

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Original OA/ID Number: 4084				
Document ID: 0002237				
Stack: V	Row: 47	Section: 2	Shelf: 4	Position: 3

~~CONFIDENTIAL~~
NSC/RMQ PROFILE

RECORD ID: 0002237
RECEIVED: 31 MAR 00 10

TO: STEINBERG

FROM: FELDMAN

DOC DATE: 31 MAR 00
SOURCE REF:

KEYWORDS: HUMAN RIGHTS

CUBA

PERSONS:

SUBJECT: MEMO FOR POTUS ON STATUS OF ELIAN GONZALEZ ISSUE

ACTION: OBE PER EXECSEC

DUE DATE: 04 APR 00 STATUS: C

STAFF OFFICER: FELDMAN

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

FOR CONCURRENCE

FOR INFO

CHRON

COMMENTS:

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSDAK

CLOSED BY: NSTCG

DOC 1 OF 1

~~CONFIDENTIAL~~

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

By M NARA, Date 9/16/16

72-05718

~~CONFIDENTIAL~~
ACTION DATA SUMMARY REPORT

RECORD ID: 0002237

DOC ACTION OFFICER

001 STEINBERG
001

CAO ASSIGNED ACTION REQUIRED

Z 00033112 FWD TO PRESIDENT FOR INFORMATION
X 00041819 OBE PER EXECSEC

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

3/31

PROOFED BY: _____ LOG # 9237
 URGENT NOT PROOFED: _____ SYSTEM PRS INT ARS
 BYPASSED WW DESK: _____ DOCLOG TTC A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
BASH	<u>1</u>	<u>BD/3/31</u>	_____
BRADTKE	_____	_____	_____
RUDMAN	<u>2</u>	_____	_____
STEINBERG	_____	_____	_____
BERGER	_____	_____	_____
SITUATION ROOM	_____	_____	_____
WEST WING DESK	<u>3</u>	<u>4/18</u>	<u>N-ORR</u>
RECORDS MGMT.	<u>4</u>	<u>4/18</u>	<u>per note at base</u>

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

FORM 31-101 (10-79)

CC:

COMMENTS: Update on Elran
Gonzalez Case

EXEC SEC OFFICE HAS DISKETTE yes

LOG # 2237

ADDITIONAL COMMENTS

FM BB TOMER DATE 3/31

MARA,
I recommend you forwarded to J.S.

FM _____ To _____ DATE _____

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

3/31

PROOFED BY: _____ LOG # 2237
 URGENT NOT PROOFED: _____ SYSTEM PRS INT ARS
 BYPASSED WW DESK: _____ DOCLOG TR A/O _____

SEQUENCE TO INITIAL/DATE DISPOSITION

GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
BASH	<u>1</u>	<u>02/3/31</u>	_____
BRADTKE	_____	_____	_____
RUDMAN	<u>2</u>	_____	_____
STEINBERG	_____	_____	_____
BERGER	_____	_____	_____
SITUATION ROOM	_____	_____	_____
WEST WING DESK	<u>3</u>	<u>2 4/18</u>	<u>W-ORR</u>
RECORDS MGMT.	<u>4</u>	<u>4/18</u>	<u>per note at back</u>

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

0040431 and 1-01

CC:

COMMENTS: Update on Elian
Gonzalez Case

EXEC SEC OFFICE HAS DISKETTE yes

LOG # 2237

ADDITIONAL COMMENTS

FM BB TOMER DATE 3/31

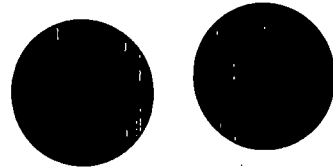
MARA,
I recommend you forward to J.S.

FM _____ To _____ DATE _____

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

2237



March 31, 2000

ACTION

MEMORANDUM FOR JAMES STEINBERG

FROM: ERIC SCHWARTZ/DAN FELDMAN {DF

SUBJECT: Update on Elian Gonzalez case

*DeRosa/
Update*

Attached is a memorandum on the subject issue.

Concurrences by: Caryn Hollis, Mary DeRosa {DF

RECOMMENDATION

That you sign the attached memorandum to the President.

Attachment

Tab I Memorandum to the President

~~CONFIDENTIAL~~

Classified by: Eric Schwartz

Reason: 1.5(d)

Declassify On: 3-31-00

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By *MC* NARA, Date *9/16/11*

2012-0871-F

THE WHITE HOUSE
WASHINGTONINFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Status of Elian Gonzalez Issue

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

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

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

Visa Requests: Craig delivered a letter to State on Thursday afternoon, requesting visas for Elian's father, stepmother, half brother, and cousin, as well as for National Assembly President Ricardo Alarcon. Formal requests for visas may be made at the

~~CONFIDENTIAL~~

Reason: 1.5(d)

Declassify On: 3-30-10

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

cc: Vice President
Chief of StaffBy M NARA, Date 9/16/16
72-0374-1

U.S. Interests Section in Havana today, and the Department of State has said it will give properly filed visa requests for the four family members expedited consideration under established State guidelines. State has not indicated how it will treat a visa request for Alarcon. Craig also told the press that once Juan Gonzalez receives the assurances he seeks from INS regarding custody of Elian, then visa requests for the remaining members of the entourage would be submitted.

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

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

Guidance: We are making the following points:

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

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

Joshi, M. Kay (EXSEC)

From: Patten, Wendy L. (MULTI)
Sent: Tuesday, April 18, 2000 10:54 AM
To: Joshi, M. Kay (EXSEC); @MULTILAT - Multilateral and Humanitarian Affairs
Cc: @UP - APNSA Special Assistants; @EXECSEC - Executive Secretary
Subject: RE: Pkg 2237 -- Update on Elian Gonzalez Case [CONFIDENTIAL]

Kay -- talked to Eric. This is OBE'd. The Elian case is such a moving target right now that any memo we would do would be OBE'd between the time we sent it forward and the time it hit POTUS' desk.

thanks -- WLP

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

From: Joshi, M. Kay (EXSEC)
Sent: Tuesday, April 18, 2000 9:38 AM
To: @MULTILAT - Multilateral and Humanitarian Affairs
Cc: @UP - APNSA Special Assistants; @EXECSEC - Executive Secretary
Subject: RE: Pkg 2237 -- Update on Elian Gonzalez Case [CONFIDENTIAL]

Eric: was this ever done? We are still holding this package in the hold bin. A redo was requested two weeks ago. Let us know. Thanks.

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

From: Joshi, M. Kay (EXSEC)
Sent: Monday, April 03, 2000 11:29 AM
To: @MULTILAT - Multilateral and Humanitarian Affairs
Cc: @UP - APNSA Special Assistants; @EXECSEC - Executive Secretary
Subject: Pkg 2237 -- Update on Elian Gonzalez Case [CONFIDENTIAL]

Jim Steinberg sent the subject package back with a note: redo/update. Attached is the document. Please update as soon as possible and return via e-mail. Thanks.

<< File: 2237POTUSmemo.doc >> << File: 2237JSMemo.doc >>

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By M1 NARA, Date 9/16/16
2012-0371-1

THE WHITE HOUSE
WASHINGTONINFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Status of Elian Gonzalez Issue

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

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

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

Visa Requests: Craig delivered a letter to State on Thursday afternoon, requesting visas for Elian's father, stepmother, half-brother, and cousin, as well as for National Assembly

~~CONFIDENTIAL~~

Classified by: Eric Schwartz

Reason: 1.5(d)

Declassify On: 3-30-00

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By

M1
1012-0571-1

NARA, Date

9/16/16

cc: Vice President
Chief of Staff

President Ricardo Alarcon. Formal requests for visas may be made at the U.S. Interests Section in Havana today, and the Department of State has said it will give properly filed visa requests for the four family members expedited consideration under established State guidelines. State has not indicated how it will treat a visa request for Alarcon. Craig also told the press that once Juan Gonzalez receives the assurances he seeks from INS regarding custody of Elian, then visa requests for the remaining members of the entourage would be submitted.

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

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

Guidance: We are making the following points:

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

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