

FOIA MARKER

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Folder Title:

Elian Gonzalez [8]

Staff Office-Individual:

Multilateral & Humanitarian Affairs-Patten, Wendy

Original OA/ID Number:

3135

Row:	Section:	Shelf:	Position:	Stack:
40	5	7	3	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	re: [Wendy Patten's Notes] (1 page)	02/00/2000	P1/b(1)
002. note	re: [Wendy Patten's Notes] (2 pages)	02/00/2000	P6/b(6)
003. note	re: [Wendy Patten's Notes] (1 page)	04/03/2000	P3/b(3)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral and Humanitarian Affaris (Wendy Patten)
OA/Box Number: 3135

FOLDER TITLE:

Elian Gonzalez [8]

2012-0371-F

rs2171

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

ELIAN #1

(Jan 3 2006 -
approx Jan 30
2006)

James

normal rules on PI —
briefing wd end up Feb 9th
cd be moved up.

PI - require INS to follow its rule +
give him a hearing

also PI ~~not~~ not remove kids

wd not alter status quo

postponed inspection date →
no new date set.



hus

7:15
Elian

1-20-00
Mara
Hiro
Miles
Mang
WUP

Alan call →

Wendy Sherman called Marj Johnson

plane landed in Havana — did not stay —
back to Miami tonight + going back
to Havana tomorrow to get them

delegation:

2 abuelas, 1 from NCC, unclear role
of Joan B-C, prez of Cuban Natl
~~Council~~ Council of Unity

no tourist visas

Ramirez of Cuban IntSec, DC ask
them to come to DC

~~trick~~ Kennedy actively working Dems for
McCormack bill —
Mendez cd back w/ it.
+ wd back down

WP

Q: How extraord was state process in
expediting visa process?

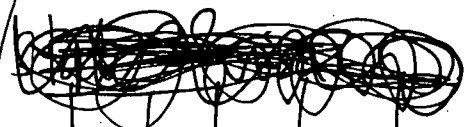
ok to email: as FYI

State Qs.

* is their sched being done by amal of churches?

* ask Charles → who sponsoring, when
came, purpose of visit, plans, what will
Church do for them (give bursars), wedding
stuff).

add @ press



info

conf call today →

3 Natl C. of Churches

press

Rev. Bob ^{Edgar} Edwards
(Joan B-C went)

also - on CNN - ♀ getting on bus to Cardenay

plane supposed to return today → w/ NCC

Purpose

→ use app: to pick up grandchild (DON'T SAY)
DON'T COMMENT

visa issuance

expeditious always done in
~~special cases of~~
do it for lots of country

not intending
immigrant

follow
guidance
& reg.

know about this

visas →
3d was
issued for
when
Church
& Church

DON'T
SAY

3pm - consular access issue -

old GOC do not have legal oblig to provide
cannot facilitate inty w/ Iran
is it be poss turn 3rd party? Doubtful

Maxine Waters - make us it not easier
for opening of Am red saleman
saler US law - there to
exhibit med waves

desk will distrib draft dis note.

~~write~~

press report → glenn green

understand press ~~say~~ ^{that} abuse
cases, but we ~~can~~ have no
confirmation

grannies on plane -
arrive 3:30-4 in NY

don't
know
if left
yet

answering machine at NCC - tell
ya.

press conf today at NCC or
Manhattan church -
depend on when

So leave
at 12:30 or

from
charter co.

Nannier → captured coming to NY
today
NCC controls schedule.

he wants them to come to B

from

Vicky
Kobayashi

John B-C trying to get them
to Dan + AG to arrange
mtg w/ grandaunt

Maxine doing same

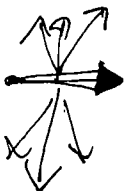
Ramsey unwilling advising them to go
to Miami -

Shemii police said: span lang reder
staying in mean say wheels of
Cave + meet w/ grandson.

nmor (rob th hand) - Judge being
asked to be released b/c other
case will prevent him from
dealing w/ this expenditure

Noon - in of play in fed court
to say whether other party wants
Judge to release b/c of conflict.
(3 - 1 being time)

~~★~~ Ramirez will go to NY tonight if FBI
will let him.

dip note  

Send to me
WIC

Cuba JVTs

1-21-00

Item IV - ~~Exam~~

leg follow up - when is next call mtg?

Can staff who want child return mtg at noon & strategize on how to stop Brian bill

Rev. Oden Marichal - Cuban Counsel of Church also coming

Don B did talked w/ Maxine Water - Commr told her open to mtg w/ abuela, but cd not agree to asked DOT re: any impedes re: litigation.

(Vicky A was on call) - will get back to them

not sure if Joan B-C called or connected w/ Don

official take on visit - keep NCE at arm length
not official - ^{Admin} not involved

Security + Law enf are local respon.

access to child for abuelas →

ok if they arrange directly / informally
other scenarios under discussed at DOT/INS

INS has legal auth to decide where he's placed - cd placement

INS realizes w/oly context of INS's placement is when grandmas arrive - if they ask INS to X placement, INS cd consider Q (unless some aspect of why don't leave at all)

ask
Don

INS/DOT
call
up to them

if abuelas requests to meet w/ WH?
• not pol
• sd meet
INS + DOT
b/c legal
+ admin
issues not political

Said repeatedly useful for Jack's grandma - we're not going to play the NCE

Other rhetorical point → bill wd make it
~~make it~~ harder for Ans to get lady
back from overseas.

Durbin already approved Daschle abt
doing CSM piece

no chance of alternative being voted on in
house - we won't allow

So it's all message

Senators will
decide whether
to add amendments

Daschle, Durbin & Kennedy are asking
what WH prefers on amendments

main - Admin cares very much abt
purity + late admin - will
want to endanger
now case to avoid potentially
negative vote.

split even among leaders on this

proponents - test of patriotism

opponents - family ties - minimize R's on involvement

(2) purity + late admin - feel to relay WH message

(3) Puffy nursing W/ Bob Graham - how serious on
administration involvement for NIH

(4)
how
center
patriotism
rhetoric

2 bills in H + S each →

① USC ② LPR

Sen — not private bill

House — do rule to avoid conf process

Unclear if can do priv bill b/c supposed to exhaust all pub + admin rev

S. may use R14 to get to floor asap

S. vote cd be early as wed

H not before Thurs — unclear if they will push to then

S will be place of most effort to block it —
Dodd will oppose any UC

Dodd will ensure if have suff votes on cloture motion — so willing to slow down by cloture

Tasks

① DOJ — what is affect of confirming cit on
OO child goes / if returned to dad?

② not CA + Haitian party + late amnesty or bill →
requires a coord'd strategy →
don't want neg vote on CA bill, so wd
withdraw bill if not have vote — get message + pull

Can we do
rhetorical
point w/o
putting agenda
not

1-20-00

Enan Conf call

hearing on conflict issue today noon
Judge King's son is state of (family) judge who
used same pol consultancy, ~~Amado~~
Gonzalez, a family of Enan

has Behan shoot down case

do not know when sched conf will be —
Thought 8:30 this am.
now appears off

Dexter Lee repr US today - AUSA, heads many
unit at

① what's next step? →

Duke can answer spec Q
while in litig not comment

② deferred in speaking → date set for tmrw
INS to put at stnt today
will extend it —
why? AG said maintain status
quo to avoid proceeding

INS will ~~not~~ transfer care til ct ^{has changed} ~~proceeding~~
~~to review~~ — not willing to give
ct's all time they need —
not transfer control of case from INS to ct

(not possible
without ruling)

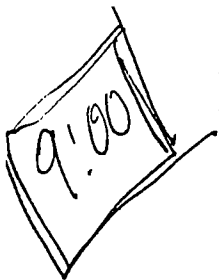
~~Carrying~~
~~to state~~

Maria
↓
Wed time for
today

State
Level



1-19-00



Donelle
Don Whiting
Russ B.

OL to get
Main

Charles S

Bbb W

Cann

(back press)

Calh Brown

Elan

647-0817 pin 261676

grandmothers → 3 cards to car

- ① not be served properly
- ② can pick up E
- ③ assure their security

talking abt NM or DC.

Vulky has Q's for INS →

idea - DOT to do stnt

DOT shd be committed to saying publicly
that will ask it to expedite process
at every step of way

State + Justice (sep'ly) looking at options on bill

Cuban Affs → 736-4476

INS press → ~~Ross~~ Maria? 307-1918

DOT press → ~~Frederick~~ Myron

State press → 647-3344

Mike fax



Eliahan — have custom app —
understand same app as before
understands they'll reject it.
even as early as late today.

emph. Ato's line abt boy been thru so much + resolved quickly

James sleep but Dad coming now
but, may later - esp once case
resolved in fed ct.

~~Entered~~ in dep note Monday —
stung

consular access - still working on it
not entirely clear they have legal right to
usually it is custody - not if parked in + placed in ^{in custody} ^{of vehicle}
logistically - how pull off w/o given C-A
community something new to be up in coming
abt

Duffin subpoena prelim thoughts - not final

Was not entirely free here — high legal
issues if send w/ Feb. 9.

1-13-00

(Handwritten notes on lined paper)

close hold -

Danny very negative
about him

negative about him
10/4

very negative about him

WMS

1-12-00

not one of
> pleasant
mtg. we had.

Telcon w/ Bob W.

INS - Janelle + Ken Whitney there
90 min mtg w/ Cebans → then aft. - Ramirez
Cebans feel almost certain priv bill not sequenced

INS says will win in it but can't say how long —
end quickly but adds

INS prefers litig route — Cebans upset — never accepted
litig route

Cebans want consular access

INS - sit very volatile in Miami — willing to have two
intermediaries to find way to have mtg w/
Cebans Int Sec't reps in DC.

Ramirez - are you saying US govt needs ^{US} intermediaries
to enforce US govt decision on US family?

INS (sheepishly) - yes

R: when plan to re-engage Miami with US.

Issue is custodial custody - INS not have it

in sum, they reject litig route
want kid back

see as all over where Cons comes back

So... we need to start thinking abt how Ridel will react
- medial - Int'l Sec'tin (Squereus? not so sure)

Letter - coming - being sent to buyers now.

Q+A - RG → Carole Florman

Jim Kennedy → WT press

family did not die in fed ct —
vetted asylum app b/f INJ
say if we reject it, they'll go to fed ct.

so letter carefully worded →
Comm'r dec. can be challenged in
all in fed ct —
~~the~~ Comm decided to extend date
to occur any fed ct proceeding.

don't expect reaction Re state court

Wendy - for pay implies if sit drags on →
our abil to sustain Cuban resolution on the table
(CON HR Comm?) will go down for
(they have resolution vs. us)

Jim - (1) when will you have position on legal
tactics? we hope today

(2) do you have press package?
(will do after have decision - all want)

DOT not want to go to state ct b ^{und} ~~sed~~ legit
to state ct proceedings

dad not want go to state ct b/c not want
to suggest / credit ~~the~~ state ct ruling over
INS ~~the~~ decision

family won't go to fed ct unless we take
some action to remove child + they feel
they have to oppose it.

James - 2 options:

1. go to fed ct — go affirmatively

2. INS issue addtl order to implement
decision + if not followed, go
to fed ct to enforce

pros:

- cd provoke community
- effect or renewal h/f BIA sub —
cd we be in contempt of Cong.

Wendy S

dad's chance of coming is $\emptyset$

if we cd guar protection (security) + that
not be dragged into litig or before
Cong, Wendy cd do something

James ~~is~~ DOT cd make promises or security, but the rest?

Conf Call - Eliza

Stanberg
Holder
Castells
Sherman
De Rosa
WP

James — we'd like to be in fed ct in defensive posture.
not clear they'll sue in fed ct, esp now w/ state ct decision

If we went to ct, we're not party to state action so no risk that simply be dismissed
Civil says we don't have ^{tactically think bad idea + fear} basis to go to fed ct —
(still discussing but problem views ^{conseqs not to be our benefit})
Tom Scott, US Atty Miami, thinks we should get into fed ct now.

removal is open & b/c not def in case —
again relying on extent to which order
hns vs. US — (doesn't on its face)

what's alternative? — if we don't go to fed ct,
are we stuck?

Jim — can't bluff — can't imply we'll go
in + take kid + not do it
be careful what say in letter

DOT doesn't want to get involved in state ct
proceeding b/c don't want to suggest
state ct proceedings have any indep legal
signif.

- 10-20

Telch w/ James

2 orders issued by judge:

see
notes on
past
page

1. temp cust → Lazaro
pending hearing on temp cust hearing

2. child should not be removed from CF's prison →
Lazaro can exercise whatever limited
legal authority necessary preserve status
quo.

Father is named def in suit - only one

made "telephonic" service →

judge says must perfect SVC Jan. 24th
or let it know.

by sep order they will appoint a GAL
evaluator + investigator + next friend

- pleadings / ruling → pls send.

- ~~7:30~~ 7:30 → 15 mins.

- ~~can we get GAL? but not from pleading~~

my

Q's

① dad = named Def? ✓

② depend ct or DR ct ✓

③ jurisd'l basis ✓

④ GAL? ✓

⑤ INS subpoena for docs / witness ✓

⑥ effect of ruling? ignore + say preempted
intervene in case unlikely

⑦ ~~need from ct~~ Friday deadline?

⑧ letter from AG to lawyer →
still pending
hope to tomorrow.

⑨ Motion subpoena? no more analysis

very rare for fed judges to go to state ct.

raising an option

Josh W.

1-7-00

Ramirez → mtg ^{this} ~~that~~ aft

CO/call the 1st

- ① less likely than ever to recd dad come on
- ② they acknowledged getting advice formally here
- ③ family rels going down hill
- ④ we floated idea of going to ^{another} ~~the~~ free country — mt'ing idea — they'll think a lot of it

State
not w/
Coburn
INS not
there

feel that no matter what we do C-Am country won't be satisfied — if dad comes, C-Am's ill say wife + kid hostage + have to send them

next step: convince INS that dad coming is option
~~same~~ — no

not bla Tzelle — can't reach her yet.

Family

CNN

filed for temp custody in family
ct — ~~g~~ & great uncle

calling for traffic stop at airport Monday

— Dan Burton declined for now

Miguel Alarcón — CNN.

CNN — per Carolyn — they're
supposed to see Prez.

confirmed → ~~family~~ filed
that they filed in fam ct.

↓ not papers yet.

1-7-00

Cuba SVTS

~~set up if alarm~~
~~memo from~~
~~many~~
~~send cable to Alan~~
~~lexis~~

II Migration Issues

A USCG - Magree

inter 30-40% flow - average
flow ↓ - light NY traffic (except Haiti boat)
Almost all people smuggled

B. Status of 2 Cubans GOC wd not accept

CG trying to ~~GPMO~~ - await GOC resp.
placed in nonprotected camp
await GOC response

State mtg w/ Ramirez this aft maybe hear more

31 people at GTMO year's end - 16 year low

III Tong Overflight

told us they will defend their sovereignty - warning
similar to those who shoot down in 1994

I. Elian Gonzalez

State wants to push to avoid:

- ① were turmoil in Miami
- ② prepare policy to explain to Cubans to they
can encourage dad to come

James - we fully agree that beneficial to
have dad come

OSD -
want to add
to SVTS -
John Marshall
to discuss
policy with
detainees
at GTMO.

A. Rep on Contacts w/ GOC

Vicki H talked to Alarcón & hrs on dad coming to US & what that will involve

Scen 1:

- ① dad not come
- ② dad comes after entire legal/jud process completed - no further legal ^{post} ^{legal} rescues
- ③ dad comes ~~to~~ before ^{legal} finality.

what dad needs to come ->

James - main concern > w/ 3 scenarios.

1. litig not even filed yet so no one can predict
 - not sure of legal landscape
 - law enf / litig strat - can't share w/ GOC or any outsider b/c compromising us - can't tip hand ~~re: state~~

Janelle J - we have given these Q's (got previously

INS to Commr + GOC - not sure when ^{be} cleared

• concern = tip hand

on poss 3rd parties - Bishop Roman + variety of others -> early stages - not comf discussing what ^{is} asked responses b/c responses not final ongoing today & thru weekend

can Cuban cons. official accompany dad? —
Q of security — may be diff / ^{exacerbate} security sit.
checking w/ INS ~~for~~ Miami on that

INS wants state to ask Alarcon — w/ ^{venue} ~~venue~~ other than Miami
be possible? (w/ that is the dynamics)
also ask ^{him} what kinds of security they think
w/ the req'd.
w/ Cuban govt want say in decision of where
Mr. G w/ stay — what does Alarcon
believe w/ be req'd.

James to state — your assessment of GOC's understanding
of sit now? do they understand that
Exec Br made decision & will stick by it
but we have 3rd branch of govt?

Bill — Alarcon knows air system fairly well
& has fairly clear underst of what
going on
but does believe fed govt cd intervene
in case > strongly if wanted — matter
of pol w/ll — we're gun shy — not take
too hi-profile action in Miami
feels GOC getting intl benefit by pushing it

Jane!, Kelly Ryan + Bob Bach met w/ Ramirez Wed —
he understood it very well.

Bill - agrees

let's not address 3 scenarios - far down rd
take pot'lly litigable issues off formal comm
b/t US + GOC

Q: cd we get to place on next week vidly if
+ S. Drinnel cd go to Alarich + say
we can put dad up in USG housing +
while in country + prepared to provide
ddeg sec up to 24 hrs/day + say Cuban
section rep in DC cd accompany him to
city in US. so exs happen

INS (Dannele) ready to make security arrangements -
housing - not sure exactly what but we
will arrange

response we're drafting ~~will say~~ ~~we're at~~
the ready to provide
but depends ~~resp.~~ in part on when + where
he comes

Bill: Can we get answers by early next week?
Dannele: Yes

C. James - we're hearing some rumors
re: filings by attys in state + fed ct.

Response to lawyers letter to A6

hope to get answer to attys today (not public
tl we do it)

Impact of
proper subpoena

JNS: Commr in partic likes idea of subpoenaing
than dad coming to us — his dad's
mom - he can auth that in writing
(to pick up) —
— STATE to inquire → also make sure
airline wd board that child

James: dynamic of case — relative coming will
bolters notion that dad not free to
speak for self

State: careful w/ 3rd party from Cuba suggestion —
tactical concerns re: offering 3rd
party from Cuba — then hard for us
to say no if then say Alaron
upheld by dad & case get him
may make it harder to get Dad if
offer this

My Q: that's an impact of Butler subpoena
to Ethan on dynamics

James: not sure — think abt it more
subp. may not have effect to parents
think it might

State: true limit to Dad's visit?

James: cd help GOC get to yes but say his
offer is unrealistic — travel
being able to guess time needed.

James Board
fam law
expert at
DOJ

cd mean
not set foot
in FL as
fam ct wd
have jurisdiction

State to send to DOTJINS for review:
draft instructions to US chief of cons section
for her mtg w/ Alanon.

Bob, look at pgt implications

Steinberg

ASK MARY →

- ① family law — effect of grandparenting
appt as immigrant
- ② Burton

effect of subpoena.

1-6-00

Bill Brownfield | State | WH

Can't call on Elia → operationalizing
Leoni

647 - 0817. pin 535196

Bill - last nite, Vicki Hodelston called -
will talk & day w/ sr. official
wanted to talk & hear abt process if
dad decided to come to US.
(logistics, lodging, security, police
support)

Bill - can't discuss yet, but can say
that if dad (it'd in court),
we are prepared to get back
asap if best we'd manage it
if he were to come.

or call:

^{Hedgrigue}
Lula - on digital phone - State/PA
Ken Whitney - IV & OGC
Tanelle Jones / INS
Bill B - State/WH
Susan Snyder - State/Obama's office
- Pickering's office / State

① security - wd Miami police take it on.

Bob Bach, Charles Shop, Kelly Ryan, + Tanelle

(Danelle)

Calla Int'l led here
met w/ Mr. Ramirez yest →
idea: we put on tables

- 1) emphasis allowing fam to work it
thru
- 2) ~~we~~ INS flex - will provide any
assist in our power to provide
- 3) idea - a venue - Mr. G not
arrive in Miami but
elsewhere + effect
transfer there.

→ they asked - wd INS org
bring to site?

→ no reaff'd Camm
commitment to have
family transfer to dad.

- ~~3rd~~
- 4) 3rd parties under consider to help
- 10M (faded - unclear)

5) we ^{said} won't have INS take kid
+ take to NL + handover
to Nat'l C. of Church

6) we agree + Miami police
agreed that INT id gr
no where near tid's house

7) family concerned that if
return child to dad, never
solved again

Mat 6 - NSC/state
press sched not set mmw

Jamie in Shepherdstown
mmw

is it sure we'll do press mmw 1pm

~~use~~

new sched

11 → dad, fam, atty

~~11:15~~ → announce press go at
at noon

11:15 → GOC

11:40 release embargoed
begin key calls/retreat

noon → press

↓
press → better to be in ~~advance~~ of story
protects us also from Jamie

~~64508~~

~~asking for proof~~

~~gedruckt~~

~~Red Hat Ball Cellar~~

11 auting
to do
we will actually
- so look at
y Pusan visit
expecting to
bring it -
actually
remember

called into - concerned re: DOOTING

→ DAS of WHA ~~(1978/1979)~~

★ ① giving everyone else app to spin
our policy - need off

Paris sd get out there -

need official
USG stmt well
before 5pm
beat that first
not behind

sensitivity of trying to let people know
ahead of time in campaign
to us getting out & explaining what
we're doing & why

② Brownfield told him INB prep 24
return by family by 14th

BAD — long time — away?

Arno called Omar his

⑦ coord press guide rep -

Matt Gohryn -
get latest from
MandC.

BB
university
to card
messy guidance
TMS + WH
are becoming
my

unacceptable
this not to know
when giving
after 1000
me, 1 year
A

need clear capt for WH + state pros,
at room

Q: What happens if family says no
not giving up

look at how quickly we need plans to move ~~them~~ ^{insurers}
back → where have I got the Eric, but having no
plan B BAD

tell them - When got dep note
b/c embarrassed about

noon → Miami news hour point
↓
push press conf to 3A have to

~~TO DO: add to Matt's note~~

James - if we can't reach a mutual
agmt, IN prefers legal action
(event action)

INN - webpage - what won't need to exit via

dep note
to go 11/15 WH
contact
attorney

3:00

~~Comments by Alan~~

Community groups — calls + paper
has Lula's list

INS had made approp arrangements w/ Law
Int in Miami

Mike
or
others
talking

Mike
or
others
talking

State — drafting dip note to give to
Cuban here + in Havana
based on stmt — make note
deliver 11:15 tomorrow

bring to desk
close held
for
do not
examine
with
insight
from
door

they'll ask —
Q: how got kid here?

A: up to family + to GOC
(grant permission for dad to travel)

Q: and it be help for if dad came?
A: yes, as we've said all along
it wd be help for

make clear —> b/t INS + Dad,
not INS + GOC

Mawa
family
decision

will put in
letter to family
+ dad —
we want
family to make
this work —
INS/we stand at
ready to
help you all
get this done
in way you
as family
deem best

the decision —
embodied in letters —
are the same

~~Will not alert press at noon~~
Cong'l

Fla deleg

- House + Sen + Jd (whole comms)
- H + S For Rel; (managing, mem to chat)
- H + S Leadership
- other int'l members

- FL Gov's offices

- Local mayors

happy to
add names

embargoed
before 2pm

~~will not alert press at noon~~
will send statement at
after father, lawyer, family
~~inform~~ informed

so if specific office asks for stmt b/f 2pm,
cd send embargoed
will not send at noon

advisary will go out at noon saying decision
announced at 2pm but not say what
decision is.

will get room paper unless personal relat (can't)

check groups - will be in touch w/ bishop
in Miami area, US cath conf

add names
←

Bob W. / State / Cuba
next State conf call →

Danella
Jones

INS initiating the call

~~INS~~ INS / State no DOJ.

very small → (leak)^{hard}

will check w/ Charles
& see if I can be on

not sure of next step

1-4-00

Confocal 1

DOJ, INS, State

James > DOJ
Brad > DOJ
Victor Cerda
Johnny St Denis > INS
Janelle Jones > INS
Charles Shapiro > Cuba office / state
Bob W
Susan Snyder > State
Lula > (press)

The Plan

1st contacts → father

• Miami fam + atty

> letters being prepared

probably call dad + inform thru
INS officer in Havana
+ then ~~call~~ give him letter

Lawrence concerns over

11:00 - two w notify parties

2:00 - between then, outreach to groups

↓ public announcement

City of
County (big
city)
church
Miami area
mayors

Lula - 12 = big news hour in Miami (she's there)
do it at 12

1-4-00
INS → Telcan w/ James Mary 965-1989

Steinberg → conf call w/ Erik
+ James.
around 5:00

goal make fixed time frame
w/ display conversion
for Laurent team
want to avoid turning
hang

In flux - not re if dad
will want to leave

Dia de los Reyes parade Sunday
w/ James

at hand if fully
"I got hand over to
next (yes) in
using my go about
↓
let decision
sink it
↓

INS Press Conf

Elian

1-5-02

Q's

Q - if not coop by family, what is INS prep'd to do

A - asking dad + not coop - Alex on a man
went to pick up all parties
will take 1 step at a time

A - careful though
convinced dad's true wishes
lots detail on close relat
care ex ver. and b/t parent + child

Q - parents to file supposedly by 4pm today
tech'ly father has rt to withdraw
app for adm
our ruling = who has legal auth to speak
for Elian
we have ruled father does.

Al herself calling Helms ~~to~~

Int'd to private bill they called he call

Butler also called

↓ not sure

he wrote up that it + Linda

↳ ~~he~~ wrote saying this clause
so sure ~~that~~ we can

Alamy
USA
DIE

Butler
Lee will
responsibility
my

→ response

not whether elig —
whether can be properly viewed
as being applied

↳ trying to do himself understand
no objective circs to look at it even
despite
lawyers no standing Al can't engage on
with

only father
speaks

Ethan #1

(Jan 3, 2000 to Jan 20, 2000)

telcep

Matt Gobush

1-3-00

Send strategy to Sandy b/f Xmas
he wanted to be sure Maria E.
comfy & she was fine.

kill all Maria Cardona at INS press

1-3-00

Matt

- spoke to INS press

announcement Wed at 2:30
press conf w/ Dan's - she will
answer

~~don't want~~

if do less, can't pull it off
need s.o. out there answering
Q's.

① ^{Delia} Mary not heard → checking w/
legal policy

* talk to Mary + then inform
Jim + Sandy

② ideas for support

• legal scholars

• relig groups.

keypoint - in this country
we follow
the rule of law

③ Maria Cardona
press guid + statement

they'll want to know a bit
notification prior to press conf

announcement

(INS to call Caban govt, dad
+ lawyer ... what is plan)

reassure them that will try to
minimize leaking, thought
out process → move quickly

left over:
at clinical of
Garcia, forced
at wedding
will have for
1/25/00

Dave Levy
• fathers
groups

(Elian) (cont'd - conv w/ Matt (Gohush))
what are next steps?

① Maria C. says lawyer for family
trying to preempt us + will say if they
try to ~~fight us~~ and have, we'll fight
both + natl

make it clear we're on top, it's classified,
tight control

prep -

1-3-00
647-9273

Bob Shapiro

head of
Alpha office at
DOS

created firewall

b/f Joan Brown Campbell + anyone
working in Elian case.

rollout - timing of informing GOC -
BOT. we need to know if ~~for~~ GOC
will let Dad come up.
INS wd like answer of Q's b/f make
decision but not wedded to
waiting for answers b/f next step.

press conf today 5pm by lawyer - deaved
"secret" 2nd mtg b/t ANS + Dad (!).

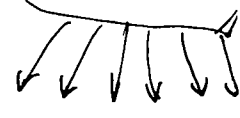
Telcon w/ James

1-21-00

Hovetm - new judge
Keverler presided over Naregacall
"well regarded here"

filing under seal so
James prefers
to say of
about what we
filed + what said

know of abt filing - schedule.
will feel expedited ~~ready~~ when
the 1st papers in response
sd be early next week



of unusual in there w/ per the litigator

if abuelos ask INS to transfer custody to them?
messy to try to engineer it thru legal process
infinitely preferable if family can do it
that's pitch INS will make
as to ultimate legal rol'n, not sure yet
prefer to have coop'r sol'n

effect of bill
grant of USC → INS
takes out
LPR status
conferred via
bill - not
sure -
All working
thru

DOT prefers to see how abuelos' presence sinks in +
reaction to it.

any way they cd leave w/ him?
no way unless family reaches agmt

mtgs w/ AGO + Commr → bet it will happen
but not yet yet. guess 1 mtg.

Issues under consid'n on leg → is cit state 1 of things parent gets to
control over child
not citizenship in US. no not

involved
in cons
p get old
ladies
p man

INS call

Bill Cooper
Dana Linné - OIC

- lawyers for family
- NCE
- Archdiocese

clear

on GMA → old ladies said
can't go to Miami b/c waiting for Janet Reno.

Miami Herald — dramatic story re:
3000 cameras to be thrown on house

Justice — call Mayor Penelas
on top of list as soon as it's a go

Amazing no one knows what's going on

Joan B — Cbid NY post yet — waiting for
Reno

per Gretchen — INS
~~INS~~ note in cons —
acting as liaison — talk to ~~NCE~~ re:
feasibility, talk to their attys (Bernstein)
talk to archdiocese

affidavit → state filing (CA) (Catherine)
canular perspective

~~At~~ ^{wants} filing of defensive pleadings tomorrow -
so asked must go next

next step in litig → set up schedule - ask expedited -
hope their reply due Friday, or reply to
their reply when, set for hearing next
week.

when did cons begin? →

~~been~~ waiting for other side?
stalling point - still place of mtg

to day?

press folks - Maria + Carole working on Q+As.
re: abuela visit

on legislation - refer to WH
what say?
(pressing wd veto).

Don's M. 3:45 → told by NCE that
grandmothers not coming to DC tomorrow!

out call on
4:00 bill

Eliran bill conf call

DOJ/leg - timing

Mark introduced bill today w/ 6 other
Rebb, Portzelle + Graham (3 D's)
Lott + old Beschle not vote til next week

no votes in these two weeks - but cd have
hearing in rules comm + have spec rule

bill gives him citizenship w/o meeting legal req

MacCollum - ~~the~~ companion bill in House
(Rangel - concurrent resol'n - we have)
Menendez - dropped LPR bill as well
get bill texts to lawyers at NSC, DOJ, state
(Calkins has it)
get analysis by tomorrow

our prelim view - no consttl impediment to
bill - ^{the} novel area - only arg cd possibly
raise is that cit'ship is so final that
can't confer w/o consent of person - but
prob is historical examples of contrary
usually in acquisition of territory
(1940 - Puerto Rico)

so consttl concerns cd be a concurrent bill
but not during time is, it

Dodd + Jackson-lee Intz w/ abseley tomorrow - (Jackson-lee + when Intz gets)

1-24-00

Mandi
Ernie
Joel
Matt
Dan S.
Manny
Mama
WHP
Robert R
Patty
Nancy S.
Susan Sachs

checking on Dems + where are on bill →

Dems - may attach other agenda items
- staff dir mty - lots of dont have position yet.

* Sen. Reed may offer bill on Libertarian TPS

Wendy S - let's just oppose bill on ^(best use) ~~policy~~ grounds -
family reunif
what means for custody rights
+ not attach other ~~proposals~~

USA Today

not
my
milit Am
at 5 being able
to receive this
from abroad.

use late anniversary + other ideas as
reason why oppose bill → arg is:
lots of other informers + people have to
play by rules (make point in debate)

Mark et al disagreeing at ship + custody -
~~debate~~ debate about what citizenship is about
so ed say it's about health care, etc
(whole domestic agenda) + min wage

if flying
im now tied
will have useful ideas

07/25/11
No will go
public in
dear colleague
letter in
opposition
(mar smith
approved bill)

Mara - dont have to introduce amendments to make
the central points
only write SAP ~~ed~~ after decide if will oppose
do Dems want or bottom line or just guidance?
↑ by timing of bottom line

also get non-gov op-eds
idea - do SAP + Dems op-ed / or Dems - Mary Lynn op-ed

Ed do letter setting out our policy concerns —
joint Ouse / State letter (valid later to ppe
out of. In response to your inquiries, here are
our concerns

DOT/OLA considering dear colleague letters

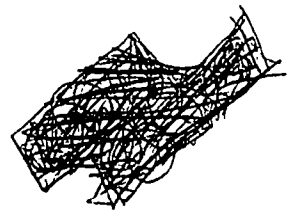
so... we'll ~~opposing~~ concept of conforming
itself in bill
Not saying opposing a bill yet, so ^{not} saying
we'll ~~not~~ —
have to see what gets passed

we'll use bill as opp to raise cam + Harkin
party

not do SAP yet — just letter + taking points
There will be point to clear it

1-24-00

Tanelle Jones



Abuelas left 12:45 NJ airport
(Peterboro)

ETA 3:15 - Tamiami airport

no plans beyond that - not for
that fixed.

Saying:

when AG met w/ abuelas, exp'd very strong
desire to see E + asked for her help. DOT +
INS trying to see if poss to set up mtg.
Set yet - Not facing any detail,
private - family to family.

NCC + abuelas in air →

Letter from ^{Prager} Bernstein to Bo ^{Cooper} →

Monday 6pm dinner

assist at them seeing
Letter released.
now

Cher has
have -
sheep,
cats,
what plays with
etc.

Suggest moving for Roman
of Miami a radio sd accompany
them to home - only for grandmothers in

per Charles -
Abuelas
case to be
thought
know only
w/ Shelia -
Shelia -
Let
might stay
too late

stay at
private
home of
mtg section
member

1-25-00 ~~Elan Conf Call~~

up 1st day →

INS/DOJ negot w/ NCE + Laramo atty
both sides willing to continue negot-

late aft bit wall - no one knows why
then we encouraged (Namirez says) Bred;
Abuela to call L - made it
worse - went very badly

drafted -
private conv.
(Carole - NCE sd
put that out)

L says pat abuela insulted them
he told her she'd come w/ Elan in
Elan's house - new E's have
very freed, very emotl.

Charles called late in aft - NCE misinformed us
apm flight plan to DC

(all ~~denied~~ ^{denied} it - NCE, Edgar)

said flight plan is to Cuba

Abuela categorically denied wanting to go to DC

Dodd called INS - "offered" apply to see abuela 3:30

Dadgar - he announced ~~the~~ mtg.

we heard Rangel approached

Namirez very angry - called State

charged we were keeping Cuban officer from
seeing Cuban citizen

Cuban cons. official did meet them

not until then did they decide wanted to go to DC

Carole
demand letter

NCC very disturbed abt app. of Cuban govt official -
not want to appear that GOC in charge
not them
unless convinced NCC did want to go to DC

reporting
Cuban official
helped up

Nan Tanaygo - Miami Herald
reporting this - check it out

Clinton admin
official "told
him about
spending money
w/ Cuban
official

at same point INS official asked to leave

* call console if need press guidance

NCC did not
arrange mtgs or Hill - Cuban facilitated it.

Mike Hammer
6-9276

Q's what was Cuban officer doing there ?

(not clear entitled to barged in to
mtg unless they wanted it)

Lola (H)
347-4747

Lam
Mason
247-0688

~~will a mtg happen?~~ will DOT facilitate
↳

1-26-00

Ethan Bill Centfall

DOT - went to Dem Caucus today

very heartened

Robb incorrectly on speaker list

Dem conv abt cent message or gaming

Dodd + Feinstein will do Nadel resol'n

will

have veto ~~proof~~ vote

need answer to Q:

If have auth to command mty, why not

have auth just to send home

Billings
asked
f

Robt - ϕ talked parity, anything today -
sd be real uphill fight

Here - they heard sim mty today (caucus)
that those senators int'd in add on sd go
- off + talk + come back

Mama - don't they unite op ed on broader issue
100,000's beds awaiting state in
etc. family reunf etc.

once do filing, DOT will get supplem doc up on
Hill asap (dad = good dad)

rally Sat in Miami - Natl Comm to Reform
EB - Ceryn asked DOT to send Marshall

Kenge +
Senators
want
abolish
go to SOTO
or amtx
Mama will
call say
no.

approx.
filing 10 am → today - make public at 10 am
Carole
Mama - PG → Q+As ~~★~~ ~~★~~

update on post visit → no ~~freedom~~ everything went well
grandmothers. → here in DC - more Hill mtdgs
not sure.

Carole → ^{call of} SDPL to get latest version

Celene lodged ~~formal~~ complaint b/c car
ph taken away w/ grandma's

~~And Celene protested ^{entry to mtdg}
to State Dept 4/15/13 section?
~~was not too~~~~

Bob/Charles
Letters
↓
Please by
COB Friday

Schedule

their brief due - Feb. 28th

~~b(1) + b(6) - jurisdictional~~
~~1-2 + 3 (re: failure to state claim)~~

or reply due Mar. 2

(on those issues)

hearing following ~~issues~~ week of March 4th

summary jmt → not at 134

We req'd expedited schedule →
briefing done by 2-7

everything not on motion for summary jmt.

trying to avoid merits & can
have prelim

I, II + III (failure to state claim)

they might feel deicer (reah(guess) but
clearer wd be

1-28 CNN ~~67~~ 67^{return} - 28 stay

House Ind will not act til custody dec
made by state ct.

~~Govt will not be enthusiastic~~
~~Nept pjt Rnd~~

1-28-00

Sister Jean

Press conf post AG mtg

boy ~~under~~ very deeply w/ family
wd cause him to accept another death if
had to leave US

her
remarks
at her
press
conf

pol arena — made possible to lose sight of
little boy who lost a mother
concerned also abt long sh cuts who
reach at shores

encouraged by her visit w/ AG b/c know
she will continue to search for ways —
of integ (AG)
discouraged b/c diff for those who play
pol game to leave child place to man,
gun, prosper in freedom +.

still true that she & AG are diametrically
opposed

One will surely send if find legal
reasons to head adep ~~reason~~ end to

to frighten a child to care to my home
to instill fear is so ridiculous,
I'm sure same happened to grandmother

has faith in a way of life - faith that
surprises will happen

I'm no longer neutral →
~~was~~ lots of contact w/ family that day
good interaction over years of life

up to nitz, felt loved & dear + belonged
w/ dad
not as exper family + not, felt
smthg very sad in her home -
was ^{stayed} outside but fear was gigantic,
fear had to do w/ way of life

Will surely Connie Mack - supports his
bill even tho' not ~~for~~ sure cd be
passed

I'm sure of abuelas love child - father too
from what I heard

BUT:

mystery of bonding - bonding ^{that} has taken place

Sister Peggy Albert — therapist —
main arg — to remove w/d traumatizable
break hand w/ family here
sd bc about best int

Conf call Legislation on Ethan

DOJ will have to face Q's

if Cong asks us to stay ~~private~~ our
removal while they consider
private bill — that's usual protocol

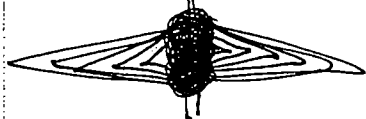
Mania

~~DO DOJ~~ Mania anxious to clear + get comments to OMB
on State letter.

INS letter? → ^{Conn} Donis

~~Answer~~

answer for Press guidance on Abuela mtg →
Pres not meet b/c not want to politicize.



next call next Wed →

hope Riley by then both letters will be ok
① Patty, Robt, Allen + State Leg
dev list of people to send ~~letter~~

Caban - Ann ~~at~~ USC called Charles to offer
~~the~~ house in New Hope, PA. for Louis
dad so ~~the~~ INS can transfer him to
dad - can't leave w/ him ~~while~~ litig

On Aug 10th planned this - also Caban
told ~~the~~ ~~INS~~ ~~that~~ expressed concern
but but no one thanks ~~HA~~ ~~seriously~~
H's knows

Today again asked for computer access raised
6 issues →

1. fence around house
2. media asked to back off - don't like it if
want to see
3. called for shrink for child
4. stopped school 2x
5. baseball bat - hit Logan & taking out
6. old is much
7. only don't get thru but how they are,

2.3-01

OCA

Letter from Juan Gonzalez to AB + Dns

State - ~~State~~ demands transfer of custody
to Manolo Gonzalez.

- ① TV cameras - circus
- ② 2 criminal twin brothers hang at there (cousins)
- ③

1st - return son to me

2nd - while waiting, transfer to Manolo

3rd - End harassment, psych nurse up

4th - INS give me info -

psych checking a son yes (bitter)

- have, except background of all
visitors to house, people who
stay there, + who keep it
while sleep.

Manolo → brother (?) of Lázaro

↓ he may believe kid sd go home

Meeting

~~On~~ On Elian

2-8-00

enforce or hope for miracle?

INS / DONS

prob: will Cubans continue to make requests of INS) Dad's letter, + how do we deal? sd go to ultimate sol'n
prob is that ~~idea~~ idea of why dad not here still at the

answer: raising Cubans now withingress of Dad to come →

- why now? b/c most other steps played out or in motion w/ dad here, best able to transfer child

~~proposal~~ proposal:

- Dad comes not to Miami (perhaps DC, NY)
- Dad requests INS to transfer child to his care while await fed ct. results
- order family to bring child to port place to be turned over
- expect they wd challenge, or wd go to it to compel them to comply
- then fed judge decide - dad here able to care B reason to turn child over (almost certain result)

we can pull off legally transfer of custody, but much more likely to happen smoothly if father here, on ground, able to care for child, etc.

State

begin discussion here in DC, not Havana, w/ Bill Brownfield level + equiv pot level (not Dons, Bic)
BIC wants to know in excruciating detail how work this

Doris Messner
Enc. to her
James C.
Bo Cooper
Wendy Sherman
Beth Nolan
Omi
Maura
Mary D.
Maria Behav.

GOC may propose putting Dad up w/ Ints Sec in DC —
wh we accept (lots of skepticism)
what Cath church officials cd help.

Jim:

are we prepared to embark on course that wd require us to
send in Marshall's in very ugly scene if family not
cooperate

sd we force issue now (w/o sense of SI family coop) or
wait til Feb 22 (or 3-6) + see how it goes

(Jim)

Other options →

1). explore w/ people in contact w/ family to get sense of
situation over

(Jim has real reservations abt Marshall's options w/o this)

2). 3rd party take custody in interim

(Wendy: bad from child welfare p.o.f view)

(Don's: sd not a child's security + bond where is for
anything but the father)

Wendy:

if going to await court result, must

1). answer dad's ^{letter} ~~letter~~ — esp. if stand by INS decision
that Dad speaks for him

2). grant consular access — only place can think of

↳ INS office — maybe other uncle's home
(where child + GOC feel safe)

Wendy very
concerned —
get hit at HR
Canon. or in 100 hrs etc.

all seem to
agree can't
bring Dad home
+ not ensure
delivery of
child —
not an option to
fail to deliver child

~~James best jmt: get some indication of judge's view of institutional args but some part of case will remain~~

Jim thinks he is much stronger position to ^{make move to transfer} ~~intervene~~ w/ jmt ^{after we've won in district it is a lot more compelling} on merits - agrees w/ Dora that Dad coming is best - Q is timing

What will happen on 22nd?

James best jmt: get some indication of judge's view of institutional args but some part of case will remain

Wendy: having father here could put useful pressure on case, in Ct. lose ground later the dad caves

Jim: ^{also raised concern of harm to child the longer stays where is + bonds} ~~thinks~~ trying to move kid now, with kid + Dad still stuck here in U.S., gives impression that we said could have day in Ct + now look like trying not to give day in Ct - could provoke ~~protest~~ protest

now also - Miami Beach complaint - lodged by Lazarus family ~~to~~ re: grandmother's contact w/ boy ^{during visit} state's atty called us atty - not give green light

Impact of transfer of child to Dad on state of case →

Cd ~~to~~ ~~transfer~~ ^{transfer} it b/c kid w/ Dad + hope fully get fed Ct. order upholding INS ^{transfer} order - then preemption issues come into play

so do it by Feb. 22 + Mar. 6 ^{+ it} ~~it~~ preempts state Ct. action ^{likely}

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	re: [Wendy Patten's Notes] (1 page)	02/00/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral and Humanitarian Affaris (Wendy Patten)
OA/Box Number: 3135

FOLDER TITLE:

Elian Gonzalez [8]

2012-0371-F

rs2171

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Small Cuba Group Mtg - 2-9-20

Cayn attended - read out

Brown Field level mtg w/

Planner in DC

~~to~~ → ~~memo not helpful~~

→ we requested agenda
for early (March)
fall, but of rec'd
so not agreed to May

→ we'll propose agenda
look at it, get back to us
then will talk thru

away message
that we
don't take
kindly to
threats

→ they just want to get to NY

+ denance w/ b/p press

on (Eisen)

(also with sr officers ^{at UNHCR} on Comm

✓ this will happen b/p now + next Friday
Other Issues from Mtg

★ Update contingency planning guidance from Cuba
Bill Brownfield took this on.

PDD-56

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. note	re: [Wendy Patten's Notes] (2 pages)	02/00/2000	P6/b(6)

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National Security Council
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FOLDER TITLE:

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rs2171

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Dodge Chavez - new state of progress
but uses Amundson

Cuba Ints Section →

~~that section~~ press conf this aft.
(not sure Imp or Ethar)

Remember that he wd have info for us
late this aft.

3-6-00

no new PG? YES - need it.

no one knows if state of hearing today
was only in Miami Herald last week
Bill Kneadler of SG's office will announce
in field at Thurs.

charges v. Lazaro →

Imperial - in Cuba - said horrible to
leave kids in sit w/ great uncle (name sexual)
Castro repeated

Miami Herald → today

Letter from INS - head of field ops - tells
Reason to Charles - says we looked at info

per
Charles

that ud bear in placement "

speculative

no any supporting fact

no bearing on placement of Eham

letter want be released — Charles can
take from it to Albany

3-21-00

Senior Staff Mtg

Jim - wants to know Justice INS
plans to carry out decision

yes - informed by nothing
+ fine it want to encourage calm
by saying will not snatch today,
but tomorrow?
will they wait for filing of
~~interlocutory~~ stay?
what's gameplan?

3-21 AL - press avail 1pm

Jim

pleased it sustained our jmt
reaffirms ar pos that only his
dad can speak for son as
fed imm matter
~~reaffirms~~ family reunification

ME of law upheld + repeated in US
hope community will accept decision

Q+A

can't say exactly how — ~~we~~ need to
want to do it ~~in~~ in orderly,
fair + prompt way
we not specify time frame

Jose Serrano

5 networks →
calling him
his staff called to
say have calls
like to be helpful

3-21

telecon w/ DOJ / Jarvey \$

(Mary DePesa + up)

~~###~~

DOJ plans to send letter to family
+ request mtg asap
mtg's purpose — get them on track asap.
not saying anything abt
if enforce or let appellate process
"don't do what ifs"

not public that won't let appellate process
go fwd.

not a stay ^{to stay} — wd need injunction
of INS original decision

have to go to D Ct. for injunction —>
cd be abt a 10-day process
from D Ct to appel Ct.

* really imp to control message.

no whisper of letter sent
from either state.

4-3-00

Visa apps → none yet

UNENT invited to mtg at for ministry
told wd get ~~for~~ packet for bill entourage.
(group)

sd call by 1/15

UNHRC →

Ubans distributed book in 3 langs →

• how much it does it take to D mind
of child"

roundtable w/ vanai's psychologist
video presentations as well

frnw — free ~~lunch~~ + drinks
1:30 - Ubahs - free candy + drinks
| video presen | roundtables

Net April 4th

no resol'n yet - tho suspect it.

INS

calls w/ Greg C over weekend
last after 4pm yest.

Janelle surprised to hear get all
31 waapps today

thought is a req for just for smaller
group — (if requests to be made today)

still awaiting written confirm that
dad got Alan's asbday night
during
letter not gone as at 4pm yest.

Namroz coming to state 10:30 →

Abbie — not sure family will show up —
for Miami mtg

Linda O-Brown — Face Netai (yest)
painted diff pic
not dad but who controls dad —
not saying he's unfit

Craig's message — amenable to
discussing a lot of things
w/ regard to dad — no line
drawn in sand

so Castro's message not consistent
w/ cons w/ Craig

we do have plans to get out of woods w/o bloodshed.

have to push it — look at last week —
Miami spun up but no harm +
got family to table + expedited appeal

way we intend to get out of woods if dad comes —
— let Dave play out — (5 days/week)
dad says sitting here + they want
let me see my boy!
file complaint w/ Judge Moore
seeking perm transfer but
as interim relief seek PT
w/ request for immed transfer
build into initial pleadings info
re: visitation w/ Miami kids
post-transfer (carefully
considered harm + didn't
taking steps to ensure not
harmful).

not fully
balled

4-3

Conf Call

for Mum gave dep note, 28 was a appy
gam + 28 passport for deleg that
wants to come immediately

10:30 - mtg w/ Ramirez + OCA
copy of Castro's speech
↓ 2 proposals:

- (1) guy of 28 came to DC
stay w/ child till
jud process complete
- (2) dad come alone
anywhere to where
we tell him to
pick up child &
go home

State Dept handles security only for foreign
ministers - official v. reg passport
has no bearing on this

~~knows~~ Official = signal from SOC that regard
this as official deleg but not affect air

processing of visas

Aranson - 212(f) - detrimental to
ints of U.S. -

↓ prevtl memo (?) on
offer of EE of GOC
holding dept or official
passport
or general, regardless of
type of passport considered
by Sec of State

Brownfield

dad, wife child + cousin —
can't grant 4 — "core family?"
w/ others right now (came wherever)
not comfortable stay as long as with

1042.4.0.
~~2445.0.0.~~

might
consider
next group
but need
> info
from GOC
abt where
stay - where to
how long
stay

Notice - want to include family
pediatrician in core group
b/c: 1. ^{new} child so young

2. Evan's transfer - make helpful
also Evan's desk mate — supposed to be
close to him

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. note	re: [Wendy Patten's Notes] (1 page)	04/03/2000	P3/b(3)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral and Humanitarian Affaris (Wendy Patten)
OA/Box Number: 3135

FOLDER TITLE:

Elian Gonzalez [8]

2012-0371-F
rs2171

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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State preparing memo to Lee —
Lee inform GOC that ^{prepared to} issue
you immediately
to care & plan
Kunstgarten teacher +
pediatrician

also tell GOC willing to
cancel or renew
other requests / reqs as
req'd by future since he
gets here

State will decide on care group of 4 by
COB today

State
PA released stmt in error — (Jim's unhappy)
DOJ releasing something tonight →
will fax 1st

4-3-00

James

not issuing a global shut as had thought this am

- ① negos ended up w/ their saying
wanted resume loan from
after currency w/ clients

Surprising a bit — fr 1st time
talking abt terms of transfer —
promising — so secured
with (> day)

cd ~~come~~ in
+ say no
way.

- ② had very clear understanding
that not to involve anything
w/ checking w/ other

CNN
80%
37%
10%

will go out from [NS] Miami →

Dick confirming re: how transfer child
NO decisions but can

reloc of E's parole supervised
by annual of JMC

once arrives transfer parole of
asphy — smooth + orderly process

~~Strongly advise 677-2257~~

Customs - said Dineair (co. does ground
out at Dulles) said ^{arrives} 11:30 w/ 28
people on it.

we plane be attached? —

b/c of BPR suits in Miami

EAA sd be able to tell us.

↳ State calling to confirm

Dagoberto to Vidley

① will dad be able to return w/ child while ^{has no} ^{proceedings}

★ ② ~~other~~ temp w/ stop — want clarified
b/c any travel taken — ~~that~~

③ pushing another 28 way →

↳ we sd say what? — they want some
sort of answer

Unrepat

④ airplane ① how hard want to push to get
dad here

→ ② do they need assurances re: ^{custody} ^{& if so what will not say} transfer
↳ ③ answer Urban's question

Susan S.

Heidy agreed w/ James (this am)

① Heidy to go to Alavan

- leave asap →
- not Cibola Air
private charter ✓ fine
- transfer of papers - refer to DCSM
- return of child - father's need
ad stay
- other apps - will review
be helpful

Vicky

5 minutes

FAA does have flight plan filed to
land 4:30pm (Bulles)

not approved yet - will say no
b/c of abductor prob

→ BTR suit <sup>so not in
served to</sup>
anyone who serves with
be discussed by OFAC
Clear Miami families
attach it - serial
area of 602

Nan envd

rem OB

Greg Craig
OB Campbell
1 other (qungo)

Vinay
~~Manager~~ →

go down
bright

plane only holds 8

nd rtn from Ham Diles

plane needs waiver to cave to DC
LA Miami, NY
(embargo-related rules)

so we'll grant waiver

Newcomb
OFA Assets Control
Team

don't know if Ceban knew it

Vicky

3-5-00

talked to Wendy S. + Jim about 30 mins.
ago →

Whit denies categorically WTW's attribution of
their rep that

Bo Cooper today + early edition → good message
re cooperation in Sud reuniting
Elmer

Mendall Coffey kicked shut out of us on
Lany King live

acknowledging that PWS still categorically
refused to consider best int of child
Maxine Waters — great.

Discussion Jim Call →

→ Craig met w/ Castro til 4am —

Castro didn't say no to idea of marching
(to new, etc)

but Craig not optimistic (he ^{called that} ~~called that~~
Brad thinks)

Q: sd we make hi-level overture to Library
decided no →

Jim ~~said~~ thought we sdn't

sympathize Cubans

also not sure if at right place in ~~the~~ ^{whole thing}



not clear wd have right affect on Castro —
wd appeal to internal + coop'r side work?
or just play into his hands if he wants
to jerk us around

some discussion of addtl visas →



[have to worry abt separating kids from families —
not just optics
what if ^{CANF} Miami people file asylum
on behalf of all these kids]

Campy - Absa mtg

Craig met w/ Alarcon, Castro, Joan BC + 3 others
no decision

Ramirez - left today, arrives tonight

Wendy thinks Craig will stay 1 more day to
work it

Index will not reach out to GOC - let
Craig deal w/ it

on addtl issues → Jim adamant that
will not issue + not dealing
w/ Castro

Lola thinks meant community tired - if ~~the~~
justice not threatened to revoke parole
they'll calm down + go back to work

review of PD-27 process.

CONF CALL

3-400

letter will go today → or (man's readout)
will transfer - parole w/ instructions to follow

Call

Beth
Mama
Many
Wendy's
Brad
James
Ann Harkins
Myron
Karon

DBT wants to take women's of dad's
arrival + show acting today
concern: look heavily handed

- all efforts to account for tonight
- bus shift to transfer of parole
- human drama

after letter cd go at now —
calling up psychiatrists on Saturday
to transfer
imp to dad to be w/ son.

final decision — Holder sd say that
at 9:30 press avail.

negot 9:00 — Miami

at lunch time — might have actual split
or letter — This is all the
very real things doing today

we'll see letter — want to start transfer
of parole T.Y.
Beth + mama on call

~~scribbles~~

Jim seems a bit > nervous than SB

Many apologetic

Jim called many + said don't →

Jim's main points →

① intended step b/f transfer of parole letter

DAG - Press Conference

annual - welcome dev

save claim got acted heavy handed
I reject ~~ed~~

McG clearly + sincerely

in effort to be fair + most
imply to consider E's welfare
we did not implement
decision even tho' had auth
to do it

Instead went w/ transfer in manner
least deimphise to child

further cancellations,
afforded rels opp'ty to appeal
provided not expended.

dad's presence will move process
fwd

not any matter of Fed Law
+ state law - if they
do

dad has need to be together
meaning days we'll do it
We can to reunite

"rel'y short period of time"

we expect to work out custody &
care of Ethan

~~we'll~~ get father & son
reunited as soon as
possible

Q+A

NS expressed desire to dad's atty that
he stay thru appeal
expect dad to meet w/ AG soon —
perhaps today

best int's A ^{the} child will be served by
reuniting w/ living parent

not Q of leverage or uppheld —
well being of child
we cd have done things but
have exercised restraint
to cause least harm to
disruption to child

hope we don't have to use any means other
than negot to effectuate reunification —

Call on Miami rels to keep uppermost
in minds well being of cheto

Deafians

INS/DOS - Robt Wallis, Dan Vavra
CINS C DIS/Cancel

Dund Klien, Dexter Lee

Gonzalez family

Manny Diaz, Spenceberg, Linda Oskoy
Brunn, Roger Benten, Duke Gorda
Pedrosa.

4-6-00

Conf Call

If not dip l residence + no dip l living there, can't use diplom security.
(no basis - if they've declared not diplomatic soil - Tho' L says need dip note, citing approp provs of Vienna Conv.

hundreds of protestors for NT showing up
Ment Co. wants help to do security

US Int doing dip note + wanting assurance of security

- then falls to DOT + state + local
- State looking at find that ed help Ment Co in future

DOT - looking at Marshals but hard up b/c:

- IMF protests
- hqves
- # trials w/ terrorist acts potential

need mtg of all services to get down w/
Ment Co, police, look at authenticity +
+ work it out

3-7-00

Update

9am mtg - w/ father

letter → parole transfer today.

[2 letters - 1 to Greg C
1 to family]

machine to prepare Eitan

weekend - planned and discussed
handling - traffic - airport shutdown

Other ideas - we can't give in

Psychs

4 reqs

① do asap - to avoid confusion for child
now that dad arrives

② do in unambiguous way - going w/ dad
now

③ face to face - so he feels
supported by Laz + Martin ~~sl~~ ^{eyes}
in going to dad

④ to do 3 reqd mtg (agmt b/t
both sides)

w/ 2 week -
if long then
uncertainty
of hand-over.

⑤ visitation
w/ minimum
req (mtg in
US + one
return)

4-12-00

May's read at
AG going - meeting w/ family
around 6pm
prob ch2 Sister Jeanne

Letter will say understand you want
mtg - we propose:

- move to a local _____ time
- will fly you + ^{eyes} ~~man~~ ~~transport~~ ~~for~~ ~~mtg~~
- during mtg, ^{to DC} ~~INS.~~ ^{for expert} will be w/ Elan

choice #2 is deliver +
not go to DC

what do if not show up?

- deposed litigation —
wondered about dragging it out

Signed letter to AG to talk
w/ her so if breaks
down, she can give
(AG + James)

assess

\$-1000

AG Press Conf

family said want private mtg w/ JMLB +

We have arranged apply for such a mtg
+ apply still exist
+ letter

- last night mtg
- Statement to press

mtg wd take place before JMLB gets paid.
let work out amongst selves + if
did, got a step aside
if not work out, abide by law

JMLB agreed
unfortunately, family of Lazaro Gonzalez
refused offer

put not ejecting media from sheets —
no Marshal's badge to remove by force
at 2:01

AG prepared to enforce law —
if ~~impeached~~ ~~accepted~~ to do so will not in way
not to humiliate but measured ^{reasonably}

after may seek temp injun. w/ 11th C —
we'll renew if

4-14-00

Update

TRB hearing DC → lawsuit
Judge Kennedy - 11:00
4 of complaint:

- UDHR
- tort.
- refugee
- gen mandamus

nominally status but lots of happen

put Obama on that

suit filed yesterday — EAF involved

11th Apr →

govt response due 9:30am —
will be hard hitting

stay open ended

cd w/le today
(9:00) or over
weekend

asking for
cf order
Lazarus
to him
his
over

INS ~~will~~ ^{cd} issue departure control order —
will file copy w/ 11th CN.
not excited to do it

probly now resolved (when ~~filed~~ ^{failed} to bring
up a locka) — INS to send letter

house wired by major retailers —
press cd be in house

what abt privacy int?
JMG sue on behalf of (you)
privacy int?

govt-appl'd tr. → Dr. Redlener
"assimilationist objective" in 1

reminds him of kind of tape made
in "hostage situation"

enormous amt of stress
outside influences trying to affect relat
w/ father

child suffering from psychosis

is so distorted + pathological he needs
+ he returned

Midnight
relatives
psych

Enanbiter

Agamir Hekud

want
 to meet -
 way
 for
~~to~~ to
 can't wait - to go to
 responsible
 for what's
 Ireland

AC Press Avail

4-19-00

A: await 11th Cir + take all law enforcement measures
approp w/ 11th Cir order

Q: 212(d)(5) of INA - larvae in notations
what sanctions or penalties must
attach?

A: not explored
only intd in reuniting E + father

Q: Dr. Redlover -

A: as Det said, every day that goes
by that goes by that not
reunited, descriptive for child
no child id in that kind of never never lands
~~but action~~ not abt pres, we on her
what's right id be issue

Q: "school" / reduc any in when
does it give you pause or reason to
~~the~~ ~~the~~ reasonable?

A: we've focused on role of Tams
in raising child -
both his parents did very good job
of raising him. Thwet got a
w/ it - no doubt returning to doc

Q: force? not Castro — if talk to dad

A: reunite w/ dad + safe + me +
constructive manner possible

Q: share Dr's view re: "psych abuse"
A: I'm not expert — defer to
expert

concerned sep'd from father
+ not ask to lead normal life.
get sheep, go to school
have to return to dad — safely
constructively

Q: infl'd in any way by prior
experience in Miami
where had been violence
in connection w/ aftermath
of cases?

A: take all my exper in life into
acct but all abt how reunite
safely w/ little disruption
enforce law

Q: has waco exp colored your exp?
A: each case is different

in Waco, people killed fed officers
+ injured others
not only defied law but killed people
in process
lot of diff
each case must be judged on how
active goals set forth by law
while minimizing ^{charges} of other

Q: missed opps ~~to~~ — cd have been
pushed in thing did before
tensions got so high

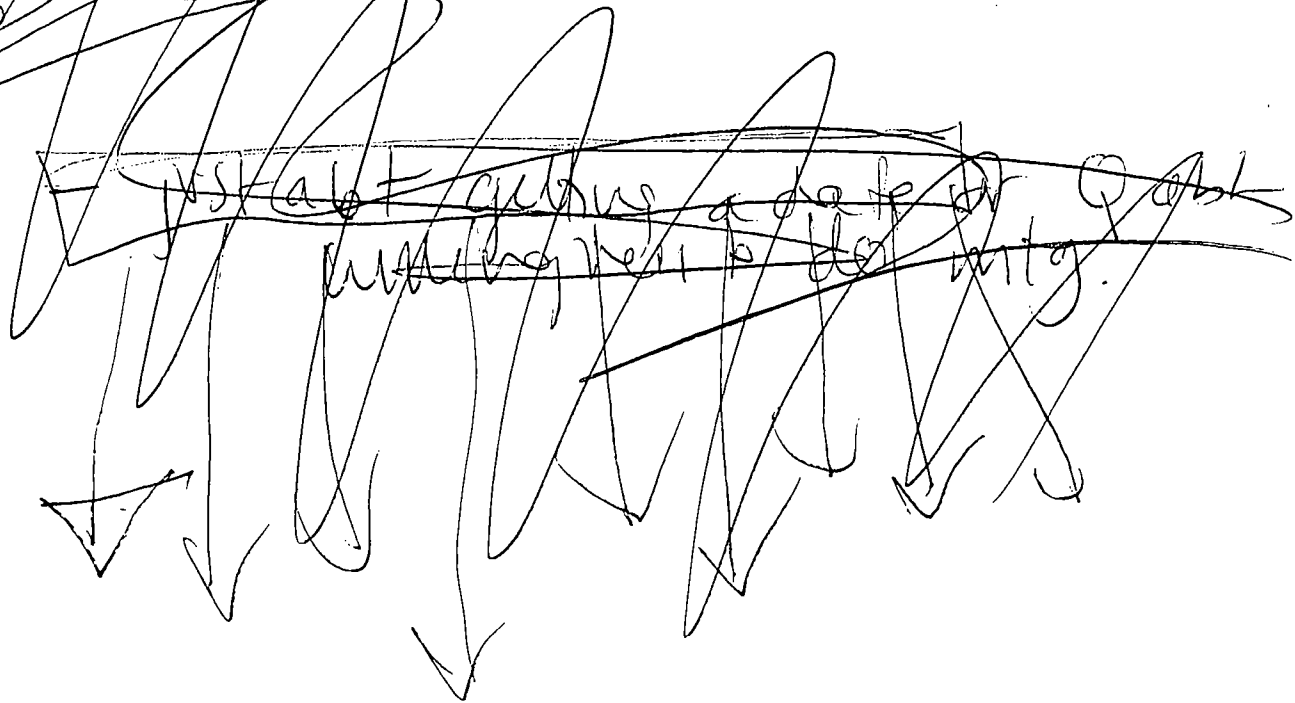
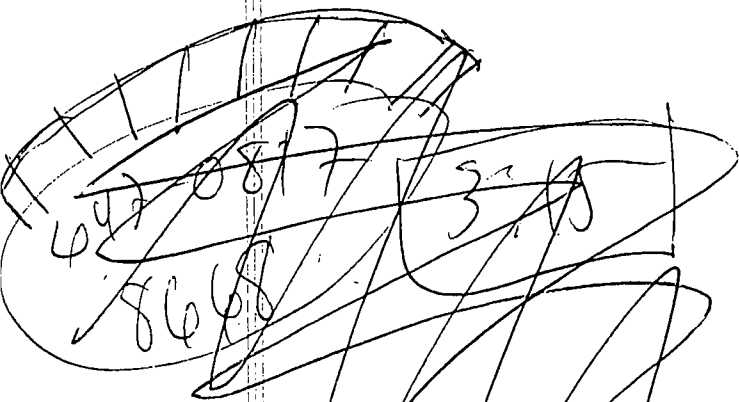
A: has never been a usual case
in each instance we tried to
follow rule of law

Q: want to go to Miami

A: Abraham Lincoln quote —
not matter what people say
have to do what think right

"Safe as possible, cause as little as disruption as possible"

- 230
- extends Edman order
(cant remove from US.)
 - no position in transfer Dad
 - chooses INS on issue unperturbed
(have to do w/ regs).
 - takes no real position on ultimate
ruing



Craig Craig

central issue not if he leaves US - it's
whether returned to Da A
over a mo ago. DMB said wd
stay pending appeal if had
wisdom of Da in standby that

of order weathers father's
legal + moral claim +
wisdom

opinion places respon to act Spardy
DA AG

DMB case Mc discovery wd
get tied (b/f case + mtg w/ AG)

Es situation has deteriorated since DMB
arrived (V.R.)

we call you USG to act

unconscionable to wait 2 day longer
child's welfare in hands of USG

if not act immediately USG will be ~~in~~

respon for harm that comes to

DMB's beloved son

to review
and find
father's
get him
AG

order says cant leave US
but not disagree w/ AG willing
to rewrite of dad

Issue of asylum is only issue
in appeal — not the core
issue of wspdy

ct's order does not preclude we
them placing Ethan in
father's care.

(~~imm~~ ~~law~~ ~~pref~~ ~~parent~~ ~~over~~ ~~debt~~ ~~relative~~)
we prefer parent over debt
relative

we will abide by ruling not to remove
from US.

Press briefing (Joe)

4-21-00 Q: lots Q's abt does FONS think Miami
relatives dealing in good faith
(we had said "false starts" on
vervif + PR).

A. PD4US feels sd transfer by as law reqs +
even have day in ct.

has made no decision abt si-family acting in
good faith ~~by~~ put can demonstrate
by ~~going forward~~ going forward

A situation that requires a lot of patience —
H's 6:40. — we have large reservoir
patience.

4-26-00

Enah SUTS - When Access Arrives at Wye

① Visas & kids + adults →

prob becoming thru Houston
cable ready to go to USINT/Hav
4 kids + an adult each

visa approved if otherwise elig
visa will be annotated to ensure
no more than 2 weeks

not received apps at USINT yet →
cd be among 22 visa apps we have
or not

#

issue of creating more Enahs raised —
this sd be selling point to GOC of need for accomp adults

State to give names of people + flights so
INS can ensure ready given 2 weeks at
border / port of entry.

② teacher + cousin arriving today. →

(kindergarten)

(11 y. old).

prefer time be limited to 3 mo since
have 3 mo visa

Q: who are parents of cousin?

MLC = ~~port~~ of entry. ~~from Mexico~~ ^{from Mexico 5278 (Mexico City to MLC)} ~~then~~ MLC → DC
spend night in DC
go to Wye town.

- ③ FAA ban on overflights over Wye →
concerns rec. ops
Marshals wanted, James told to hold
off til A6 approves
no one sure who requested / approved
(Bob) → State/press (Lola) also wanted abt ops
★ James & follow-up

- ④ CUBINT travel beyond 55 mi radius of DC →
if < 72 hrs, requires approval
if notify w/ > 72 hrs, they can go - we can't den
(must say if mtg any public officials)

we're only objected if < 72 hrs notice + if
mtg public official

State consults w/ Bureau if notified w/ < 72
hrs — final approval for five -
exception to S/ office for mission

DDT wants no one ~~at~~ from CUBINT & overnight
at Wye — none did last night

6-7 CUBINT files req'd yesterday & go to Wye ^{today} -
State approved
they went this a.m.

CUBINT
has same
rules

Cubans say baby needs ~~the~~ malanga mush
(James - we can go get that).

● We can impose restriction on # of people who can
go to US even w/ 72 hrs notice.

(James) Can we approve max 2 people can go unless
~~we~~ special ends?

James to call Charley on this →
Pending regs →
① request for 2 people this afternoon —
Machin + wife
for overnight

② true exception request for 4 people,
incl Ramirez.

~~does look like overnight~~

can't tell if we want or night

State wants Craig + GMB to tell CUBINT
these requests are bad ideas

Ramirez
leaving
at 1:30

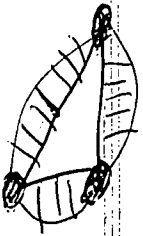
James talked to Greg ^{Craig} at some length

Craig
to-7 went out to set up cots for
the others ~~who are~~ kids + adults.

Craig —
Chau has been very responsive — we'll
talk to them

James agrees staying overnight
seems to be out of hands —
we'll tell Greg Craig that.

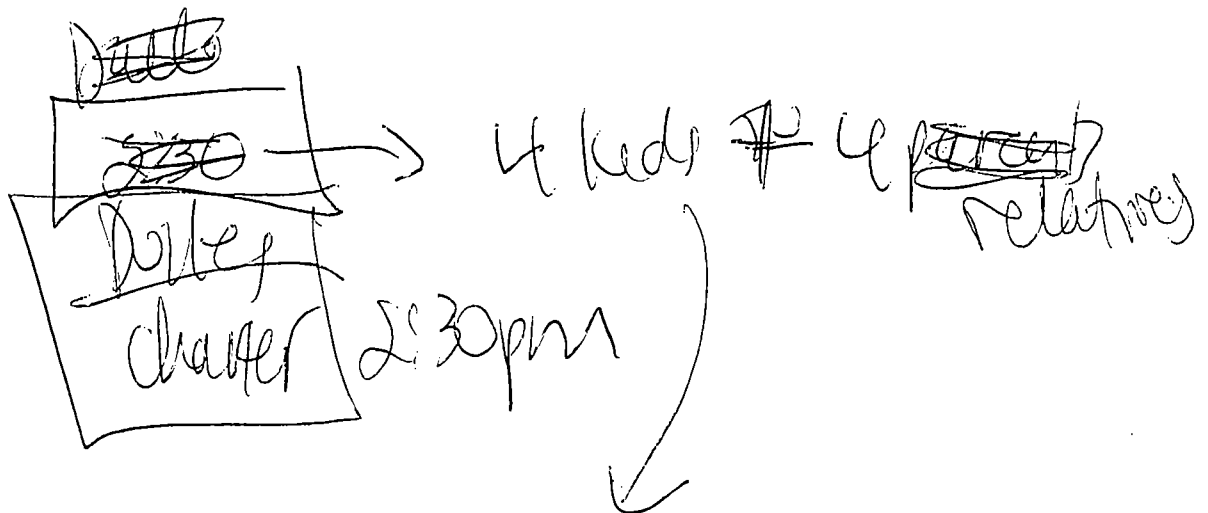
It has no hand to restrict who ~~can~~ Chan
can see —



Remind 2 - Q3

- ① why not all 28 nsas
- ② JMB revolted by 2 week limit on kids — as it can't take care of them
- ③ why relatives have to care up kids?

went thru alterations on 46th st —
want respond to dip note.



4-27-00

censurers last note

Nemiver can go
1 van per day

but this a.m. FBI said no —
concerned. — not want to
approve some or all.

want to send Nemiver's cook out &
periodically relieve her
— so will mean several cooks

last note we were ok w/ cook
(Greg Greg, Wendy, Castello)

11th Cir

6PM At — rejected petition by OMB
45 mins ago but said OMB can ~~file~~
intervene

Castro said situation is fully complicated
& accused State Dept of trying
to prevent Cuban depts from
having access to Enan —

said, state putting something
blocky in way of dips
access to JMB + Evan
yet said confident of outcome
of case

blasted Atlanta Fed apps of
(before heard outcome of ruling)
for even considering idea
that 6 y.o. cd apply for
any kind of wishes of Dad

am Telcom

5-1-00

Unpermitted overnight visit →

dispute - not approved - so he can't go back
in future.

Weekend Visits

→ no one had permission
to stay overnight
(request ~~was~~ ^{was} ~~not~~ ^{not} ~~made~~ ^{made} ~~known~~ ^{known} ~~to~~ ^{to} ~~the~~ ^{the} ~~court~~ ^{court} ~~and~~ ^{and} ~~the~~ ^{the} ~~judge~~ ^{judge})

Sat.

3 adults + 7 kids

Son.

1 family - 2 adults, 3 kids

plus Ramirez, wife, + older daughter.

Friday

we discussed w/ GOC that they exercise
self-restraint —

(urged in strong terms w/
regard to # of people + amount
of money)

b/c selon Vennalcan, can't
restrict diplomatic travel w/in US
(no SUTS proposal no good)

they
agreed to
pay for it + will
be back in
today

Q+A - will meet today

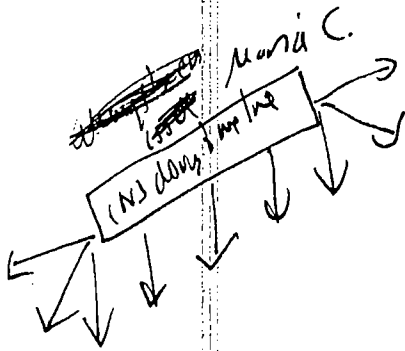
Q's re: trials but back home - unlikely

Legal Q's → ~~⊗~~

Wash Post NYT →

asking Q's unt large si Berger +
Stenberg involved - in editorial room:

↓ b/c INS said at 1st it was family ct.
matter (b/c no one really
thought there was a father)
+ then INS position Δ'd →
did NSC play in Δ.?



OS Marshall in charge →
400-827-0587

5-10-00

Guidance Issues

FL Sentinel → today
said ~~that~~ GOC made stmt
that abuelos ready to travel
but US refused way
USCIS say under review

Q's today

- grandparents visas → under review
- Helms letter re: alteration at CUBINT
- article says some witnesses said Cuban diplomat

Wla

47-0088

At Press Conf

pleased at upheld our decision
only IMG speaker for an
in fed imm nation

3 appel judges joined w/ dissent of
+ state of judge

affirm argu^{for beginning} give IMG + family apply
of return to life together

hope matter be resolved soon ^{despite our death}
+ we can join together + wish
family well. ~~despite our death~~

INS def control order ~~it~~ will remain in
effect ~~to~~ til injunction lifted —
(inj in place til it issues its mandate).

trade of law + respect for parent/child relat.

[Q+A]

Durban will mandate issue?

A: 7 days after 14 days if ~~it~~ filed (she understands)

Q: how respond that really not in best
int & send child back.

A: I respond by pointing to Ethan.
wonderful little boy

~~that~~ DMC imp part of his life
boy's mother's mother made that
clear when came to see me.
he'd do wonderful job raising boy.

Q: coniv. w/ Greg Craig?

A: pleased — will move out after Aug
(holder)

Q: what's your understanding of (G filing)?

A: lodged not filed in case injured
dissolved — will now serve no
purpose as I understand it

Q: opinion does have some criticism of ANG

p. 23

p. 17 (deleting to parents joint).

A: don't take it as criticism

imp to ensure DMC's decisions were
his decisions — of notes step, we
for + as it said our decision
was reasoned + reasonable

Resume
like all son
w/ describing
of medical

Q: what's earliest he can leave US? ²days.
A: ^{calm but} (insistent) not sure what other
(2x's) lawyers in the litig will do.

Q: case spotlight plight of 3000 unknown
minors - are you satisfied A's
done enough.

A:

(launched)

Q:

A: Justice has been done.

this situation has been ~~framed~~ exactly this way
based on all circs, justice has ^{before}
been done