

RELEASE IN PART  
B5,B6

**From:** Mills, Cheryl D <MillsCD@state.gov>  
**Sent:** Sunday, October 16, 2011 2:28 PM  
**To:** H  
**Subject:** FW: Fwd: Fw: latest points

fyi

**From:** Rodriguez, Miguel E  
**Sent:** Saturday, October 15, 2011 7:28 PM  
**To:** Mills, Cheryl D; Jacobson, Roberta S; Sullivan, Jacob J; Reynoso, Julissa; 'Daniel\_A.\_Restrepo' [redacted]  
**Subject:** Re: Fwd: Fw: latest points

B6

Since we have a few more calls to do, wanted to be sure to share my notes from this afternoon's conference call with Jodi in Menendez's office. Roberta, please flag anything I might have gotten wrong.

First, Roberta did great. She opened by stressing to Jodi that Richardson was in Cuba as a private citizen and not as an official US envoy. Any representations or concessions he might have made were not authorized by the administration and were his own. Jodi understood that Richardson was not empowered to make any offers but asked whether Richardson was given any "suggestions" by the administration during his pre-trip briefings with State. Roberta reiterated that Richardson was an independent actor.

Jodi revealed that Menendez and Richardson spoke before the latter's trip to Cuba. She said it was clear to her that Richardson had his own "suggestions" and "ideas" about what might facilitate Gross' release and that he seemed determined to pursue that agenda with the Cubans.

Roberta explained that Levin had reached out to the Cuban government to explore a path to securing Gross' release but that he did not propose anything that could be construed as unilateral action. Subsequent to Levin's overtures, it became obvious that the Cubans regarded Levin's proposal as a non-starter. Roberta explained our posture vis-à-vis Levin and suggested that it may be beneficial for Levin and Menendez to speak. Jodi appreciated our position and explained that she would expect the same confidentiality if someone was asking the Department to divulge sensitive conversations between the State and Menendez.

Jodi asked about the laundry list of alleged concessions that appeared in yesterday's news story. Roberta said the list came as a "surprise" and that it frankly "looks like the list the Cubans would come up with" if they were preparing a list of concessions they're seeking. Jodi agreed and speculated that perhaps the list was something the Cubans shared with Richardson during his trip.

Jodi asked Roberta what she thinks are the next steps in securing Gross' release. Roberta underscored that the Cubans believe Gross is "leverage for something they want." We need to continue to disavow them of that notion.

I asked Jodi if she had any suggestions about how we might engage Rubio on this subject. Jodi explained that the groups are "agitating" after this week's grant announcement. There were accusations that the administration is politicizing the grant programs. She thinks these groups have particular sway with Rubio. But Jodi also stressed that Rubio seems to be reasonable.

Jodi noted that Rubio has a new staffer handling Cuba issues, one who is very partisan. Jodi suspects yesterday's release was staff driven ("typos and all"). She also conceded that the release was "premature".

Jodi said the timing of Roberta's meeting with the Senator (scheduled for early next week) is good.

Finally, we talked about scheduling Roberta's confirmation hearing. Jodi thinks we're targeting the first week of November.

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**From:** Mills, Cheryl D  
**Sent:** Saturday, October 15, 2011 05:45 PM  
**To:** Jacobson, Roberta S; Sullivan, Jacob J; Reynoso, Julissa; 'Daniel\_A.\_Restrepo [redacted]'; Rodriguez, Miguel E  
**Subject:** Re: Fwd: Fw: latest points

B6

Great

One down - two to go

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**From:** Jacobson, Roberta S  
**Sent:** Saturday, October 15, 2011 04:42 PM  
**To:** Sullivan, Jacob J; Reynoso, Julissa; 'Daniel\_A.\_Restrepo [redacted]'; Mills, Cheryl D; Rodriguez, Miguel E  
**Subject:** Re: Fwd: Fw: latest points

Folks: just talked to Jodie; Migue was on the line. I walked thru many, but not all of our points. In the end, she seemed very comfortable, very appreciative of discussion and hoping I could talk to Menendez Monday or Tuesday. And I expressed our appreciation too.  
She asked about list of stuff in articles on Richardson, closing by saying she thought Cuban 5 and Cuba democ programs were really what GOC wanted.  
She did not push back when I said Sen would need to talk to Levin for more details. But she gets the gist.  
Overall, I felt pretty good about it. On Rubio, she said he's got a new staffer.  
Thanks all. Roberta.

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**From:** Reynoso, Julissa  
**Sent:** Saturday, October 15, 2011 02:39 PM  
**To:** 'Daniel\_A.\_Restrepo [redacted]'; Jacobson, Roberta S; Mills, Cheryl D; Sullivan, Jacob J; Rodriguez, Miguel E  
**Subject:** Re: Fwd: Fw: latest points

Looks good to me. Julissa

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**From:** Restrepo, Daniel A. [redacted]  
**Sent:** Saturday, October 15, 2011 02:33 PM  
**To:** Jacobson, Roberta S; Mills, Cheryl D; Sullivan, Jacob J; Rodriguez, Miguel E; Reynoso, Julissa  
**Subject:** RE: Fwd: Fw: latest points

B5

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**From:** Jacobson, Roberta S [mailto:JacobsonRS@state.gov]  
**Sent:** Saturday, October 15, 2011 2:28 PM  
**To:** Mills, Cheryl D; Sullivan, Jacob J; Rodriguez, Miguel E; Reynoso, Julissa; Restrepo, Daniel A.  
**Subject:** Fw: Fwd: Fw: latest points

B5

Sorry for forwarding and starting new chain, but editing easier on home computer. Deletions and notes in parentheses,

substitutions in bold.

Please review and let me know prior to 4 pm call. Thanks. Roberta.

- There has been considerable erroneous information in recent press reports related to our efforts to have Alan Gross released from Cuban prison. I am certain you have seen statements by Senator Rubio and other commentary. We intend to meet with Senator Rubio on Monday to address his concerns. Before I meet with the Senator, I wanted to speak to you directly about the recent reports.

- As you know, our main objective over the last almost two years has been to ensure Alan Gross' unconditional release. Senator Rubio is very much correct that Alan Gross was "wrongly jailed" -- and, to make things worse as you know, Mr. Gross' health **HAS DETERIORATED** [REDACTED] Members of his family are also seriously ill. We have been working tirelessly with the Gross family to bring an end to his ordeal. [REDACTED]

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[REDACTED] To that end, we have tried different approaches to have him released. And, the Gross family has sought the help of high profile interlocutors including Governor Richardson, President Carter, Senator Levin, Senator Kerry, and others -- all in an effort to have Alan Gross return to his family immediately.)

- At no point, however, to be very clear, has the USG been willing to give "unilateral concessions to the Castro regime" as has been suggested. And we have not 'eased sanctions" in response to Gross' detention.

- Richardson:

- Bill Richardson came to us, going to Cuba, wanting to help get Alan Gross home.

- As with other prominent visitors going to Cuba, he was briefed on US policy by State Department officials working on Cuba (including me on one occasion).

- We made very clear from the beginning that Richardson was not a US envoy, carried no message from USG.

- Anything he presented to the Cuban government were not USG proposals.

- Indeed, before Richardson went to Cuba, we sent him a letter, underscoring that while we wished him success in getting Alan Gross home, he was traveling as a private citizen.

- As you might recall, Cheryl Mills reached out to you at the end of September, but you all did not connect. It was to talk to you about a meeting with the Cuban government that we wanted to brief you about; we would like to take this opportunity to tell you about now.

- You know that we have always said that we'd use all diplomatic means to get Alan Gross released, and we do—at every meeting we raise Gross and the fact that he should be released to be with his family.

- After, and separate from Bill Richardson's trip to Cuba, Senator Levin, who had visited Cuba on a personal basis and talked to and met the Cubans since then, reached out to us.

- Senator Levin talked to the Cuban government and proposed a course of action that included no unilateral actions. [If pushed: it included mutual humanitarian gestures so that Gonzalez would serve his parole in Cuba and Alan Gross would come home. We urge you to speak with Senator Levin for more information.]

- Senator Levin and the Gross family [REDACTED] [REDACTED] believed Levin's efforts would bear fruit, and asked for our support.

- We then met with the Cuban government to explore whether or not it was feasible; we discovered that it would not work—that the Cuban government was unwilling to consider such a proposal, [REDACTED]

[REDACTED] The only subject of discussion with the Cuban Government

was Alan Gross -- nothing more. No other issue of interest to the Cuban Government was discussed.

- We believe strongly that Alan Gross, who is innocent, is not well, and has very ill family members, should be home with his family, but we have never considered “easing sanctions” or unilaterally “giving” anything to get him home. Our main objective over the last two years was to get Gross, who was wrongly jailed, home.
- [If needed: we have thus far -- (through the Dept of Justice) objected to Gonzalez serving his parole in Cuba. The Cubans have called our objection inhumane but we stay firm in that decision. If the Cubans had been willing to have mutual humanitarian gestures to get Alan Gross home, we would have withdrawn our objection with the judge. at no time has the USG been willing to give unilateral concessions to the Castro regime as some have suggested.]