

FOIA MARKER

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Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Correspondence

Series/Staff Member: Presidential Letters

Subseries:

OA/ID Number: 15613

FolderID:

Folder Title:
Elian Gonzalez Files

Stack:

S

Row:

43

Section:

5

Shelf:

8

Position:

3

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE

TALKING POINTS

1/12/00

RESPONSE TO QUERY ONLY

The Elian Gonzalez Case

- Attorney General Janet Reno has upheld INS' Jan. 4 decision that only Mr. Juan Gonzalez may speak on behalf of his son, Elian Gonzalez, in immigration matters.
- Attorney General Reno has also concluded that the order issued Monday, Jan. 10 by a Florida court has no effect on INS decision. The question of who speaks for this child in immigration matters is a federal issue, not a state issue.
- INS and the Department of Justice believe that any challenge to the INS decision should be filed in federal court, which has sole authority to review federal immigration decisions. INS is prepared to litigate in federal court.
- Attorney General Reno found no reason to change INS' conclusion that Elian's father is stating his true wishes when he asks to be reunited with his son as soon as possible. She agrees that Elian should be reunited with his father.
- The Attorney General recognizes the right of Elian's father to request that no asylum claim should be asserted on Elian's behalf. She determined that the decision to not consider applications previously filed by other parties is in accordance with the law and INS practices.
- INS has tried to work with all the parties involved to arrange Elian's reunion with his father by Jan. 14. Given recent developments, that objective is no longer realistic. Accordingly, INS has determined that the Jan. 14 date should be extended to accommodate the federal court proceedings that we envision.
- This little boy has been through so much. It is time for all the parties involved in this difficult case to work together to resolve this issue as quickly as possible.
- As INS has said from the beginning, we have no plans to forcibly take Elian from his relatives in Miami, and we believe that the INS decision can be carried out without the INS taking charge of Elian.

- Draft response based on
DOJ Talking Points.

- Send to NSC records for
clearance w/ Wendy Patton.
- Jeb Bush ltr. being handled
by NSC

THE WHITE HOUSE
WASHINGTON

Mary De Rosa
NSC Legal

cc: Melissa Prober
WH Counsel

THE WHITE HOUSE
WASHINGTON

MEMORANDUM

To: NSC Records
379 OEOB

From: John Wertman
Presidential Letters and Messages
(202) 456-5509 Room 97 OEOB

☒ Please see comments
below

☐ Please advise on how
to respond

☐ Please call me
regarding the
attached

☐ For your information

☐ For your approval

☐ Per your
request

Comments:

Attached are incoming letters re: Elian
Gonzalez. Please assign to appropriate staff
for response. Thank you.

Sent on Thurs.,

Jan 13

- JW

John



NSC legal (Mary De Rosa)

THE WHITE HOUSE
WASHINGTON

MEMORANDUM

To: NSC Records
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to respond

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regarding the
attached

☐ For your information

☐ For your approval

☐ Per your
request

Comments:

Attached are copies of incoming letters
re: Elian Gonzalez per our phone conversation
of 1/12. Please let me know if I can be
of assistance. Thanks.

John

I.G.A. CORRESPONDENCE TRACKING SHEET

Date received in PLM: 1/13

Assigned to:

 John Corcoran

 Jeffery Oakman

 Renee Sagiv

 Chris Scully

 Tracy Sisser

 Woyneab Wondwossen

*Sent to :
NSC legal for
response*

RE: 6 letters re: Elian Gonzalez situation

 Scheduling Request: Forward to Megan Williams, Room 106

 Personnel Recommendation: Forward to Ruth Eaglin, Room 158

 Request for a Presidential Message: Forward to Carmen Fowler, Room 91

- 1) Natacha Seijas Millán (Miami - Dade Comty Commissioner)
- 2) Wilfredo Gort (City of Miami Commissioner)
- 3) Resolution adopted by Sweetwater, FL City Commission
- 4) Rebeca Sosa (Mayor of West Miami)
- 5) Tomas Regalado (City of Miami Commissioner)
- 6) Jeb Bush (Governor of Florida)

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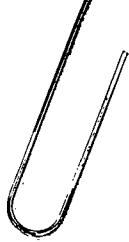
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John Westman



NATACHA SEIJAS MILLÁN
COMMISSIONER
District 13

5069674



January 5, 2000

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I vehemently support the case of Elián González to be appealed in the family court system where the children's rights are uniquely addressed.

Thank you for your attention and support of this important issue.

Sincerely

Natasha Seijas Millán

Natasha Seijas Millán
Miami-Dade County Commissioner
District 13

JAN 11 2000

City of Miami



WIFREDO (WILLY) GORT
COMMISSIONER

P.O. BOX 330708
MIAMI, FLORIDA 33233-0708
(305) 250-5430
FAX (305) 250-5456

January 6, 2000



The Honorable William Jefferson Clinton
The President
The White House
Washington, D.C. 20500

Dear President Clinton:

I am writing to express my strong opposition to the decision made by your administration in the Elian Gonzalez Case. This child has suffered the loss of his mother and has gone through a very traumatic situation in his life. The decision made by INS does not take into consideration the "grave risk" of physical or psychological harm that can be added to Elian by returning him to Cuba. By not providing him, his attorneys, and family members in the United States with a full and fair hearing on his asylum request it is not possible for INS to determine what is in Elian's best interest. It is extremely important to analyze and look into all the facts involved in this matter prior to taking unilateral action as your administration has done.

I strongly urge you and your administration to take whatever action is necessary to intervene in this decision so that Elian is not returned to Cuba. The standard of "what is in the best interest of the child" was not met in this case and therefore Elian must remain with his family and loved ones in the United States.

Sincerely,

Wilfredo (Willy) Gort

WG/ms
LETTER/PRESIDENT CLINTON

C.c.: The Honorable Albert (Al) Gore, Vice-President of the United States
The Honorable Janet Reno, United States Attorney
The Honorable Bob Graham, United States Senator
The Honorable Connie Mack, United States Senator
The Honorable Ileana Ros-Lehtinen, United States Representative
The Honorable Lincoln Diaz-Balart, United States Representative

JAN 10 2000

John W. Clinton

5068878

City of Sweetwater



January 5, 2000

The Honorable William Jefferson Clinton
President of the United States of America
The White House
Washington, D.C. 20500

Dear Mr. President:

Enclosed please find copy of Resolution No. 2751 passed and adopted by the Sweetwater City Commission at their meeting on January 3, 2000.

If you have any questions please do not hesitate to contact me.

Respectfully yours,

Marie O. Schmidt

Marie O. Schmidt
City Clerk

MOS/ntm

Enclosure



408758

RESOLUTION NO. 2751

A RESOLUTION OF THE MAYOR AND COMMISSION OF THE CITY OF SWEETWATER, FLORIDA, URGING PRESIDENT CLINTON TO TAKE WHATEVER STEPS ARE NECESSARY TO ALLOW ELIAN GONZALEZ TO REMAIN IN THE UNITED STATES; PROVIDING FOR TRANSMITTALS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on Thanksgiving Day, 1999, a small child was rescued from a certain death in the blue waters of the Atlantic Ocean; and,

WHEREAS, this child lost his mother in her attempt to achieve freedom for herself and her child from the tyrannical oppression of the Cuban dictator, Fidel Castro; and,

WHEREAS, Elian Gonzalez now resides with relatives in Miami, Florida who have indicated they wish him to remain with them; and,

WHEREAS, Elian's father in Cuba is asserting his rights to have little Elian returned to the communist island of Cuba; and,

WHEREAS, if Elian is returned to Cuba he will not enjoy the rights and freedom he deserves and that his mother died trying to secure for him and herself; and,

WHEREAS, sending this child back to his father in Cuba will set a precedent and endanger the freedom of other children who have arrived in this country with only one parent; and,

WHEREAS, the United States Government must decide whether Elian remains or is returned back to Castro and Cuba:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF THE CITY OF SWEETWATER, FLORIDA AS FOLLOWS:

SECTION 1. That President Clinton is requested and urged to grant asylum to Elian Gonzalez and allow him to remain in the United States with his family in Miami.

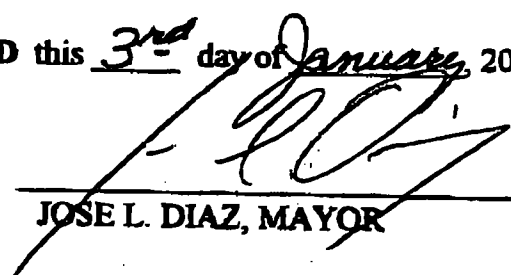
SECTION 2. That President Clinton stop any attempt to return Elian Gonzalez to the communist island of Cuba.

JAN 10 2000

SECTION 3. That copies of this resolution be transmitted to The Honorable William Jefferson Clinton, President of the United States, Honorable Janet Reno, Attorney General, Honorable Bob Torricelli, U.S. Senator, Honorable U.S. Representatives Ileana Ros-Lehtinen and Lincoln Diaz-Balart.

SECTION 4. That this resolution shall become effective upon its adoption by the City Commission and approval by the Mayor or if vetoed, upon its reenactment by the City Commission as provided by the Charter of the City of Sweetwater.

PASSED AND ADOPTED this 3rd day of January, 2000.



JOSE L. DIAZ, MAYOR



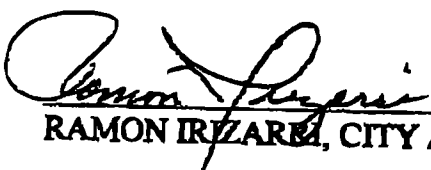
MANUEL L. MARONO, COMMISSION PRESIDENT

ATTEST:



MARIE O. SCHMIDT, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



RAMON IRIZARRI, CITY ATTORNEY

VOTE UPON ADOPTION:

MANUEL L. MARONO, COMMISSION PRESIDENT
PRISCA BARRETO, COMMISSION VICE PRESIDENT
ARIEL ABELAIRAS
MANUEL DUASSO
MANOLO FERNANDEZ
JESUS MESA
LUIS M. RODRIGUEZ

YES
YES
YES
YES
YES
YES
YES

THIS RESOLUTION WAS SPONSORED BY COMMISSIONERS RODRIGUEZ AND DUASSO..

CITY OF WEST MIAMI



Rebeca Sosa
MAYOR



408905

January 7th, 2000

The Honorable William Jefferson Clinton
The President
The White House
Washington, DC 20500

RE: Elian Gonzalez

Dear President Clinton:

This letter shall serve to express my strong opposition to the decision made by Immigration and Naturalization to return Elian Gonzalez back to Cuba. This decision, as made, will forever change the life of Elian Gonzalez, his Miami family and the Cuban community. It is my opinion that Elian Gonzalez should have been given the opportunity of due process. This process is a privilege given to every human being who sets foot in this great nation. Due process the true meaning of democracy.

As an elected official, a mother and an educator I realize that Elian Gonzalez has suffered tremendously throughout his short life, but he should be given an opportunity to be heard. Given the situation between the United States and Cuba and the dictatorship that exists 90 miles away from Miami we will never know whether it is in the best interest to return this young boy back to his father who may have been coerced into making statements by the Castro Communist Government

You are the only person that has the ability to change Elian's fate by allowing him, his family and natural father a day in our court system. This case needs a thorough review for the sake of Elian Gonzalez.

I implore you to consider my request on behalf of the West Miami community to reverse the decision taken by your administration and allow due process to determine the future of Elian Gonzalez.

Sincerely,

Rebeca Sosa
Rebeca Sosa,
Mayor

cc: The Honorable Albert (Al) Gore,
Vice President of the United States
The Honorable Janet Reno, U.S. Attorney
The Honorable Bob Graham, U.S. Senator
The Honorable Connie Mack, U.S. Senator
The Honorable Ileana Ros-Lehtinen, U.S. Congresswoman
The Honorable Lincoln Diaz-Balart, U.S. Congressman

JAN 11 2000

5069676

City of Miami, Florida



TOMAS REGALADO
COMMISSIONER

P.O. BOX 330708
MIAMI, FLORIDA 33233-0708
(305) 250-5420
FAX (305) 856-5230

January 7, 2000



The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, Northwest
Washington, D.C. 20500

Dear President Clinton,

I am writing to appeal to you on behalf of many in the South Florida community who are distressed about the Immigration and Naturalization Service's failure to provide Elian Gonzalez with due process. Many citizens are passionately concerned about the welfare of this child. Elian's father has not been permitted to visit Elian here in the United States, and consequently this may have an effect on his ability to express his true point of view. Mr. President, this is an important issue, and any consideration that you give towards the reexamination of this matter would be greatly appreciated.

Sincerely,

Tomas Regalado
City of Miami Commissioner
District 4

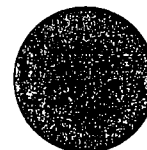
JAN 11 2000



JEB BUSH
GOVERNOR

STATE OF FLORIDA
Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001



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.

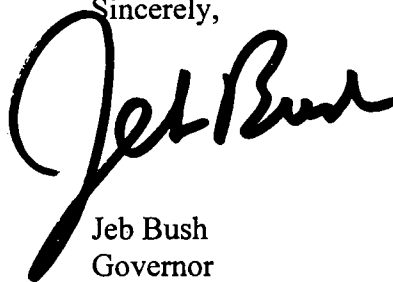
JAN 10 2000

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, appearing to read "Jeb Bush". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jeb Bush
Governor

1/12 Dan-

The incoming went to ^{NSC legal} ~~WH~~ Counsel.

A copy went to WH Counsel &
WH Counsel said that NSC legal
counsel is going to handle the
letter. John Westman will
let 16A know that NSC is
drafting.

OK
/hanks o



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

*faked to
COS 1p
office*

January 6, 2000

1/12

Debi -

BC Sig AvAP

B

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President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

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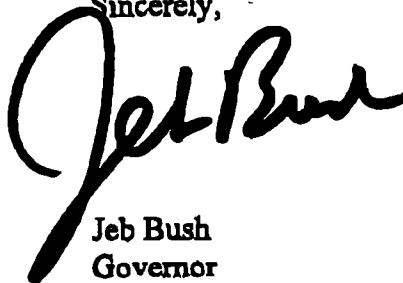
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The Honorable William J. Clinton
January 6, 2000
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Jeb Bush
Governor

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	2791	
CONNECTION TEL		66220
CONNECTION ID	IGA-LEGAFF WW	
ST. TIME	01/12 12:30	
USAGE T	01'17	
PGS. SENT	3	
RESULT	OK	

Attention: Adrienne
fax 6-6220

THE WHITE HOUSE
WASHINGTON

Incoming Governor letter worksheet

(Please return to John Wertman, Room 97) → fax 6-5426

Governor Jeb Bush Issue Elian Gonzalez

Type of response:

Short Thank You _____ Detailed Policy _____ No Reply Needed _____

Comments:

Is there any reason the President should personally sign the response to this letter?

Yes _____ No _____

Comments:

Has there been or will there be any contact that impacts the content of the response?

Is this response especially time sensitive?

Attention: Adrienne

fax 6-6220

THE WHITE HOUSE

WASHINGTON

Incoming Governor letter worksheet

(Please return to John Wertman, Room 97) → fax 6-5426

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Is this response especially time sensitive?

What is the appropriate salutation for this response?

Does this response require any special clearance in addition to normal policy clearance (e.g. NSC, Counsel, Press, Scheduling...)?

STATE OF FLORIDA

Office of the Governor

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-0001

JEB BUSH
GOVERNOR

January 6, 2000

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President of the United States
The White House
1600 Pennsylvania Avenue, NW
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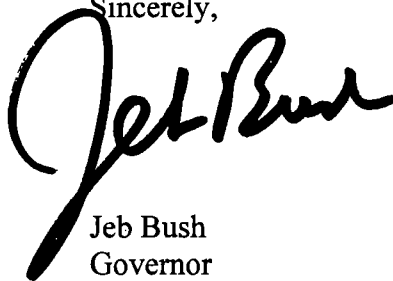
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Jeb Bush
Governor