

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

December 27, 1974

MEMORANDUM FOR: MAX FRIEDERSDORF
FROM: BRENT SCOWCROFT *[Signature]*
SUBJECT: Response to letter from
Congresswoman Mink

Congresswoman Mink wrote the President to ask whether he had discussed the situation of American citizens who are prisoners in Mexico with President Echeverria during their meeting in October.

Attached is a suggested reply to the Congresswoman, explaining that the matter was not discussed at the border meeting between the two Presidents. The American posts in Mexico, nevertheless, are active in protecting the interests of American citizens who are prisoners there. The letter notes the limitations imposed on us by international law in assisting Americans. It notes that legal reasons make it impossible for Americans who are prisoners in Mexico to complete their sentences in the United States.

Attachments:

- Tab A: Suggested response to Congresswoman Mink
- Tab B: Incoming correspondence

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Suggested Reply

Dear Mrs. Mink:

This is further to my letter of November 13 regarding your concern for the welfare of American citizens imprisoned in Mexico.

The President certainly shares your feelings that American prisoners in Mexico, and worldwide, must be protected from maltreatment. Upon receipt recently of reports that some Americans in Mexican prisons had been mistreated, our Embassy immediately asked Mexican authorities to investigate the charges. Inasmuch as that investigation was not completed and because of the limited time available, this subject was not covered during the recent discussions between President Ford and President Echeverria. However, please be assured that our Embassy is continuing its efforts to ensure that our citizens are not abused while in Mexican prisons.

It is understandable that many Americans imprisoned in Mexico would wish to return to the United States to complete their sentences. However, Mexico is a sovereign state and is fully responsible for the enforcement of its laws, whether the violators be Mexican or non-Mexican. It would be improper for us to try to influence their internal procedures as it would be for the Mexican Government to advise us on the enforcement of our laws.

The suggestion that Americans imprisoned abroad be returned to the United States for completion of their sentences would be impossible under

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our current laws. Furthermore, basic Constitutional questions are raised by attempting to extend the jurisdiction of a foreign judicial system into the United States. Thus, while we sympathize with the plight of these Americans, many of whom have been convicted of narcotics offenses in Mexico, we are unable to effect their return to the United States before the completion of their prison sentences.

Again, let me assure you that our Consular Officers in Mexico, and throughout the world, are extending and will continue to extend every possible assistance to imprisoned Americans consistent with our laws and accepted international practices.

Sincerely,

Max Friedersdorf

The Honorable Patsy Mink
House of Representatives
Washington, D. C. 20515

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NATIONAL SECURITY COUNCIL

December 23, 1974

MEMO FOR: COL. R. T. KENNEDY

FROM: STEPHEN LOW

Attached is a Congressional response
for your sign-off.

(CLASSIFICATION)

JOINT NATIONAL SECURITY COUNCIL/STATE SECRETARIAT REFERRAL/RESPONSE FORM

NATIONAL SECURITY COUNCIL

MEMORANDUM FOR: George S. Springsteen
Executive Secretary
Department of State

Date: 11/16/74

NSC Log No. 7405591

The attached document(s) are forwarded for staffing as indicated below:

XXX DRAFT REPLY FOR: PRESIDENT'S SIGNATURE TRANSLATION
 WHITE HOUSE STAFF SIGNATURE RECOMMENDATIONS
 OTHER INFO ONLY

 DIRECT REPLY furnish info copy

SPECIAL REQUIREMENTS: _____

URGENT _____
PRIORITY _____
ROUTINE XXXX

DUE DATE: 11/26/74

Mindy Kuecher
for JEANNE W. DAVIS
Staff Secretary

DEPARTMENT OF STATE

MEMORANDUM FOR: Lt. Gen. Brent Scowcroft
National Security Council
The White House

Date: November 26, 1974

S/S Log No. 7422604

Pursuant to the above referral we are transmitting with this memorandum:

The attached item was received by the Department of State:

 Draft reply for:
 President's signature
X✓ Other signature
 Information copy of direct reply
 Translation

 We believe no response is necessary
 A draft response is attached
 A draft response will be forwarded

REMARKS Suggested reply.

for Paul Barbier
GEORGE S. SPRINGSTEEN
Executive Secretary

To: President Gerald Ford From: Rep. Patsy Mink Date: 11/8/74

Subject: Rep Mink wishes regarding American citizens imprisoned in Mexico.

(CLASSIFICATION)

DOCUMENT DISPOSITION

7422604

PATSY T. MINK
SECOND DISTRICT
HAWAII

OFFICES:
WASHINGTON, D.C.
2338 FAYBURN BUILDING
PHONE: 225-4906

HONOLULU, HAWAII
346-348 FEDERAL BUILDING
PHONE: 531-4602

WAIIPAHU, HAWAII
84-801 FARRINGTON HIGHWAY
PHONE: 871-0170

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INSULAR AFFAIRS
SUBCOMMITTEE ON NATIONAL PARKS
AND RECREATION
SUBCOMMITTEE ON MINES AND MINING,
CHAIRMAN

Congress of the United States
House of Representatives
Washington, D.C. 20515

November 8, 1974

BT

Honorable Gerald R. Ford
President
United States of America
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I would appreciate knowing whether during your recent visit to Mexico and conversation with Mexican president Echeverria, you had occasion to discuss the plight of American citizens held prisoners in Mexico on a narcotics charge.

If so, please advise me of any actions or policy changes by our government which may be forthcoming. Many of the prisoners seek to be returned to the United States, even if they must remain in custody here.

Very truly yours,

PATSY T. MINK
Member of Congress