioner and the Attorney General to date have been insensitive and contrary to the fundamental constitutional rights enjoyed by all. I ask that you, as President, review and reverse the decision of the Commissioner and Attorney General to return Elian Gonzalez to Cuba. The issue of Elian's legal custody should be determined not by INS unilaterally, but by a hearing in our own state judicial system. Your administration initially realized the fundamental fairness of a state-court resolution before allowing INS to interfere with Elian Gonzalez's life. Our state courts are impartial, and have a history of fairly resolving custody issues. Moreover, our state courts can, and will, assure that Elian and his father receive the due process to which they are entitled. A court, not INS, should resolve this issue under applicable law, so that the final decision on Elian's custody and residency is made in the best interests of the child.

Finally, given INS' decision to return Elian to Cuba no later than January 14, 2000, your attention to this matter is required immediately. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Jeb Bush". The signature is written in a cursive, flowing style. The first name "Jeb" is written with a large, sweeping "J" that loops around the first part of the last name. The last name "Bush" is written in a more straightforward cursive. The signature is positioned above the printed name and title.

Jeb Bush
Governor

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

0130

February 4, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ *ES*

FROM: WENDY PATTEN *all for*

SUBJECT: Letter from Gov. Jeb Bush Concerning the Case of
Eliau Gonzalez

Attached is a memorandum to the President and proposed response to a letter from Governor Jeb Bush criticizing the INS decision in this case and asking the President to reverse it.

The NSC received the incoming correspondence on January 7, 2000.

Concurrences by: Mary DeRosa, Caryn Hollis *} via e-mail*

RECOMMENDATION

That you sign the attached memorandum.

Attachments

Tab I Memorandum to the President

Tab A Letter to Gov. Bush on Eliau Gonzalez

Tab B Incoming Correspondence

PRESIDENTIAL/NSA CORRESPONDENCE

IMMEDIATE ACTION REQUIRED

ACTION OFFICER: Patten

LOG NUMBER: 0130

DUE DATE: 19 Jan

DATE STAFFED: 7 Jan

CORRESPONDENCE ADDRESSED TO:

☒

PRESIDENT

☐

NATIONAL SECURITY ADVISOR

FROM: Bush, Jeb

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

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: ~~THE EXECUTIVE CLERK~~

FROM: SAMUEL BERGER
~~CHARLES M. BRAIN~~
Mickey Ibarra

SUBJECT: Letter from Gov. Jeb Bush on Elian Gonzalez Case

Is Mickey Ibarra? yes

Purpose

To respond to a letter from Florida Governor Jeb Bush, expressing his concerns about the INS decision to return Elian Gonzalez to his father in Cuba.

Background

Governor Jeb Bush wrote to express his concerns regarding the INS decision announced on January 5. In his letter, he criticizes the INS decision as arbitrary and unilateral, and takes issue with INS' failure to afford the child a hearing on the request for asylum filed on his behalf, which he claims runs contrary to his constitutional rights. ~~He also notes that street protests were occurring in Miami as a result of the decision.~~ The letter concludes by asking you to reverse the decision made by the Attorney General and INS, thereby allowing the case to be decided by a Florida state court.

Your response indicates that the parties involved in this matter have challenged the INS decision in federal court, which is the appropriate place to resolve concerns about that decision. The response also makes clear that you have endeavored to ensure that the INS decision would be made according to the applicable law and procedures, and not politics.

RECOMMENDATION

That you sign the attached response.

Attachment

Tab A ~~Response to Letter from Gov.~~ Bush

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Governor Bush:

Thank you for your letter regarding the case of Elian Gonzalez. I share your concern for the well-being of this six⁷ year-old boy.

As you know, the Immigration and Naturalization Service ~~announced on January 5 its decision~~ *has decided* that Elian Gonzalez's father, Juan Gonzalez, has the sole legal authority to speak for his son in immigration matters, and that the boy should be reunited with his father. INS followed the applicable law and procedures in reaching this determination.

The parties involved in this matter have *now* challenged the INS decision in federal court, *which* ~~That~~ is the appropriate place to resolve concerns about ~~that~~ ^{the} decision. Throughout this process, I have ~~tried~~ ^{worked} to ensure that this ~~decision~~ ^{case is handled} would be made according to the law, *2* ~~(and not politics.)~~

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

Sincerely,

*free from the
influence of
political or
other factors?*

The Honorable Jeb Bush
Governor of Florida
Tallahassee, Florida 32399-0001



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

0130

January 6, 2000

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Clinton:

Ms. Doris Meissner, Commissioner of Immigration and Naturalization Service, announced yesterday that Elian Gonzalez would be returned to his father's custody in Cuba. Today, Attorney General Janet Reno announced she would not reverse the Commissioner's decision. This unilateral decision by INS came before Elian's scheduled asylum hearing with INS, and ignores its previously stated commitment to protect the needs of refugee children such as Elian. INS's order sadly makes no mention of the fact that Elian's mother sacrificed her own life so that Elian might live in freedom and liberty in the United States.

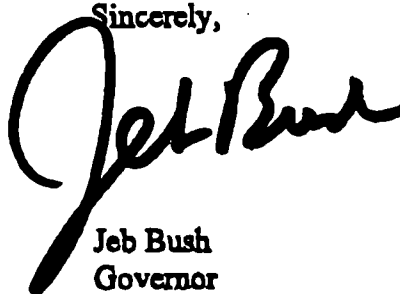
Many in the South Florida community are incensed by the failure of INS to afford Elian any hearing or appropriate due process, and are justifiably concerned about the welfare of this child. Elian's father has not been permitted to leave Cuba to visit his son here, and may not have been permitted to speak freely while in Cuba. Thus, his statements to the INS expressing a desire to remain in Cuba are suspect. Fidel Castro has made Elian a poster child for his communist dictatorship, and has turned what should be a determination as to the child's best interests into a way to advance his own political tyranny. As a result of this arbitrary and unilateral decision to return Elian to Cuba, civil protests in Miami have already commenced.

The Honorable William J. Clinton
January 6, 2000
Page Two

The actions of the Commissioner and the Attorney General to date have been insensitive and contrary to the fundamental constitutional rights enjoyed by all. I ask that you, as President, review and reverse the decision of the Commissioner and Attorney General to return Elian Gonzalez to Cuba. The issue of Elian's legal custody should be determined not by INS unilaterally, but by a hearing in our own state judicial system. Your administration initially realized the fundamental fairness of a state-court resolution before allowing INS to interfere with Elian Gonzalez's life. Our state courts are impartial, and have a history of fairly resolving custody issues. Moreover, our state courts can, and will, assure that Elian and his father receive the due process to which they are entitled. A court, not INS, should resolve this issue under applicable law, so that the final decision on Elian's custody and residency is made in the best interests of the child.

Finally, given INS' decision to return Elian to Cuba no later than January 14, 2000, your attention to this matter is required immediately. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeb Bush". The signature is stylized with a large, sweeping "J" and a cursive "Bush".

Jeb Bush
Governor

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

PROOFED BY: _____ LOG # _____

URGENT NOT PROOFED: _____ SYSTEM PRS INT ARS

BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
SARGEANT	_____	_____	_____
BRADTKE	_____	_____	_____
RUDMAN	_____	_____	_____
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BERGER	_____	_____	_____
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RECORDS MGMT.	_____	_____	_____

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

cc:

COMMENTS:

Please Staff to Wendy
 Patten w/ Concurrence
 by Mary De Rosa per
 Rudman

EXEC SEC OFFICE HAS DISKETTE _____

Wjg



JEB BUSH
GOVERNOR

STATE OF FLORIDA
Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

FAX COVER SHEET

Date: 1/6/2000

Please deliver the following 3 pages (including cover sheet)

To: NAME: The President

~~FAX NUMBER:~~ c/o John Podesta
Chief of Staff

From: Governor Jeb Bush

Phone: (850): 488-5603

Fax: (850) 922-4292 _____

Message: _____

TO: PRESIDENT

FROM: BUSH, JEB

DOC DATE: 06 JAN 00
SOURCE REF:

KEYWORDS: HUMAN RIGHTS CUBA
PRESIDENTIAL CORRESPONDENCE

PERSONS:

SUBJECT: REQUEST TO REVERSE COMMISSIONER / ATTORNEY GEN DECISION RE ELIAN
GONZALEZ

ACTION: PREPARE MEMO FOR BERGER DUE DATE: 19 JAN 00 STATUS: S

STAFF OFFICER: PATTEN

LOGREF:

FILES: PA NSCP: CODES:

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

FOR ACTION
PATTEN

FOR CONCURRENCE
HOLLIS
NAPLAN
ROSA

FOR INFO
BAKER
STROMSETH
VALENZUELA

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTCG

CLOSED BY:

DOC 1 OF 1

NATIONAL SECURITY COUNCIL

ID 0000130

REFERRAL

DATE: 14 FEB 00

MEMORANDUM FOR: WH STRIPPING DESK

DOCUMENT DESCRIPTION: TO: BUSH, JEB

SOURCE: PRESIDENT

DATE: 11 FEB 00

SUBJ: LTR FM GOV BUSH ON ELIAN GONZALEZ CASE

REQUIRED ACTION: FOR DISPATCH

DUE DATE: 15 FEB 00

COMMENT:

FOR



JOHN W. FICKLIN

NSC RECORDS MANAGEMENT OFFICE