Extent

122 folders, approximately 7,697 pages

Summary

This collection consists of records related Elian Gonzalez. Elian, a young Cuban boy, was rescued off the coast of Florida in late 1999 and quickly became embroiled in an international custody dispute. The collection contains correspondence, memoranda, congressional statements, legal briefs, judicial opinions, press guidance, schedules, newspaper articles, and emails.

Scope and Content Note

The materials in FOIA 2012-0371-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related material. FOIA 2012-0371-F contains records on the custody battle for Elian Gonzalez. Initially, an immigration issue, the case of Elian Gonzalez complicated the already testy U.S.-Cuban relationship and quickly became a political and emotional issue for many. Elian Gonzalez, a six-year-old Cuban national, was rescued off the coast of Florida on November 25, 1999, after the boat in which he and 10 others were traveling capsized. His mother drowned in the incident, and the Immigration and Naturalization Service (INS) released the child into the custody of his paternal relatives in Miami. A tug of war quickly developed over the young boy. The Cuban government wanted him returned immediately to Cuba to be raised by his father, while his relatives in Miami and many Cuban exiles insisted he would have a better life in the U.S. In early January 2000, after twice interviewing his father in Cuba, the INS determined that Elian's father had the sole legal authority to speak for Elian regarding his immigration status, and that Elian should be reunited with his father. The family in Miami asked the court system to review the INS decision, specifically requesting a hearing on his application for asylum. The U.S. relatives believed that Elian had a constitutionally protected right to apply for political asylum regardless of

his age or his father's statements. After a district court judge denied the asylum lawsuit, Attorney General Janet Reno ordered the relatives to turn over Elian to the custody of his father, who had travelled from Cuba on a visa. The U.S. family refused the order, and in a dramatic raid on the relative’s home by federal agents, Elian was taken away on April 22, 2000. After multiple appeals all the way to the U.S. Supreme Court, Elian, with his father and friends, returned to Cuba on June 28, 2000. The records responsive to this FOIA consist of material from the Chief of Staff’s Office, Counsel’s Office, Domestic Policy Office, Legislative Affairs Office, and the National Security Council (NSC) staff offices that had responsibility for this matter, including NSC’s Legal Advisor, Inter-American Affairs, and Multilateral & Humanitarian Affairs. The records contain correspondence, memorandums, press guidance, newspaper articles, court filings and opinions, emails, schedules, talking points, questions and answers, and notes concerning the Elian Gonzalez case. The records also contain email from the Automated Records Management System (ARMS). Email from ARMS consists of congressional correspondence regarding representatives’ positions on the Gonzalez case. ARMS email also contain drafts of Statements of Administrative Position, and NSC and White House press guidance concerning the Gonzalez matter.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in these collection areas— Clinton Presidential Records: WHORM Alpha Project; Clinton Presidential Records: WHORM Subject Files; Clinton Presidential Records: White House Staff and Office Files; Clinton Presidential Records: Automated Records Management System [Email]; and Clinton Presidential Records: NSC Cable, Email, and Records Management Systems. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Subject file was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. In addition, there are WHORM (Alpha Project) series. Staff and Office files were maintained at the folder level by staff members within their individual

offices and document all levels of administration activity. WHORM files are processed at the document level; whereas, Staff and Office files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area. The Automated Records Management System (ARMS) is a database that contains email records of the Executive Office of the President. This system maintained unclassified Presidential email. The ARMS database is comprised of six sub-series of email records called "buckets." The buckets generally represent a specific White House office. The buckets are titled: NPR for National Performance Review, OPD for Office of Policy Development, POTUS for President of the United States, WHO for White House Office, CEA for Council of Economic Advisers, and Default for emails not associated with an office. The OPD bucket contains email created or received by an individual with an Office of Policy Development (OPD) White House user account. The WHO bucket contains email created or received by individual with an Executive Office of the President White House user account not identified as CEA, NPR, or OPD. ARMS emails are arranged by topic, there-under by bucket, and there-under chronologically by creation date. FOIA 2012-0371-F includes WHORM records from these subject codes: CO045 Counties – Cuba, Republic of FG001 Federal Government – President of the United States FG001-08 Federal Government – Presidential Telephone Calls FG017 Federal Government – Department of Justice FG017-03 Federal Government – Immigration and Naturalization Service FG033-05 Federal Government - Budget IM Immigration - Naturalization PR002 Public Relations – Administrative Complaints - Criticism PR012 Public Relations – Petitions – Resolutions – Multiple Signatures PR013-08 Public Relations – Opinions – Statements – Questionnaires - Articles ST009 State Governments - Florida

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 U.S.C. Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 U.S.C. 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 U.S.C. Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archivist, 2016. Previously restricted materials are added as they are released.

Last Modified Date

2017-07-03

Container List

View all digitized files in the National Archives Catalog (NAC)

The following is a list of documents and folders processed in response to FOIA 2012-0371-F:
Box 1
Clinton Presidential Records: WHORM: Alpha Project
423796 – [Folder 4] Elian Gonzalez Batch [OA/ID 17202]
424228 – Elian Gonzalez Case [OA/ID 18208]
432819 – [Folder 2] Elian Gonzalez [OA/ID 18591]

Clinton Presidential Records: WHORM: Subject Files
CO045 404468
CO045 406235
CO045 406235SS
CO045 407603
CO045 407654
CO045 407993
CO045 408766
CO045 408776
[CO045] 408932
CO045 410578
[CO045] 417931
[CO045] 417944
[CO045] 418016
CO045 418152
[CO045 418421
CO045 420891
CO045 420891SS
FG001 427447 [Answer on Elian]
FG001 427447 [Letter from Bill Richardson to POTUS RE: Post-Elian Strategy]
FG001 427447 [Letter from Edward A. Powell, Jr. to POTUS RE: Elian Decision]
FG001 427447 [Letter from Jeb Bush to POTUS and Janet Reno RE: Elian]
FG001-08 417549
FG017 413870
FG017-03 408905
FG017-03 410226
[FG033-05] 416584
IM 408757
IM 408904
IM 408906
IM 412044
IM 414039
IM 414408
IM 419410
IM 419906
PR002 417889

PR012 408758
PR012 408907
PR012 417905
PR012 417933
PR012 418010
PR012 421547
PR013-08 418981
PR013-08 418981SS
ST009 408853
[ST009] 418412
Clinton Presidential Records: White House Staff and Office Files
Chief of Staff
Echaveste, Maria
Gonzalez, Elian [1] [OA/ID 19776]
Box 2
Gonzalez, Elian [2] [OA/ID 19776]
Echaveste, Maria; Tarmey Marjorie
Elian Letters [OA/ID 16803]
Communications
Gehrke, Mike
Elian Gonzalez – Department of Justice [OA/ID 19997]
Correspondence
Presidential Letters
Elian Gonzalez Files [OA/ID 15613]
Counsel’s Office
Chirwa, Dawn
Immigration Issues-Elian Gonzalez [OA/ID CF 1660]
General Files
#2 [Elian Gonzalez] [OA/ID 20840]
#2 Elian Gonzalez [OA/ID 20840]
Elian Gonzalez General [1] [OA/ID 20840]
Elian Gonzalez General [2] [OA/ID 20840]
Elian Gonzalez General [3] [OA/ID 20840]
Box 3
Domestic Policy Council
Bueno, Irene

Elian Gonzalez Legislation [OA/ID 25025]
Elian Gonzalez Legislation: Articles [OA/ID 25025]
Elian Gonzalez Legislation: Legislation [OA/ID 25025]
Elian Gonzalez Legislation: Notes [OA/ID 25025]
Legislative Affairs
Magana, Mark
Elian Gonzalez – Cuba [1] [OA/ID 22037]
Elian Gonzalez – Cuba [2] [OA/ID 22037]
Patel, Devanshu
Elian Gonzalez/Cuba [OA/ID 21941]
Subject Files
Elian Gonzalez [1] [OA/ID 22046]
Elian Gonzalez [2] [OA/ID 22046]
Box 4
Elian Gonzalez [3] [OA/ID 22046]
National Security Council
Interamerican Affairs
Hollis, Caryn
Cuba-Elian Gonzalez [1] [OA/ID 2925]
Cuba-Elian Gonzalez [2] [OA/ID 2925]
Cuba-Elian Gonzalez [3] [OA/ID 2925]
Legal Advisor
DeRosa, Mary
Gonzalez, Elian Litigation [1] [OA/ID 2845]
Gonzalez, Elian Litigation [2] [OA/ID 2845]
Box 5
Immigration (Elian Gonzalez) [1] [OA/ID 2544]
Immigration (Elian Gonzalez) [2] [OA/ID 2544]
Immigration (Elian Gonzalez Filings) [1] [OA/ID 2543]
Immigration (Elian Gonzalez Filings) [2] [OA/ID 2543]
Immigration (Elian Gonzalez Filings) [3] [OA/ID 2543]
Immigration (Elian Gonzalez Filings) [4] [OA/ID 2543]
Immigration (Elian Gonzalez Opinions) [1] [OA/ID 2543]
Box 6
Immigration (Elian Gonzalez Opinions) [2] [OA/ID 2543]
Multilateral and Humanitarian Affairs

Patten, Wendy
Elian Gonzalez [1] [OA/ID 3135]
Elian Gonzalez [2] [OA/ID 3135]
Elian Gonzalez [3] [OA/ID 3135]
Elian Gonzalez [4] [OA/ID 3135]
Elian Gonzalez [5] [OA/ID 3135]
Elian Gonzalez [6] [OA/ID 3135]
Box 7
Elian Gonzalez [7] [OA/ID 3135]
Elian Gonzalez [8] [OA/ID 3135]
Wippman, David/Feldman, Daniel
Elian [Gonzalez] [OA/ID 2547]
Press Secretary
Engebresten, Jenni
Cuba – Elian [OA/ID 21373]
Clinton Presidential Records: Automated Records Management System [Email]
OPD [OA/ID 250000]
[Elian Gonzalez]
[12/08/1999 – 02/16/2000]
WHO [OA/ID 500000]
[Elian Gonzalez]
[12/08/1999 – 01/26/2000]
[01/26/2000 – 06/27/2000]
NSC [OA/ID 1200000]
[Elian or Cuban Boy]
[12/10/1999-06/20/2000]
Box 8
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Email
Exchange-Record (Sept 97-Jan 01) [OA/ID 620000]
[Elian or Cuban Boy]
[12/06/1999-01/03/2000]
[01/04/2000-01/07/2000]
[01/10/2000-01/24/2000]
[01/25/2000-02/01/2000]
[02/02/2000-02/26/2000]

[03/01/2000-03/27/2000]
[03/28/2000-03/31/2000]
[04/03/2000-04/17/2000]
Box 9
NSC Email
Exchange-Record (Sept 97-Jan 01) [OA/ID 620000]
[Elian or Cuban Boy]
[04/18/2000-05/24/2000]
[05/25/2000-07/19/2000]
Exchange-Non-Record (Mar 97-Jan 01) [OA/ID 630000]
[Elian or Cuban Boy]
[12/09/1999-01/07/2000]
[01/09/2000-07/03/2000]
NSC Records Management
[Elian]
9909257 [OA/ID 43327]
9909279 [OA/ID 2767]
0000029 [OA/ID 4072]
0000130 [OA/ID 4072]
0002188 [OA/ID 4084]
0002232 [OA/ID 4084]
0002237 [OA/ID 4084]
0002310 [OA/ID 4085]
0002671 [OA/ID 4087]
0003655 [OA/ID 4093]
0003716 [OA/ID 4093]
0003906 [OA/ID 4094]
0004233 [OA/ID 4096]

Content Available Online