

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Legislative Affairs

Series/Staff Member: Mark Magana

Subseries:

OA/ID Number: 22037

FolderID:

Folder Title:
Eliau Gonzalez - Cuba [2]

Stack:
S

Row:
26

Section:
1

Shelf:
8

Position:
1

WASHINGTON OFFICE:
2342 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3216
(202) 225-4361
FAX (202) 225-8001

DISTRICT OFFICE:
890 GRAND CONCOURSE
BRONX, NY 10451-2828
(718) 538-5400
FAX (718) 588-3652

Congress of the United States
House of Representatives
Washington, DC 20515-3216

December 8, 1999

APPROPRIATIONS
SUBCOMMITTEES:
RANKING DEMOCRAT
CE, JUSTICE, STATE, THE JUDICIARY
AND RELATED AGENCIES
TRANSPORTATION
AND RELATED AGENCIES

MEMBER, CONGRESSIONAL
HISPANIC CAUCUS

MEMBER, CONGRESSIONAL
BLACK CAUCUS

VICE CHAIR
DEMOCRATIC STEERING
COMMITTEE

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500-0005

Dear Mr. President:

It is my understanding that an inter-agency task force, led by the National Security Agency, is trying to determine what procedures should be followed with respect to the case of Elián González, the Cuban child rescued off the coast of Florida. I am at a loss to understand what would justify deviating from established procedures governing the rights of children found outside the protection of their own governments, which were designed and negotiated to protect not only the rights of nationals of other countries but also those of our own citizens.

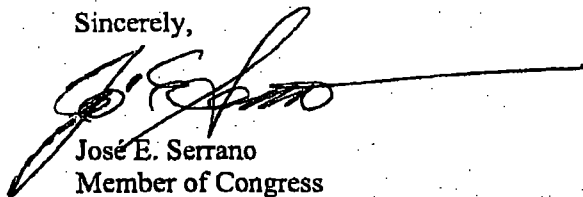
Although I can appreciate the sensitivity of this case, I believe that the United States government, immediately upon finding this child, should have returned him to Cuba to his natural father, who is his only surviving parent. Unfortunately, the Immigration and Naturalization Service placed Elián in the temporary custody of relatives in Miami. Elián's father has now stated clearly and on numerous occasions that he wants his son returned to his care, and I believe that the parental rights of the father should take precedence over all political considerations.

You should quickly and personally intervene to facilitate the return of this small child to his father, his grandparents, and the place of his birth. In this particular case, a state court is not the appropriate forum. Moreover, a judicial process will only further delay the return of this child to Cuba, and will exacerbate already strained relations between the United States and Cuba.

Could there be a more poignant example of the irrationality governing our policy towards Cuba than the plight of this child, who has now become an international poster child for competing national interests? Time honored international procedures are being ignored in favor of political interests. This is a travesty.

With thanks for your attention to my views and best wishes, I am

Sincerely,



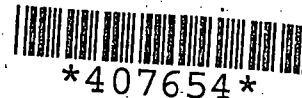
José E. Serrano
Member of Congress

JES:nab

United States Senate

703 HART SENATE OFFICE BLDG.
WASHINGTON, DC 20510-3102
(202) 224-5521
IN NEW MEXICO—1-800-443-8658
TDD (202) 224-1792
senator_bingaman@bingaman.senate.gov

December 16, 1999



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

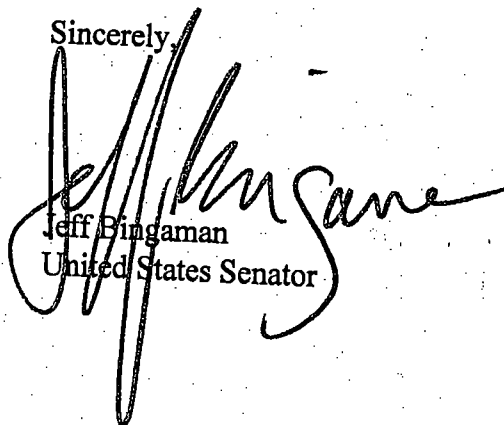
JAN 5 4:11:52

Dear Mr. President:

I am writing to you regarding the battle for custody of Elian Gonzalez, the young Cuban boy whose mother perished attempting to flee to the United States. I have been greatly disturbed, as I'm sure you have, at the way in which groups on both sides of the issue have turned the very personal issue of where this young boy belongs into a debate with very political goals.

My purpose in writing this letter is simply to urge you to resist responding to the political forces swirling around this debate. If it is determined that the father is an appropriate adult to have custody of his son, this matter should be resolved in a manner that recognizes the rights of the surviving natural parent and insures that the best interests of the child are furthered. I would urge that this decision be made soon, so that the political storm that has been unleashed is prevented from doing further damage to this child and all of the parties involved.

Sincerely,



Jeff Bingaman
United States Senator

United States Senate

WASHINGTON, DC 20510

December 20, 1999

The Honorable William Jefferson Clinton
President of the United States
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

The world knows the story of a mother who gave her life to protect her child and give him freedom. Along with his stepfather and several other people, she joined her young son in a small boat and entered dangerous waters. In all, this young six-year-old boy's story of how he arrived on our shores for freedom is a story for the ages. It is a story of the steps people will take to find and secure freedom.

Throughout our long history, people throughout the world have found freedom on our shores. Countless people through the years have fled the brutality of communism. In this young boy, Elian Gonzalez, hanging on to an inner-tube for his life is indeed a miracle. It should be recognized as such.

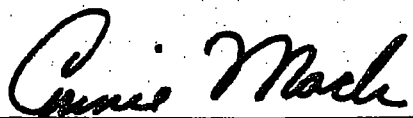
Therefore, when the Congress returns from the current recess, we intend to move to consider a measure granting United States citizenship to Elian Gonzalez.

Mr. President, there has been much too much debate; we should make this simple. Elian's mother, Elizabeth Rodriguez, gave her life so that her son would have the full protection of America's freedom. We undertake this initiative in honor of his mother and in recognition of the danger the boy faces. We in the Senate understand this young man has a right to freedom.

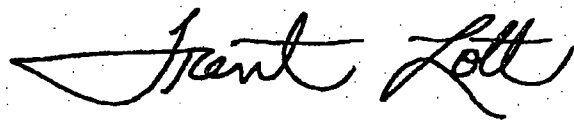
There is talk that the INS will simply send Elian back to the clutches of Castro's communist dictatorship. To return him without American citizenship would be a tragedy and a travesty. To ensure he gets a fair hearing in court by people who treasure liberty and honor and respect the rule of law, we hope the United States will bestow citizenship on him. At this point, Elian's future should be decided by his family and the courts. But later in life as an American citizen, he will have the freedom to choose where he wishes to live. His future will no longer be a political decision, but a decision based upon the best interests of the child. By confirming citizenship, we will be preserving the father's rights to see and be with his son. But most importantly, we will be preserving the boy's rights to live in freedom.

Since citizenship would also prevent the INS from forcefully removing Elian, we request that you take no action to deliver this boy to Cuba before we can act on his citizenship measure. Any act to do so would stand in conflict with the spirit of the season and the memory of Elian's mother.

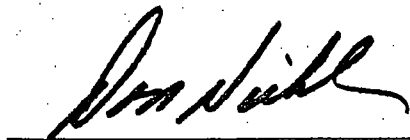
Sincerely,



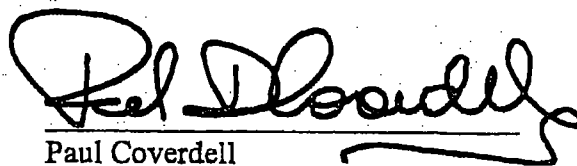
Connie Mack
United States Senator



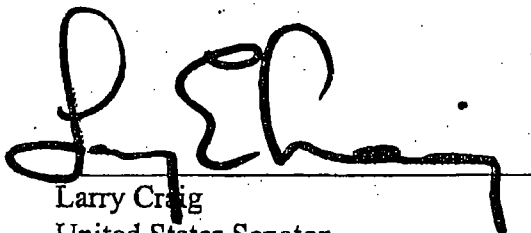
Trent Lott
United States Senator



Don Nickles
United States Senator



Paul Coverdell
United States Senator



Larry Craig
United States Senator

JOSÉ E. SERRANO
16TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
2342 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3216
(202) 225-4361
FAX (202) 225-8001

DISTRICT OFFICE:
890 GRAND CONCOURSE
BRONX, NY 10451-2828
(718) 538-5400
FAX (718) 588-3652

Congress of the United States
House of Representatives
Washington, DC 20515-3216

January 5, 2000

COMMITTEE:
APPROPRIATIONS

SUBCOMMITTEES:
RANKING DEMOCRAT
COMMERCE, JUSTICE, STATE, THE JUDICIARY
AND RELATED AGENCIES
TRANSPORTATION
AND RELATED AGENCIES

MEMBER, CONGRESSIONAL
HISPANIC CAUCUS

MEMBER, CONGRESSIONAL
BLACK CAUCUS

VICE CHAIR
DEMOCRATIC STEERING
COMMITTEE

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500-0005



Dear Mr. President:

Finally after a flawed process and an unjustifiable delay, the INS has announced that Elián González will be returned to his father. I am supportive of this moral decision.

At a recent press conference, lawyers from Miami indicated they would be asking that this decision by the INS be overturned, and stated that they would be initiating legal action. This is outrageous, unacceptable, and has no supporting legal precedent or basis. Any attempt to change this long and overdue correct decision by the INS would be a grave mistake.

Now is not the time to again politicize the process. I urge you to reject all of these attempts to thwart the authority and decision of the INS. This child belongs with his father, and I hope that all of your efforts will be directed towards quickly bringing this to a conclusion.

Sincerely,

José E. Serrano
Member of Congress

JES:nab

836094

MAXINE WATERS
MEMBER OF CONGRESS
36th DISTRICT, CALIFORNIA
CHIEF DEPUTY WHIP

COMMITTEES:
BANKING AND FINANCIAL
SERVICES
JUDICIARY

Congress of the United States
House of Representatives
Washington, DC 20515-0535

PLEASE REPLY TO
2344 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0535
(202) 225-2301
FAX (202) 225-7854
DISTRICT OFFICE
10124 S. BROADWAY
SUITE 1
LOS ANGELES, CA 90003
(323) 757-8900
FAX (323) 757-9506

January 6, 2000

The Honorable William Jefferson Clinton
President of the United States
The White House
Washington, D.C. 20050

Dear Mr. President:

We are writing to you to again urge the Administration to assist in expediting the return of Elian Gonzalez to his father in Cuba. We applaud the National Council of Churches of Christ of the USA on the important role they are performing in the Elian Gonzalez immigration case. We support their request to accompany Elian back to Cuba and to turn him over to the Cuban Council of Churches so that he may be reunited with his father, Mr. Juan Gonzalez.

The U.S. Department of Justice Immigration and Naturalization Service's determination that Mr. Juan Gonzalez has the sole legal authority to speak on behalf of his son, regarding Elian's immigration status in the United States speaks not only to U.S. laws but to natural law. We ask that you assist the National Council of Churches of Christ of the USA in their effort to fulfill the father's official request of assistance to reunify his family.

We have been ardent in our efforts to ensure that Elian's situation not be decided based on the politics of the day or the sentiments of anti-Castro Cubans in Florida and the rest of the United States. Rather, it should be based on the interests of the child and the rights that any father would expect to have.

We urge your immediate intervention to resolve this situation and eliminate any further delay in the reunification of this family. Any further delay will ensure Elian's continued traumatic exposure to the ongoing protests in Miami.

Sincerely,

Maxine Waters
Member of Congress

Barbara Lee
Member of Congress

James E. Clyburn
Member of Congress

William Clay
Member of Congress

Sheila Jackson Lee
Member of Congress

Maurice Hinchey
Member of Congress

Sanford Bishop
Member of Congress

Stephanie Tubbs-Jones
Member of Congress

Alcee Hastings
Member of Congress

Jan Schakowsky
Member of Congress

Gregory Meeks
Member of Congress

Julia Carson
Member of Congress

Neil Abercrombie
Member of Congress

Nancy Pelosi
Member of Congress

Elijah Cummings
Member of Congress

Earl Hilliard
Member of Congress

cc: Attorney General Janet Reno
Commissioner Doris Meissner

Additional Supporters

**Mr. Harold Pope, President
National Bar Association**

**Dr. Joseph Lowery, Chairman
Black Leadership Forum**

**Dr. Dorothy Height, President Emerita and Chair
National Council of Negro Women**

**Mr. John Boyd, President
National Black Farmers Association and
Equality International**

**Mr. William Lucy, President
Coalition of Black Trade Unionists**

**The Honorable Roosevelt Coats, President
National Black Caucus of Local Elected Officials**

**Ambassador Andrew Young
GoodWorks International, LLC**

**Ms. Thomasina Cotton, Acting President & CEO
Opportunities, Industrialization Centers of America**

**Ms. Jane Smith, President
National Council of Negro Women**

**Ms. Sullivan Robinson, Executive Director & CEO
Congress of National Black Churches**

**Ms. C. Delores Tucker, Chair
National Political Congress of Black Women**

Congress of the United States

Washington, DC 20515



408766

January 7, 2000

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

Dear Mr. President:

We are writing regarding the plight of Elian Gonzalez to request that you take no action to enforce the decision announced by the Immigration and Naturalization Service that would mandate Elian's return to Cuba.

As you are aware, there are many complicated legal aspects to this case. Given that the fate of an innocent little boy is at stake amidst these complex and unique circumstances, we believe that the U.S. Government should not move too hastily on this issue.

In addition, we feel that it is imperative that Congress be allowed to examine all the issues involved. We intend to introduce legislation to extend permanent resident alien status to Elian Gonzalez when Congress returns in late January. Accordingly, we respectfully urge you to take steps to halt the implementation of the INS' decision, waiting instead to work with Congress when it reconvenes.

Thank you for your thoughtful attention to this urgent matter.

Sincerely,


Rep. Bob Menendez


Rep. Peter Deutsch


Rep. Patrick Kennedy

836874

COMMITTEE ON SMALL BUSINESS
RANKING DEMOCRATIC MEMBER

COMMITTEE ON BANKING AND
FINANCIAL SERVICES

SUBCOMMITTEE ON HOUSING AND
COMMUNITY OPPORTUNITY

SUBCOMMITTEE ON CAPITAL MARKETS,
SECURITIES, AND GOVERNMENT
SPONSORED ENTERPRISES

CONGRESSIONAL HISPANIC CAUCUS

CONGRESSIONAL CAUCUS FOR
WOMEN'S ISSUES

CONGRESSIONAL
PROGRESSIVE CAUCUS



Congress of the United States

House of Representatives

Washington, DC 20515

NYDIA M. VELAZQUEZ

12TH DISTRICT, NEW YORK

January 10, 2000

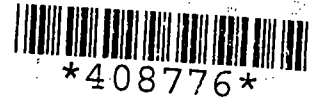
2241 RAYBURN BUILDING
WASHINGTON, DC 20515
(202) 225-2361

DISTRICT OFFICES:

815 BROADWAY
BROOKLYN, NY 11206
(718) 599-3658

173 AVENUE B
NEW YORK, NY 10009
(212) 673-3997

16 COURT STREET
SUITE 1006
BROOKLYN, NY 11241
(718) 222-5819



The Honorable William Jefferson Clinton
President of the United States
The White House
Washington, D.C. 20052

Dear Mr. President:

I would like to express my strong support for your efforts in the safe return of Elian Gonzalez to his father in Cuba. Elian, who has just recently lost his mother, has been kept from the only family he has ever known. The U.S. Immigration and Naturalization Service has determined that Elian's father is his sole legal guardian. This is dictated by the laws of this nation and by the natural law between a parent and a child.

There is no evidence to suggest that Elian's father is anything but a loving and responsible parent. No one can argue against the fact that his father loves him and is the proper and legal guardian. Mr. Gonzalez' legal guardianship over his son has been attacked only because of his nationality and not because of any conduct of his own. Denying him custody of his child would fly in the face of justice. The welfare of a child must not take a backseat to politics.

This is not a political question, but a question about a father and son separated because of the relationship between two countries. I strongly support the decision of the INS to return Elian to his father and his home.

Sincerely,

Nydia M. Velázquez
Member of Congress

cc: Attorney General Reno

838611

Copyright 2000 Associated Press
AP Online

February 22, 2000; Tuesday 3:04 PM, Eastern Time

SECTION: Domestic, non-Washington, general news item

LENGTH: 354 words

HEADLINE: New Judge Assigned in Gonzalez Case

BYLINE: ALEX VEIGA

DATELINE: MIAMI

BODY:

A new judge was assigned to the **Elian Gonzalez** case Tuesday after the previous one was hospitalized with a stroke.

U.S. District Judge K. Michael Moore was randomly picked by computer and will meet the schedule set by his predecessor, U.S. District Judge William M. Hoeveler, to begin hearing the case the week of March 6.

Hoeveler had planned to hold a hearing Tuesday on whether the court has jurisdiction in the case, but the arguments were postponed after he suffered a mild stroke over the weekend. A new date for Moore to hear those arguments was not immediately set.

Elian is at the center of a custody battle involving some of his relatives in Miami and his father in Cuba, who wants him returned. At immediate issue is whether the federal court can intervene in the decision by the Immigration and Naturalization Service to send the 6-year-old back.

The case has now become even more complex: Manuel "Manolo" Gonzalez, one of Elian's great-uncles in Miami, backs the boy's father and filed a request in court Friday for temporary custody of the boy.

Moore was director of the U.S. Marshals Service in Washington when he was appointed to the federal bench by President Bush in 1992.

"He is very fair," said Kendall Coffey, an attorney for Elian's great-uncle Lazaro Gonzalez. "I think the court is well-served by him taking the case."

Hoeveler, a veteran federal judge who presided over the trial of former Panamanian dictator Manuel Noriega, was assigned the Elian case after another judge withdrew because of a possible conflict of interest.

Hoeveler, 77, was taken to the hospital by ambulance with slurred speech Sunday, unable to move his right leg and arm. He was reported in serious but stable condition Tuesday.

Manuel Gonzalez, who was briefly admitted to a hospital Monday after complaining of heart palpitations and numbness in his left arm, was chased by about two dozen protesters outside the federal building Tuesday.

Some of those chasing him carried Cuban flags and yelled, "Communist! Communist!" Courthouse guards and attorneys escorted him into the building.

LANGUAGE: ENGLISH

Copyright 2000 Associated Press
AP Online

February 22, 2000; Tuesday 12:21 PM, Eastern Time

SECTION: Domestic, non-Washington, general news item

LENGTH: 397 words

HEADLINE: Cuban Diplomat, Elian Linked

DATELINE: MIAMI

BODY:

A Cuban diplomat recently ordered expelled by the U.S. State Department met with **Elian Gonzalez's** grandmothers during their first visit to Florida, The Miami Herald reported today.

The diplomat met with Raquel Rodriguez and Mariela Quintana after they arrived at a Miami airport for an aborted attempt to meet with their 6-year-old grandson on Jan. 23, the newspaper reported, citing three U.S. officials it did not name.

The paper identified the diplomat as Jose Imperatori. Federal officials have not released the name of the diplomat they want expelled.

The newspaper said Imperatori, based in Washington, ordered the grandmothers' jet fueled after a tense standoff at Kendall-Tamiami Executive Airport and accompanied them on the return flight to Washington.

The grandmothers were reunited with Elian during a second attempt on Jan. 26. It is not known whether Imperatori was with them during their second visit.

The newspaper said Imperatori is the same diplomat accused of having links to Mariano Faget, the U.S. immigration official arrested in Miami last week on charges of passing classified information to Cuba.

Immigration and Naturalization Service officials have denied that Faget has had any influence on Elian's case. The boy's Miami relatives are demanding a full investigation into his role. The Cuban government accused the United States of bringing the accusations in retaliation for the battle over Elian.

Cuba said it will not withdraw its diplomat, and claims the expulsion of the diplomat as well as the charges against Faget are maneuvers to scuttle Elian's return to Cuba.

Elian has been at the center of an U.S.-Cuban custody dispute since he was found Thanksgiving Day lashed to an inner tube off Fort Lauderdale. He was one of three survivors from a boat that capsized during an attempt to flee Cuba. Elian's mother and 10 others died.

His father and the Cuban government have demanded the boy's return. The boy's Miami relatives have gone to court to block an INS ruling that ordered him returned to Cuba.

Today, a new judge, U.S. District Judge K. Michael Moore, was assigned to the case, replacing the previous judge who was hospitalized over the weekend with a stroke. Moore was randomly picked by computer. Because of the switch, arguments that had been planned for today on whether the court has jurisdiction were put off.

LANGUAGE: ENGLISH

LOAD-DATE: February 22, 2000

Copyright 2000 U.P.I.
United Press International

February 22, 2000, Tuesday 01:17 PM Eastern Time

SECTION: GENERAL NEWS

LENGTH: 50 words

HEADLINE: Court asked to return Elian to father

DATELINE: WASHINGTON, Feb. 22

BODY:

The Supreme Court on Tuesday rejected without comment a petition from a U.S. fathers' rights organization asking the justices to take over the case of 6-year-old **Elian Gonzalez**. The petition urged the justices to allow the boy to return to Cuba to be with his father, his only surviving parent.

LANGUAGE: ENGLISH

LOAD-DATE: February 22, 2000

FOCUSTM

Search: General News;Elian Gonzalez

To narrow this search, please enter a word or phrase:

Example: House of Representatives

About LEXIS-NEXIS | Terms and Conditions | What's New
Copyright © 2000 LEXIS-NEXIS Group. All rights reserved.

Copyright 2000 The New York Times Company
The New York Times

View Related Topics

February 22, 2000, Tuesday, Late Edition - Final

SECTION: Section A; Page 15; Column 1; National Desk

LENGTH: 456 words

HEADLINE: Custody Case Of Cuban Boy Changes Hands

BYLINE: By The New York Times

DATELINE: MIAMI, Feb. 21

BODY:

A hearing scheduled for Tuesday to determine whether a federal court has jurisdiction in the **Elían Gonzalez** custody case was expected to be postponed, because the judge handling it was admitted to a hospital on Sunday.

The case will be temporarily turned over to Judge Edward B. Davis of Federal District Court here, and at a court session on Tuesday he is likely to focus on reassigning the case by a random computer selection and scheduling further hearings, officials in his chambers said today.

Judge William M. Hoeveler had planned to hear arguments on Tuesday to decide whether the court could intervene in the case of 6-year-old Elían, who was found clinging to an inner tube in the Atlantic in November.

The child is at the center of an international fight between his father in Cuba, Juan Miguel Gonzalez, and relatives in Miami. Last month, the Immigration and Naturalization Service ordered the return of the boy to his father, but relatives took the case to court to block the order.

"We're not exactly sure what will happen tomorrow," said Roger Bernstein, a lawyer for the Miami relatives, including Lazaro Gonzalez, a great-uncle who is caring for Elían. "But we've been told that we should be prepared to argue tomorrow so we will be."

In another development today, Manuel Gonzalez, another of Elían's great-uncles, told reporters that he was also seeking temporary custody of the boy. His lawyer, Jeffery Leving, said Mr. Gonzalez had filed a petition to intervene in federal court on Friday.

"The boy's father is the only person who is allowed to speak for Elían, and he has asked that Elían stay with Manuel until he can be returned to Cuba," Mr. Leving said. "I think the court should honor and respect that."

Mr. Gonzalez, who has maintained a low profile throughout the custody battle, is in disagreement with the other Miami relatives, including his brother Lazaro.

After briefly meeting with Lazaro this afternoon and speaking to reporters, Manuel Gonzalez complained of chest pains and was taken to a hospital. A hospital spokesman said he was in stable condition.

Judge Hoeveler, 77, was admitted to a hospital in a Miami suburb on Sunday morning, after being unable to move his right arm and leg and having slurred speech. He was reported in stable condition today.

Judge Hoeveler's illness is likely to mean that the case will be assigned for the third time. At first, a court computer had assigned Judge James Lawrence King the case, but Judge King recused himself because of possible conflicts of interest.

The case was then turned over to Judge Hoeveler, who is well known around the Miami community for presiding over the trial of the Panamanian dictator Manuel Antonio Noriega.

<http://www.nytimes.com>

LANGUAGE: ENGLISH

LOAD-DATE: February 22, 2000

FOCUSTM

Search: General News;Elian Gonzalez

To narrow this search, please enter a word or phrase:

FOCUS

Example: **House of Representatives**

[About LEXIS-NEXIS](#) | [Terms and Conditions](#) | [What's New](#)
Copyright © 2000 LEXIS-NEXIS Group. All rights reserved.

The Elian Dilemma: Family, identity, freedom and growing up in a Communist society.

Catarina Bannier

The Totalitarian Trap . . .

In the 1970s, when I was just a few years older than Elian Gonzalez is today, I lived with my divorced mother and her boyfriend in East Berlin. Our apartment was less than two miles from the Wall, our equivalent of the Strait of Florida.

My mother had come to hate that structure because it symbolized both her utter helplessness and the guilt she felt when she didn't stand up to prevent me from drawing the "Russian tanks" in preschool or from wearing my Young Pioneers' uniform.

On the Western side of the Wall, less than 10 miles away, lived my mother's beloved grandmother as well as some more distant relatives and many of her best friends. She hadn't seen any of them in years.

As I grew up, the thought of escape was always with us, if not too often talked about. My mother's boyfriend, Achim, finally decided that he had to find a way out. As a journalist, he had become increasingly anxious and depressed about the daily limitations that threatened his sense of self and of integrity. When he suffered a heart attack at age 33, an honest doctor told him that leaving or staying could become a matter of life or death for him.

There was no legal way to leave East Germany and many ways in which one could be killed trying to do so. Some made it. Had my mother and I tried, and had my mother died in the attempt, I would have entered an unknown world and the arms of relatives I hardly knew.

Should I then have been sent back home to the East, to what I was comfortable with, to my father, my healthy, energetic grandmothers? I would argue that there is no way a person who has never lived under such a system could actually cast a qualified vote on that question.

Just as you can't explain yet why Juan

Miguel Gonzalez has not rushed to his son's comfort, so you could form only a partial picture of my family in the East. You might have found out that my father (remarried more than once) was a charming, talented artist—but not that he had a growing alcohol problem and was leading a dissolute life not very conducive to child-rearing. You couldn't really know for certain whether my (or Elian's) grandmothers were warm and caring (mine were), and most important you couldn't know how capable any of these people would be in mitigating the pain of my loss and in shielding me from the mental malformations that life in a society saturated with lies and fear can create.

In the furor over Elian, this key question of just how much even a sane, sheltering family can really make up for a child's growing up under tyranny has not been addressed with sufficient seriousness. Most of my American friends have merely claimed firm legal and ethical grounds for the notion that biological parenthood must override any political concerns. But families do not exist separate from society.

Let's look at the reality of family autonomy in a Communist dictatorship. Any parents or guardians who try to guide children through a childhood under authoritarian oppression are faced with a painful paradox: The more they promote healthy mental and social development, the more they bring the child into serious conflict with his or her environment. On the other hand, the more they try to steer their charges clear of conflict with society, the more they risk crippling them.

Families have three basic options in dealing with this dilemma: They can encourage independence of mind. Totalitarian regimes aim to intercept logical thinking and questioning. A family that attempts to counteract that and helps a

child to observe, to be aware and to process available information will send that child into deeper struggles with himself and authorities. He will eventually have to risk either his self-worth by learning to lie or his social well-being by refusing to do so. Either way, he may become severely depressed and distrustful.

Alternatively, a family can encourage conformity. Those parents of my childhood friends who were either themselves true believers in the system or just blocked the reception of West German TV in their living room sets in order to "protect" their children did not permit a view of the world that was different from official prescriptions. Such families may make their offspring happier, but this is usually superficial: Underneath the blind happiness are paralyzed people who are not even aware of their helplessness.

A third option is to seek what isn't really an option if you live in a well-guarded prison: escape. Parents such as Elian's mother who are willing to risk their own lives or those of their children are desperate: They are unable to pursue option one and unwilling to pursue option two. They want a real future for their children.

My mother, who always opted for the risks of information and thinking, decided to stay behind when Achim escaped, mainly because she could not bear leaving her parents. For more than a decade, she and Achim would meet secretly in different Eastern European countries. The day after the Wall fell, he moved back in with her in their old East Berlin apartment.

The drama of family separation can unfold in many different ways. It doesn't always end this nicely.

The writer is a journalist now living in Washington.

Baoji Liu

... And the Chance for Hope

When I was 7 years old and growing up in China, I was ordered one day to go out in the street to "support the removal of Deng Xiaoping from office." A few years later, I was instructed to "celebrate Deng's powerful political comeback."

But all the outside political forces that drove me one way or pushed me another, while they have had great effect on the course of my life, have had little to do with my inner sense of myself. Perhaps the same is true of Elian Gonzalez.

As I read about his case, I couldn't help remembering my own experience of being separated from my family because of politics. When I was 22 years old and newly graduated from college, the seemingly stable life I had lived was abruptly turned upside down. My father, Bao Tong, was taken away in 1989 by unidentified men who called him to a "politburo meeting." He was not to return home until eight years later.

At that time, my father was the director of the Political Reform Office directly under the Chinese Communist Party Central Committee. As his family, we knew he had committed no crime. His only offense was that he was siding with Zhao Ziyang, the former party chief, in opposing the government's plan for its bloody crackdown on students at Tiananmen Square, which was carried out a few days after my father was taken away.

For a long time, we knew almost nothing about my father's whereabouts, and yet we could take no action. There was nowhere to complain and no one to whom we could turn for support. Not one person I met believed that my fa-

ther's imprisonment was justified, and yet, faced with such injustice, no one thought there was anything that could be done, either. Experience had generated the common perception in China that if one puts up a fight, things can get even worse.

Leaving my family behind at such a time of uncertainty to come to America was not an easy choice for me. My aging mother, my dear sister, my loyal friends and my every memory of achievement and joy—how could I exchange all this for a future of uncertainty? Hope was perhaps the only thing that made all this worthwhile. It was what, in the end, impelled me to leave China.

When I came to this country, my foremost impression was of its remarkable openness to people like me. Learning English from scratch, going to graduate school and working part-time, I knew that every day I was getting one step closer to being able to bring a little help to my family trapped in hopelessness.

But there was never good news when my phone rang in the middle of the night. One call was to tell me that my father had been formally "arrested" after two years of detention without charges, and sentenced to seven years of imprisonment for "counterrevolutionary incitement."

Fighting against this sort of injustice, calling attention to the Tiananmen Square outrage, may not have been too effective at such a distance, but at least it was possible, and it is what kept me going. With enormous support from people who work in the human rights field, I

successfully publicized the case of my father.

Looking back now, I realize the extent to which growing up in an authoritarian society discouraged individuality and fostered an extremely narrow definition of what a good citizen is. I still blush to remember an essay I wrote in fourth grade claiming that my "most beloved man" was "Chairman Hua" (a transition leader between Mao and Deng)—an essay I wrote with a certain degree of sincere conviction in my 10-year-old mind, as did 50 others in my class.

Because I came to America as an adult and by my own choice, I had developed a sense of identity. But no one caught between two nations can avoid feelings of confusion and inner conflict. On the one hand, I opposed the Chinese government's continued civil repression; on the other, I took pride in China's economic and technological progress.

My most precious reward has been experiencing and recognizing that there is hope for friendship, cultural interaction and change.

Whether Elian Gonzalez grows up in America or Cuba he has a particular sense of identity that will be affected by the differences between life in an authoritarian state and a democracy—but by no means determined by them. He will be the product of forces beyond politics and ideology.

The writer is founder of futurechina.org, a policy discussion forum.

CONTEXT: *Yesterday, Juan Gonzalez, Elian's father, sent a letter to the Attorney General and INS Commissioner, requesting that INS transfer custody of the child to a different uncle in Miami while awaiting implementation of its decision to return the boy to him in Cuba. The letter also requests that manipulation and harassment of the child be stopped, and that INS provide detailed information on all persons visiting the home where the child presently resides. Last week, under INS instructions, Elian met with his grandmothers on January 26 at the Miami Beach home of Sister Jean O'Laughlin. Sister O'Laughlin has since stated that she now believes that the child should remain in the United States.*

Sen. Mack has introduced a bill to confer citizenship on the boy, and Rep. McCollum introduced companion legislation in the House. Rep. Rangel is sponsoring a sense of Congress resolution saying that Congress should not interfere in this case and that INS should carry out its decision to return the boy to his father, and Rep. Menendez has introduced legislation to make the child a lawful permanent resident. Action by Congress to confer citizenship or residency on the child would effectively divest INS of jurisdiction over the matter, leaving a Florida state court to resolve a custody case filed by the boy's great uncle against the boy's father in Cuba.

What is the INS decision in the Elian Gonzalez case? Do you support it?

- INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.
- INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner and we support their decision.

[IF ASKED] Has Elian's father requested a change in custody, asking INS to transfer him to his great uncle, Manolo Gonzalez?

- Mr. Juan Gonzalez has sent a letter to the Attorney General and INS Commissioner Meissner. They are reviewing the letter, and I would direct you to them for further information.

What's your reaction to Sister Jean O'Laughlin's op-ed in the New York Times, stating

that, based on what she observed, she now feels that Elian should not be returned to his father in Cuba?

- Everyone involved in this matter appreciates the role that Sister Jean O’Laughlin played in hosting the meeting between the grandmothers and their grandson.

[IF ASKED] Are you concerned that Cuban officials controlled the grandmothers’ actions during their visit?

- All the officials from the Department of Justice and INS who have met with the grandmothers have been profoundly impressed by the genuineness of their desire to see Elian and to have him return to his home in Cuba.

Congress is seeking to pass legislation that confers citizenship or permanent resident status on Elian Gonzalez. What’s your stance on these bills?

- As the President said, we hope the challenge to the INS decision will be resolved in court, not the Congress, and we strongly oppose legislation to confer citizenship on the child.

Will you veto such a bill?

- As the President has said, he has not made a decision on this question, but would not rule out a veto.

[IF ASKED] Why didn’t the President meet with Elian’s grandmothers before they returned to Cuba?

- The President has made clear from the beginning that he does not want to inject politics into the issue. The Attorney General and INS Commissioner met with the grandmothers, and they, of course, are representatives of the Administration. The INS decision is being challenged in court, and it should be resolved there.

What is the next step in this case? What happens next in the federal lawsuit filed by attorneys for Elian’s great uncle?

- This is a matter for the Justice Department to handle, and in keeping with normal policy, we cannot comment on pending litigation.

Does the White House support the Attorney General's view that the state courts don't have jurisdiction over the boy from Cuba?

- As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

Were the political implications of the decision discussed at the senior levels?

- White House officials did not seek to, nor did they, influence the outcome of this decision, which, let me reiterate, was made solely by the responsible authorities following the law and INS rules and procedures. But we want to see it carried out.

What about Dan Burton's subpoena?

- The Justice Department is dealing with all the related legal developments in this case.

The Hill

LARGEST
CIRCULATION
OF ANY
CAPITOL HILL
PUBLICATION

Vol. 7, No. 5

Price \$2.50

The Capitol Newspaper

<http://www.hillnews.com>

Wednesday, February 2, 2000

TOUGH DECISIONS



LAUREN V. BURKE

Senate Majority Leader Trent Lott (R-Miss.) and House Speaker J. Dennis Hastert (R-Ill.) exit the White House after meeting with President Clinton and Democratic leaders Tuesday to discuss this year's congressional agenda. Sen. Connie Mack (R-Fla.) and Republican Conference Chairman J.C. Watts (R-Okla.) talk in the background.

Congress leaders back away from Elian controversy

By Betsy Rothstein

Despite the expectation that Congress would deal swiftly with the plight of Cuban refugee Elian Gonzalez and grant him American citizenship, congressional momentum is waning as leaders increasingly look to the courts to decide his fate.

House Speaker J. Dennis Hastert (R-Ill.) has indicated, through his spokesman John Feehery that the well-being of the 6-year-old boy does not lie in Congress, but rather, in the Miami courts.

"We're not going to move it [next] week," Feehery said Friday. "This is something best handled in family court and should not be handled by politicians. He [the Speaker] wants to take the politics out of it. This is something that should be done in court rooms, not the halls of Congress."

Nevertheless, House Government Reform Committee Chairman Dan Burton (R-Ind.), who was in Miami for

speeches and a fundraiser last weekend stopped off at the temporary home of Gonzalez in Little Havana. Burton had recently subpoenaed the boy to appear before Congress in March to avoid immediate deportation.

"The trip had been planned for quite some time," said Committee Spokesman Mark Corallo, who explained that last week when Gonzalez's great uncle and cousins visited Capitol Hill, they requested the meeting with Burton in Miami.

"[Burton] said the little boy seemed very mature for his age and felt there was no coaching," Corallo said. "He just asked him a couple of questions and felt the kid gave him honest, sincere answers without any coaching."

Added Corallo, Burton isn't co-sponsoring any citizenship bills for Gonzalez at the moment, nor is he proposing any legislation.

Said one GOP aide close to the situa-

■ CONTINUED ON PAGE 14

PHOTOCOPY
PRESERVATION

Congress leaders back away from Elian

■ CONTINUED FROM PAGE 1

tion: "There is a clear move. Congress has taken a step back, and most folks in Congress agree this is a matter for the judicial system — not for Congress or the executive branch."

At the House Judiciary Committee, which would take up the matter of Gonzalez's citizenship, Chairman Henry Hyde (R-Ill.) has indicated he has no plans to proceed.

"Chairman Hyde will await the pending court proceedings before making any decisions about how to proceed legislatively," said Committee Spokesman Sam Stratman, adding that the leadership has said it will go regular order. "He has not co-sponsored either of the bills. He's trying to stay neutral. He doesn't have neutral feelings about it. The bottom line is what is in the best interest of the child."

In the meantime, both caucuses are deeply divided on the fate of the boy. On one hand, Democratic Reps. Patrick Kennedy (R.I.), Bob Menendez (N.J.) and Peter Deutsch (Fla.) are sponsoring a bill that would grant Gonzalez permanent resident status. On the other, GOP Reps. Lincoln Diaz-Balart (Fla.), Ben Gilman (N.Y.) and Ileana Ros-Lehtinen (Fla.) have filed legislation to make Gonzalez a U.S. citizen, with Sen. Connie Mack (R-Fla.) filing a companion bill in the Senate.

All the while, lawmakers, such as Reps. Steve Largent (R-Okla.), Ray LaHood (Ill.), Jose Serrano (D-N.Y.), Maxine Waters (D-Calif.) and Barbara Lee (D-Calif.), adamantly believe the child must be reunited with his father in Cuba.



PHOTO COURTESY OF REP. MAXINE WATERS (D-CALIF.)

Juan Gonzalez (left), father of 6-year-old Elian Gonzalez, meets with California House Democrats Barbara Lee (center) and Maxine Waters (right) in Havana last week. The lawmakers were in Cuba for a pharmaceutical trade show.

Last week, Waters and Lee traveled to Havana on a six-day trip scheduled several months ago for a pharmaceutical trade show. During the visit, they met extensively with Gonzalez's father, Juan Gonzalez. Waters said she reiterated to him her support of the return of his son to Cuba.

"I told him he must stay strong," said Waters. "He was in a lot of pain, upset to the point of tears in his eyes. He was dis-

turbed and bewildered that his son could be a pawn of the anti-Fidel Castro [movement]."

Waters added, "He wants his son home. He misses him very much and doesn't understand why the anti-Fidel Castro Cubans have so much influence and power in the United States."

Lee agreed. She described the father as "an ordinary working man [who] has a lot of feelings about the return of his son, and

they are typical father-son feelings."

She added, "I sense that the grandmothers last week did an effective job communicating their love for the child. It's just too bad that some in this country are putting it in the context of material possessions. Material possessions should never override the love for a child."

But according to Diaz-Balart, who has been entrenched in the fate of Gonzalez since the ordeal began, discussions in Congress will proceed. "I'm certainly going to continue pushing for some way to help Elian have his day in court," said Diaz-Balart. "The reason we need to act is precisely to move it away from the administration that has politicized this."

The Cuban-born lawmaker said there are two factors impeding this goal. One is: "The president and Castro are locked arm in arm seeking to expel this child before the family court can decide his custody," he said. The other is "that the national media coverage has been extraordinarily one-sided."

He explained, "You saw Katie Couric trying to put words into the mouth of Sister Jeanne. She [Sister Jeanne] would have been the top story for a week like the grandmothers were had she said the boy ought to go back to Cuba."

Sister Jeanne O'Laughlin, who recently hosted the boy's Miami reunion with his grandmothers, changed her opinion after the meeting and declared that Gonzalez ought to remain in the United States.

Said Diaz-Balart: "Remember, published opinion makes public opinion and obviously that has an effect on Congress as well."

LOS ANGELES TIMES

NA/ MONDAY, FEBRUARY 21, 2000

A3

Cuban Boy Should Stay in U.S., Nun Says

■ **Debate:** Sister decides to drop neutral stance after finding out one of Elian Gonzalez's grandmothers wanted to defect.

From Associated Press

MIAMI—A nun involved in a meeting between Elian Gonzalez and his Cuban grandmothers decided the 6-year-old should remain in the United States after she was told one of the grandmothers wanted to defect, her spokeswoman said Sunday.

After meeting with the grandmothers last month at her home in Miami Beach, Sister Jeanne O'Laughlin, the president of Barry University, said she was abandoning her neutral stance.

O'Laughlin was influenced to change

her position by several things she had been told about the case by people she trusted, Michele Morris, a spokeswoman for the university, said Sunday.

O'Laughlin didn't want to divulge the information to the media after the reunion because she heard it second-

the Herald contributed to my decision, it is untrue that I heard any of that from the grandmothers. Any information attributed to them came from other sources," the statement said.

The Herald's executive editor, Martin Baron, said in a statement Sunday: Elian was found clinging to an inner tube Thanksgiving Day off the Florida coast. His mother and 10 others drowned.

O'Laughlin was told by people she trusted that Elian's father, Juan Miguel Gonzalez, and his family knew about the voyage to Florida 10 days before the boat left Cuba, Morris said.

"This talk of defecting got me to thinking; if one of the adults wanted out, perhaps it was not a good place for the child," the nun told the Herald.

A Miami judge will hear arguments Tuesday to decide whether the court has jurisdiction in the case.

■ COMING TO TV

CBS has miniseries in the works on the Elian Gonzales saga. D1

hand, Morris said.

The Miami Herald reported that one of the grandmothers told O'Laughlin directly that she wanted to defect. But O'Laughlin said Sunday in a statement that "unfortunately, the article had some misinformation. I never met with the grandmothers alone."

"While some of the specifics noted in

CONTEXT: *INS's decision that Elian Gonzalez should be reunited with his father has met with criticism from numerous quarters. Protests continue in Miami. The attorneys for the paternal relatives in Miami sent a letter to the Attorney General, asking her to review and reverse the INS decision. The Attorney General stated on January 6 that she sees no basis for reversal. The lawyers also plan to ask the Florida state court to appoint someone other than Elian's father as his temporary legal guardian. Elian's father has formally asked the National Council of Churches to assist in returning Elian to him.*

Gov. Jeb Bush has sent a letter to the President, seeking reversal of the INS decision. In response to a question on this point on Friday morning (01/07), the President stated that this was a legal, not a political decision and that INS followed the law and its procedures. The Vice President said on January 6 that the case should proceed to the courts and that he questioned whether the father was able to voice his true wishes from Cuba. Members of the Florida congressional delegation have asked Rep. Burton's Government Reform Committee to issue a subpoena to Elian in order to prevent his return to Cuba while they introduce a bill to grant Elian citizenship or residency.

What is the INS decision in the Elian Gonzalez case?

- INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.

Gov. Bush of Florida is appealing to the President to overturn the INS decision. Will he do that?

- As the President has said, this was a legal, not a political decision. The decision was made by the appropriate legal authority within the U.S. government – the INS. INS followed the law and its procedures in determining that the boy's father speaks for the boy in immigration matters.

Was the decision to return Elian Gonzalez made so to appease Castro as reported in the January 6 edition of the New York Times?

- Let me repeat what the President said yesterday. This decision was a non-political decision made by the relevant officials at the Immigration and Naturalization Service in consultation with the Department of Justice based on the facts of the case and in conformity with the law and with INS rules and procedures.

Were the political implications of the decision discussed at the senior levels?

- White House officials did not seek to, nor did they, influence the outcome of this decision, which, let me reiterate, was made solely by the responsible authorities following the law and INS rules and procedures.

Are U.S. officials concerned about the reaction of the Cuban American community in Miami?

- We understand that for many this is an emotional issue, but it is our hope that the Miami community will remain peaceful in order to allow the legal process to work its course in this matter.

12- 8-99; 2:57PM; ; 17185883652 # 2 / 2
JOSÉ E. SERRANO
16TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
2342 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3216
(202) 225-4361
FAX (202) 225-8001

DISTRICT OFFICE:
890 GRAND CONCOURSE
BRONX, NY 10461-2828
(718) 538-5400
FAX (718) 588-3852

Congress of the United States

House of Representatives

Washington, DC 20515-3216

December 8, 1999

COMMITTEE:
APPROPRIATIONS
SUBCOMMITTEES:
RANKING DEMOCRAT
COMMERCE, JUSTICE, STATE, THE JUDICIARY
AND RELATED AGENCIES
TRANSPORTATION
AND RELATED AGENCIES

MEMBER, CONGRESSIONAL
HISPANIC CAUCUS

MEMBER, CONGRESSIONAL
BLACK CAUCUS

VICE CHAIR
DEMOCRATIC STEERING
COMMITTEE

255 S W 5-12

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500-0005

Dear Mr. President:

It is my understanding that an inter-agency task force, led by the National Security Agency, is trying to determine what procedures should be followed with respect to the case of Elián González, the Cuban child rescued off the coast of Florida. I am at a loss to understand what would justify deviating from established procedures governing the rights of children found outside the protection of their own governments, which were designed and negotiated to protect not only the rights of nationals of other countries but also those of our own citizens.

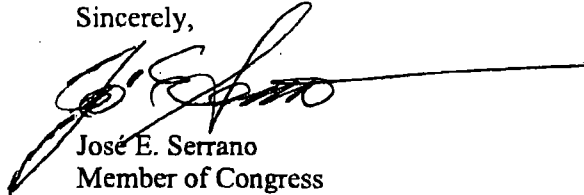
Although I can appreciate the sensitivity of this case, I believe that the United States government, immediately upon finding this child, should have returned him to Cuba to his natural father, who is his only surviving parent. Unfortunately, the Immigration and Naturalization Service placed Elián in the temporary custody of relatives in Miami. Elián's father has now stated clearly and on numerous occasions that he wants his son returned to his care, and I believe that the parental rights of the father should take precedence over all political considerations.

You should quickly and personally intervene to facilitate the return of this small child to his father, his grandparents, and the place of his birth. In this particular case, a state court is not the appropriate forum. Moreover, a judicial process will only further delay the return of this child to Cuba, and will exacerbate already strained relations between the United States and Cuba.

Could there be a more poignant example of the irrationality governing our policy towards Cuba than the plight of this child, who has now become an international poster child for competing national interests? Time honored international procedures are being ignored in favor of political interests. This is a travesty.

With thanks for your attention to my views and best wishes, I am

Sincerely,



José E. Serrano
Member of Congress

JES:nab

12-8-99; 2:57PM; 17185883652 # 17 2

The Office of Congressman José E. Serrano



The 16th Congressional District -- New York
---- Fax Cover Sheet ----

DATE: 12/8/99

SENT TO: President William J. Clinton

ORGANIZATION: White House

Fax Number: (202) 456-2604

FROM: Congressman José E. Serrano

Fax Number: (718) 588-3652

Office Number: (718) 538-5400

Number of Pages: 2

MESSAGE: If the President has any questions or would like to speak to Congressman Serrano, please call (718) 538-5400 or (202) 225-4361.

newsday.com

EDITORIAL

No Wonder Public Respect for Congress Is Waning

Having survived a shipwreck, witnessed his mother's death and been used as a poster child by his anti-Castro relatives, the last thing Elian Gonzalez needs is to fall into the clutches of the U.S. Congress.

Yet that is what's happening, as politicians on Capitol Hill rush to grant the little Cuban boy instant U.S. citizenship. This display is a profound disservice to the boy and an international embarrassment.

Votes could come before week's end to make Elian a citizen, a move designed to thwart his father from exercising his parental right to have his son returned to him in Cuba. The leading measure, sponsored by Sen. Connie Mack (R-Fla.), would have Elian's fate decided not by immigration authorities, who already have ruled in the father's favor, but by a state court in Florida, where elected judges rely for political support on the Cuban exile community, which is rabid in its desire to keep Elian here.

Laying aside even the legal and historical questions about granting citizenship this way, this maneuver is nothing short of abhorrent.

Congress has no right to stand between this child and his father or his angry and sorrowful grandmothers, who wander up and down the East Coast in search of a sympathetic ear and a reasonable visit with Elian.

The congressional chambers ring daily with pious speeches about family values.

Conservatives rise to decry any government intrusion into decisions they believe are best left to individuals and families. None of that applies, apparently, if the family in question is Cuban.

Cheap political tricks like this do have a purpose. They explain very well why so many Americans look upon Congress with disdain, if not outright contempt.

[Home](#) | [Top of Page](#)



Home Page


0 DOWN & 0 PAYMENTS FOR 90 DAYS!
nation

Senators sponsor measure to grant Elian citizenship

IMMIGRATION: The bill would remove INS jurisdiction in the case of the Cuban boy.

January 25, 2000

By TOM RAUM
The Associated Press

WASHINGTON — Congress bestowed U.S. citizenship on Winston Churchill and Mother Teresa, but the extraordinary power has been used rarely — and never for a minor child against a parent's wishes.

On Monday, Senate Majority Leader Trent Lott and a group of Florida lawmakers put in motion a process to give citizenship to 6-year-old Cuban refugee Elian Gonzalez, without his father's consent.

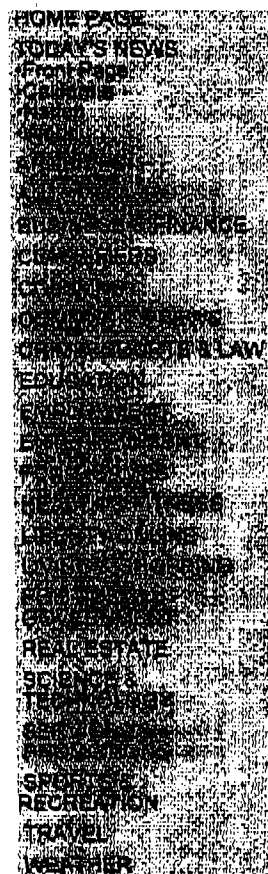
Lott, R-Miss., told the Senate the bill "to grant citizenship to this young boy" could come up for debate as soon as Wednesday.

Sponsors hoped to whisk it through Congress quickly, largely to remove the case from the jurisdiction of the Immigration and Naturalization Service, which has ruled that the boy should be returned to his father in Cuba. Passage would also render moot a federal-court appeal of the INS ruling by Elian's great-uncle, sponsors said.

"This moves the decision-making out of the hands of the INS and into the hands of the (state) courts," Sen. Connie Mack, R-Fla., the chief Senate sponsor, told a news conference.

Late Monday, Mack formally introduced the measure in the Senate, and Lott invoked a parliamentary procedure designed to bring it before the chamber as early as Wednesday for debate. A vote Wednesday was possible, but both sides said they doubted final action would occur until next week at the earliest.

At the White House, spokesman Joe Lockhart declined to say



what President Clinton would do if Congress passed the bill — sign it or veto it — but said the White House would consider the matter after Congress acts. The president has indicated he does not believe Congress should get involved.

Sen. Patrick Leahy of Vermont, the Senate Judiciary Committee's top Democrat, denounced the legislation.

"For the Congress to grant citizenship to a young boy over the father's objection makes a mockery of family values, and it hands Castro yet another reason to portray the United States as the enemy," Leahy said.

Congress' involvement in individual immigration cases has declined sharply in the past decade.

Joining Mack and Lott in sponsoring the bill were Sens. Jesse Helms, R-N.C., Robert Torricelli, D-N.J., and Bob Graham, D-Fla.

In the House, Majority Whip Tom DeLay, R-Texas, and several Florida lawmakers co-sponsored a similar bill.

Separately, Reps. Bob Menendez, D-N.J., Patrick Kennedy, D-R.I., and Peter Deutsch, D-Fla, introduced a rival bill to grant Elian permanent residency status.

"It will give Elian the choice, when he's old enough, to decide the citizenship question for himself," Menendez said.

And Rep. Charles Rangel, D-N.Y., introduced a resolution — co-sponsored by nine Democrats and one Republican — urging that Elian be reunited with his father.

#1 newspaper in Orange County, California

Register

Copyright 1999 The Orange County Register
Please send comments to ocregister@link.freedom.com

THE NEW YORK TIMES EDITORIALS/LETTERS WEDNESDAY, JANUARY 26, 2000

Elián González and Congress

As the case of Elián González enters its third month with no end in sight, it is becoming more and more evident why the fate of this 6-year-old Cuban boy belongs in a federal court rather than in the streets of Miami or Havana -- or in the halls of Congress. Congressional moves this week to have Elián declared an American citizen have added a new level of exploitation to this unseemly saga.

Two members of Congress from Florida, Senator Connie Mack and Representative Bill McCollum, have introduced bills to grant the boy citizenship or permanent residency. Their avowed purpose is to remove jurisdiction over his status from the federal Immigration and Naturalization Service, where it properly belongs, and hand it over to a Florida family court as a child-custody dispute. This is an unacceptable misuse of a citizenship process to manipulate the venue of a court case.

It is especially troubling when the object of the dispute is 6 years old. There is in fact no basis in law for a custody dispute. To this day no one has presented evidence suggesting that Elián's divorced father, Juan Miguel González, is an unfit parent. After Elián was rescued at sea following an accident that killed his mother, Mr. González was interviewed extensively by I.N.S. officials in Ha-

vana, and satisfied them that he had a close and involved relationship with his son. In a country like Cuba, no one can truly know if a man is speaking freely. But his credibility has been strengthened this past week by Elián's two grandmothers, who have traveled to the United States in hopes of retrieving Elián and returning home with him. Both grandmothers have spoken of their love for Elián and there is no evidence of coercion.

Holding Elián in this country only plays into Fidel Castro's hands. His opponents in Miami and their backers in Washington are subverting uncontested family ties in the interest of an all-consuming political agenda. They assume that the nature of one's government is the only criterion in the quality of his life. In so doing they emulate the totalitarian ideal that they correctly abhor.

President Clinton was right yesterday when he reiterated that Elián's case should play out in court. As a matter of law, the I.N.S. has authority to determine this boy's lawful guardian, and the agency has justly found that his father has the right to decide that his son should be returned to Cuba. Elián's relatives in Miami have appealed in federal Court, and that -- not Congress in an election year -- is where this case should be resolved.

Congress, protect Elian U.S. can't bow to Castro's ultimatum

By Lincoln Diaz-Balart

The case of 6-year-old Elian Gonzalez constitutes an alarming example of the lengths to which the Clinton administration will go to placate the Cuban dictatorship. Congress must be willing to act to protect Elian because the Clinton administration is systematically attempting to deny the child his due process rights.

Elian miraculously survived a desperate voyage that saw the drowning of his mother and her husband. Elian's mother denied herself the little drinking water she possessed so that her son might have a chance to live. The two adults who survived the voyage describe how Elian's mother would constantly cry out the prayer that her son survive and reach freedom in the United States.

Elian was rescued by American fishermen on Thanksgiving Day and taken to a hospital in South Florida. After having been legally admitted into the United States, Elian was placed by the Immigration and Naturalization Service in the care of his father's relatives in Miami, and the family unquestionably provided Elian with a loving environment.

When the INS placed Elian in the care of his relatives in South Florida, it issued the following statement, on Dec. 1, 1999: "Although INS has no role in the family custody decision process, we have discussed this case with State of Florida officials who have confirmed that the issue of legal custody must be decided by its state court. Elian will remain in the U.S. until the issues surrounding his custody are resolved. If Elian's family is unable to resolve the question of his custody, it is our understanding that the involved parties will have to file in Florida family court. Either Elian's father in Cuba or his U.S.-based family members may initiate proceedings."

The Cuban dictator, Fidel Castro, was profoundly disturbed by recent public relations debacles such as the November Ibero-American Summit in Havana where the Cuban internal opposition received significant international media attention, and by having had to cancel his scheduled visit to the World Trade Organization meeting in Seattle due to his publicly acknowledged fear of being arrested for having personally ordered the murders of U.S. citizens. Accordingly, Mr. Castro came up with a public relations stunt to divert attention from the recent, dangerous setbacks to his regime.

On Dec. 5, 1999, Mr. Castro issued a "72-hour ultimatum" to President Clinton, demanding that the United States make clear that it would return Elian to Cuba. Two days later, Mr. Clinton ordered the INS to reverse its own position, that it had made public on Dec. 1, and thus began the Clinton campaign to return Elian to totalitarian Cuba.

The law is clear (the Uniform Child Custody Jurisdiction Act, the Parental Kidnapping Prevention Act, the Hague Conventions of 1960 and 1980 on the protection of minors) that only a court of law may rule on the custody of a minor.

A Florida court on Jan. 10 granted Elian's great-uncle in Miami temporary custody of the minor pending a full evidentiary hearing on the matter of custody on March 6. The court held that "if Elian is returned to Cuba he faces the threat of mistreatment or abuse including the loss of any due process rights." The court asked that Elian's father come to the United States to present his views pursuant to legal procedure.

Inconceivably, Attorney General Janet Reno stated that the Clinton administration would ignore the court order. No one can ignore a court order in this country. If the attorney general disagrees with a court order, she may seek to quash or overturn it in court, but she cannot legally ignore it.

Furthermore, Miss Reno misrepresented the Florida court's order by stating the court had ruled on federal immigration matters when it clearly did not. The court simply granted temporary custody to Elian's great-uncle in South Florida pending a full hearing on March 6 and ordered that Elian not be taken out of the court's jurisdiction until that time.

Why must Congress be willing to get involved? Because this issue cuts to the bone of who we are as a nation; because the Clinton administration has illegally and unconscionably placed the full power of the federal government against a 6-year-old boy whom it seeks to return to the life of oppression which his mother died to free him from; because the last will and testament of his mother, valiantly expressed by the offering of her life, deserves its full day in court. Congress needs to investigate the Clinton administration's abrupt change of its own decision in this case, 48-hours into Mr. Castro's "ultimatum." And we must be ready to act so that Elian is not sent back to a life of totalitarianism before the critical issue of his custody can be fully dealt with by our courts under the rule of law.

To: Mark Magana 6-2604
From: Lisa Macecevic

2 copies of State's Elian letter

- (1) Marked up original
- (2) My retyped version
with changes included

Lisa

6 total
pages

01/27/00 13:55

2202 647 2762

United States Department of State

Washington, D.C. 20520

**DRAFT**

I am writing to bring to your attention the implications for ~~consular operations, and specifically~~ the Department of State's ability to successfully pursue ~~pending and future~~ international parental child abduction cases, should Elian Gonzales Brotons not be returned to his father's custody and his place of habitual residence.

as Elian Gonzales

Earlier this week, I provided a declaration to the Department of Justice in support of the decision made by the Commissioner of the Immigration and Naturalization Service (INS), and ratified by the Attorney General, that ~~Elian Gonzales Brotons should be returned to his father in Cuba.~~ I did so because the Department of State would expect a foreign government to ~~make the return~~ same decision with respect to an American child in similar circumstances. The INS decision is consistent with the principles that the Department of State would seek to have followed in such cases. Failure to implement the INS decision could seriously prejudice the ability of the United States Government to help parents in the United States recover their children taken to foreign countries.

one paragraph

The State Department's Office of Children's Issues in the Bureau of Consular Affairs serves as the United States Central Authority under the Hague Convention on the Civil Aspects of International Child Abduction (the "Hague Convention"), ~~It is responsible for cooperating with the Central Authorities in other countries to secure the prompt return of children to their place of habitual residence under the Hague Convention when they have been "wrongfully removed... or retained" by one parent and to achieve the other objectives of the Hague Convention.~~ *We are also a party to the Hague Convention which establishes procedures*

The role of consular officers in protecting children is recognized in the 1963 Vienna Convention on Consular Relations ("VCCR"), which largely codified customary international law and which now, with over 160 countries as parties, sets forth well-established and generally recognized principles. Article 5(h) of the VCCR specifically provides that consular functions include, "safeguarding... the interests of minors and other persons lacking full capacity who are nationals of the sending state, particularly where any guardianship or trusteeship is required with respect to such persons."

The rights of parents are also recognized internationally and have long been a central premise of our work on behalf of Americans. It is a basic precept of our work that the parents of American citizen children, not the Department of State or the United States Government, should decide what is best for their children. As a general matter, the issuance of passports to and

01/27/00

13:54

202 847 2762

DRAFT

~~travel by minor U.S. citizen children is governed, under Department of State regulations and practice, by the wishes of their parents.~~

~~The United States is at the forefront in the provision of consular services to its citizens and in its advocacy on behalf of parents seeking the return of their children. Because other countries scrutinize our practices, our credibility and effectiveness depend upon our ability to adhere to the principles we espouse. If the United States fails to act in accordance with such principles, we jeopardize our ability to insist on adherence by other countries. Consistency between principles and practice is particularly important in matters of foreign relations, where enforcement of rights so often depends upon reciprocity, diplomatic pressure and negotiations, and cooperation. Over the years, hundreds of children have been returned to their parents in the United States because other countries have been willing to respect basic principles of international law and custom and, when applicable, relevant treaty obligations.~~ *Insert sentence from page 3 here.*

~~When a young child is found in a foreign country, the accepted international practice is to attempt to identify the child's parent or parent(s), and to return the child to that person whenever possible, often through the assistance of consular officials representing the child's country of origin. Were a U.S. citizen minor child found in a foreign country in the circumstances of Elian Gonzalez, ~~Brotons~~, we would expect the government of that country immediately to seek the child's surviving parent, if any, and to contact U.S. consular officials for assistance in doing so if necessary. We would then expect the government promptly to return the child to the parent, unless the parent expressly asked that other arrangements be made. We would ensure that the foreign government was aware of the parent's wishes and would not expect our representations in that regard to be questioned. We would not expect the surviving parent to have to participate in a foreign court's custody proceedings to establish his or her right to assume responsibility for the child. We would object strongly if a foreign government declined to return an American child to its only surviving parent because other relatives sought custody of the child or because of a judgment that the child would be better off in the country in which the child was found. We also would take vigorous exception to a foreign government or court that sought to substitute its view of the "best interests of the child" for those expressed by a parent, absent a previous finding that the parent was unfit.~~

~~Many countries of the world, like Cuba, are not party to the Hague Convention on the Civil Aspects of International Child Abduction. When children are taken from the United States by one parent to such a "non-Hague country," the Department of State typically seeks the cooperation of officials of that country in securing the return of the child to the parent left behind in the~~

DRAFT

United States. If the INS decision is not upheld, our ability to make such requests successfully in the future will surely be impaired. First, such requests appeal to the foreign country involved to respect the rights of the left-behind parent and the importance of the parent-child relationship; the ability of the United States to appeal to these considerations with credibility will be diminished. Second, foreign authorities will have to consider the possibility that their own countrymen will remember our failure to return Elian to his father and react negatively if such authorities return a child to a left-behind parent in the United States.

*Move *
to Page 2*

A failure to enforce the INS decision would also be inconsistent with the principles we advocate and could have potentially lasting negative implications for left-behind parents in the United States and for U.S. citizen children taken to foreign countries. Not returning Elian to his father would be perceived as a decision that the fundamental parent-child relationship can be ignored, even where there is no evidence of unfitness. A decision based on the "independent" views of a six-year-old child would also be a dangerous precedent. Finally, not returning Elian to his father could be perceived as endorsing the right of the country in which a child is found to refuse to return the child to his habitual residence based on a judgment that the habitual residence is not a desirable place to raise a child. A decision not to return Elian Gonzalez Brotons to Cuba could encourage the making of such arguments by abducting parents and their acceptance by foreign authorities.

I hope this information will be of use to you. Please do not hesitate to contact me if there is any further information that I can provide to you.

Sincerely,

Mary A. Ryan

Assistant Secretary for Consular Affairs

DRAFT-Not for Release

United States Department of State

Washington, D.C. 20520

I am writing to bring to your attention the implications for the Department of State's ability to successfully pursue international parental child abduction cases, should Elian Gonzales Brotons not be returned to his father's custody and his place of habitual residence.

Failure to implement the Immigration and Naturalization (INS) decision could seriously prejudice the ability of the United States Government to help parents in the United States recover their children taken to foreign countries. The Department of State would expect a foreign government to return an American child in similar circumstances as Elian Gonzales.

The rights of parents are recognized internationally and have long been a central premise of our work on behalf of Americans. It is a basic precept of our work that the parents of American citizen children, not the Department of State or the United States Government, should decide what is best for their children. We are also party to the Hague Convention on the Civil Aspects of International Child Abduction (the "Hague Convention"), which establishes procedures to "secure the prompt return of children" to their place of habitual residence when they have been "wrongfully removed...or retained" by one parent.

Were a U.S. citizen minor child found in a foreign country in the circumstances of Elian Gonzales, we would expect the government of that country immediately to seek the child's surviving parent, if any, and to contact U.S. consular officials for assistance in doing so if necessary. We would then expect the government promptly to return the child to the parent. We would ensure that the foreign government was aware of the parent's wishes and would not expect our representations in that regard to be questioned. We would not expect the surviving parent to have to participate in a foreign court's custody proceedings to establish his or her right to assume responsibility for the child. We would object strongly if a foreign government declined to return an American child to its only surviving parent because other relatives sought custody of the child or because of a judgment that the child would be better off in the country in which the child was found. We also would take vigorous exception to a foreign government or court that sought to substitute its view of the "best interests of the child" for those expressed by a parent, absent a previous finding that the parent was unfit.

The United States is at the forefront in its advocacy on behalf of parents seeking the return of their children. Our credibility and effectiveness depend upon our ability to adhere to the principles we espouse. If the United States fails to act in accordance with such principles, we jeopardize our ability to insist on adherence by other countries. Consistency between principles and practice is particularly important in matters of foreign relations, where enforcement of rights so often depends upon reciprocity, diplomatic negotiations, and cooperation. Over the years, hundreds of children have been returned to their parents in the United States because other

DRAFT-Not for Release

countries have been willing to respect basic principles of international law and custom and, when applicable, relevant treaty obligations. Not returning Elian to his father would be perceived as a decision that the fundamental parent-child relationship can be ignored, even when there is no evidence of unfitness. A failure to enforce the INS decision would be inconsistent with the principles we advocate and could have potentially lasting negative implications for left-behind parents in the United States and for U.S. citizen children taken to foreign countries.

I hope this information will be of use to you. Please do not hesitate to contact me if there is any further information that I can provide to you.

Sincerely

Mary A. Ryan
Assistant Secretary for Consular Affairs

SHEILA JACKSON LEE
18TH DISTRICT, TEXAS

COMMITTEES:

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON IMMIGRATION AND CLAIMS
RANKING DEMOCRATIC MEMBER
SUBCOMMITTEE ON CRIME

COMMITTEE ON SCIENCE
SUBCOMMITTEE ON SPACE AND AERONAUTICS

Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
410 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
202-225-3816

DISTRICT OFFICE:
1919 SMITH STREET, SUITE 1160
THE GEORGE "MICKY" LELAND FEDERAL BUILDING
HOUSTON, TX 77002
713-665-0060

January 25, 2000

William Jefferson Clinton
The President
1600 Pennsylvania Avenue
Washington, DC 20500

VIA FAX AND HAND
DELIVERED

Dear President Clinton:

As the Ranking Member of the House Subcommittee on Immigration, I am writing to applaud the decision that has been made by the Department of Justice to affirm the INS decision to act within the best interests of the child in the case of Elian Gonzalez. I also applaud the decision of the INS that compels the Miami relatives of Elian to bring him to a neutral site so that he may reunite with his grandmothers.

As you know, today I have had the opportunity to meet with Elian's two grandmothers, Raquel Rodriguez and Mariela Quintana, and Members of Congress to discuss his safe return back to Cuba. By meeting with these endearing women, I want to ensure the enforcement of the INS' previous decision. It is imperative that we end the political posturing surrounding this young boy's plight. Elian Gonzalez is not an orphan and his father has not been proven to be unfit and no abuse of Elian has been found that would normally deny a natural parent custody of his child.

You may also be aware that there are several bills in the Congress that would make Elian a citizen or a legal permanent resident of the United States. After meeting with the grandmothers, I have learned that their wish is for their precious grandson to return to Cuba to be with their natural father and them. I urge you to veto any bill that would make this young boy a citizen or legal permanent resident. I also think that it is important that you meet with these women and look in their eyes, and feel their emotions in order for you to fully appreciate this issue.

I am enclosing a letter from the grandmothers given to me today directed to you Mr. President asking for your help in returning Elian to his family in Cuba.

2

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sheila Jackson Lee', written in a cursive style.

Sheila Jackson Lee
Member of Congress

SJL:lcb

Enclosure: Letter to President Clinton from the Grandmothers of Elian Gonzales

SHEILA JACKSON LEE

18TH DISTRICT, TEXAS

COMMITTEES:

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON IMMIGRATION AND CLAIMS
RANKING DEMOCRATIC MEMBER

SUBCOMMITTEE ON CRIME

COMMITTEE ON SCIENCE

SUBCOMMITTEE ON SPACE AND AERONAUTICS

WASHINGTON OFFICE:
410 C HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
202-225-3816DISTRICT OFFICE:
1815 SMITH STREET, SUITE 1180
THE GEORGE "MICKY" LELAND FEDERAL BUILDING
HOUSTON, TX 77002
713-655-0050

CONGRESSWOMAN SHEILA JACKSON LEE

410 Cannon House Office Building
Washington, DC 20515
Phone: (202) 225-3816
Telefax: (202) 225-33171919 Smith Street, #1180
Houston, TX 77002
Phone: (713) 655-0050
Telefax: (713) 655-1612

CC = Maria

To: President ClintonRecipients Fax Number: 456-1907

From:

☒ Congresswoman Jackson Lee
☐ Afrika Bell
☐ Dalen Harris
☐ Ayanna Hawkins
☐ Suzanne James

☐ Oliver Kellman
☐ Jason Lee
☐ Helen Reed-Rowe
☐ Other: _____
Date: 1/25/00 Number of Pages (including cover sheet): 3

Comments:

Letter to President Clinton

If all pages are not received or are not clear, please contact our office at (202) 225-3816, or (713) 655-0050 for assistance.

**** Confidentiality Note ****

The documents accompanying this telecopy transmission contain confidential information that is legally privileged. The information is intended only for the use of the named recipient. If you are not the named recipient, please do not read the attached documents. Any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this telecopy in error, please notify the sender immediately by telephone, and return the original transmittal to us by mail and we will reimburse you for the postage.

Irene Bueno
02/19/2000 06:34:49 PM

Record Type: Record

To: Mark D. Magana/WHO/EOP@EOP

cc:

Subject:

Fyi - 2 interesting articles.

February 17, 2000, Thursday, PM cycle

SECTION: Washington Dateline

LENGTH: 336 words

HEADLINE: Backers of sending Elian back voice frustration over stalemate

BYLINE: By GEORGE GEDDA, Associated Press Writer

DATELINE: WASHINGTON

BODY:

Supporters of sending Elian Gonzalez back to Cuba criticized the Clinton administration and the Miami exile community today for the stalemate that has kept the 6-year old in South Florida almost three months after he was rescued at sea.

Rep. Maxine Waters, D-Calif., said the Immigration and Naturalization Service had botched the case by not implementing its ruling requiring that the boy be returned to his father in Cuba.

She appeared at a news conference sporting a button with a red-framed picture of Elian along with a written admonition that he be sent home. She and other Democratic lawmakers were joined by religious leaders, children's-rights advocates and an American whose two daughters were abducted by their mother in Japan several years ago. He has not seen them since.

Rep. Charles Rangel, D-N.Y., said he found it hard to believe that federal official would place the boy in the hands of Miami relatives who have a "questionable background" - a reference the numerous problems with the law that

some relatives have had over the years.

"The poor child is being used as a pawn to see who wins," Rangel said.

Elian survived a crossing from Cuba last November but his mother drowned when their boat capsized. Cuba has been demanding the boy's return but his case has been tied up in federal court. Many Cuban exiles believe it would be cruel to send Elian back to a country which does not adhere to democratic values.

Rep. Jose Serrano, D-N.Y., took aim at lawmakers who are taking steps to grant citizenship to Elian in an effort to strip the INS of jurisdiction in the case.

Asserting that there are 9 million undocumented aliens in the United States, Serrano said that if Elian is granted citizenship, he will try to amend the legislation to ensure that all aliens are awarded permanent residency on the same day.

Rep. Julia Carson, D-Ind., said, "The relationship between father and son is the one we should focus on, not the relationship between the United States and Cuba."

LANGUAGE: ENGLISH

LOAD-DATE: February 18, 2000

21 of 106 DOCUMENTS

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

February 17, 2000, Thursday, AM cycle

SECTION: Washington Dateline

LENGTH: 360 words

HEADLINE: Lawmakers target war criminals for deportation

BYLINE: By JANELLE CARTER, Associated Press Writer

CONTEXT: *On January 21, Elian Gonzalez's grandmothers traveled to the U.S. to appeal for their grandson's return to his family in Cuba. On January 22, the grandmothers, accompanied by representatives of the National Council of Churches, met with the Attorney General and INS Commissioner to express their concerns. They asked for assistance in arranging to see their grandson, which INS attempted to pursue quietly. When efforts to reach agreement on a location for the meeting failed, INS directed the child's great uncle to make him available for a private meeting with his grandmothers on January 26 at 4:00 at the Miami Beach home of Sister Jean O'Laughlin. Following the meeting, Sister O'Laughlin stated that she now believes that the child should remain here in freedom. Elian's grandmothers returned to Cuba yesterday.*

Sen. Mack has introduced a bill to confer citizenship on the boy, and Rep. McCollum introduced companion legislation in the House. Rep. Rangel is sponsoring a sense of Congress resolution saying that Congress should not interfere in this case and that INS should carry out its decision to return the boy to his father, and Rep. Menendez has introduced legislation to make the child a lawful permanent resident. Action by Congress to confer citizenship or residency on the child would effectively divest INS of jurisdiction over the matter, leaving a Florida state court to resolve a custody case filed by the boy's great uncle against the boy's father in Cuba.

What is the INS decision in the Elian Gonzalez case? Do you support it?

- INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.
- INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner and we support their decision.

Congress is seeking to pass legislation that confers citizenship or permanent resident status on Elian Gonzalez. What's your stance on these bills?

- As the President said, we hope the challenge to the INS decision will be resolved in court, not the Congress, and we strongly oppose legislation to confer citizenship on the child.

Will you veto such a bill?

- As the President has said, he has not made a decision on this question, but would not rule out a veto.

[IF ASKED] Why didn't the President meet with Elian's grandmothers before they returned to Cuba?

- The President has made clear from the beginning that he does not want to inject politics into the issue. The Attorney General and INS Commissioner met with the grandmothers, and they, of course, are representatives of the Administration. The INS decision is being challenged in court, and it should be resolved there.

What's your reaction to Sister Jean O'Laughlin's comments that, based on what she observed, she now feels that Elian should not be returned to his father in Cuba?

- Everyone involved in this matter appreciates the role that Sister Jean O'Laughlin played in hosting the meeting between the grandmothers and their grandson.

[IF ASKED] Are you concerned that Cuban officials controlled the grandmothers' actions during their visit?

- All the officials from the Department of Justice and INS who have met with the grandmothers have been profoundly impressed by the genuineness of their desire to see Elian and to have him return to his home in Cuba.

What is the next step in this case? What happens next in the federal lawsuit filed by attorneys for Elian's great uncle?

- This is a matter for the Justice Department to handle, and in keeping with normal policy, we cannot comment on pending litigation.

Does the White House support the Attorney General's view that the state courts don't have jurisdiction over the boy from Cuba?

- As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

Were the political implications of the decision discussed at the senior levels?

- White House officials did not seek to, nor did they, influence the outcome of this decision, which, let me reiterate, was made solely by the responsible authorities following the law and

INS rules and procedures. But we want to see it carried out.

What about Dan Burton's subpoena?

- INS and the Attorney General are involved in dealing with all the related legal developments in this case.

FACSIMILE

Mark

C O V E R



Washington Office

2344 Rayburn HOB
Washington, DC 20515
TEL (202) 225-2201
FAX (202) 225-7854

Los Angeles District Office

10124 Broadway, Suite One
Los Angeles, CA 90003
TEL (213) 757-8900
FAX (213) 757-9506

Office of
Maxine Waters

Member of Congress
35th District • California

Date:

1/6/00

Pages to follow:

3

To:

Chuck Brain

Fax to: ()

456-6220

Telephone: ()

From:

Rep. Waters

☒ ADC☐ LA

Message:

CONFIDENTIAL AND PRIVILEGED INFORMATION

The information contained in this fax may contain confidential and privileged information belonging to the Members or Committees of the U.S. House of Representatives and is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action on the contents of such information contained herein is strictly prohibited. If you receive this fax in error, please notify us by telephone and return it to the above address.

MAXINE WATERS

MEMBER OF CONGRESS
35th DISTRICT, CALIFORNIA

CHIEF DEPUTY WHIP

COMMITTEES

BANKING AND FINANCIAL
SERVICES

JUDICIARY

Congress of the United States
House of Representatives
Washington, DC 20515-0535

PLEASE REPLY TO
2344 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515 0535
(202) 225-2201
FAX (202) 225-7854
DISTRICT OFFICE
10124 S. BRADWAY
SUITE 1
LOS ANGELES, CA 90003
(323) 767-8900
FAX (323) 767-9506

January 6, 2000

The Honorable William Jefferson Clinton
President of the United States
The White House
Washington, D.C. 20050

Dear Mr. President:

We are writing to you to again urge the Administration to assist in expediting the return of Elian Gonzalez to his father in Cuba. We applaud the National Council of Churches of Christ of the USA on the important role they are performing in the Elian Gonzalez immigration case. We support their request to accompany Elian back to Cuba and to turn him over to the Cuban Council of Churches so that he may be reunited with his father, Mr. Juan Gonzalez.

The U.S. Department of Justice Immigration and Naturalization Service's determination that Mr. Juan Gonzalez has the sole legal authority to speak on behalf of his son, regarding Elian's immigration status in the United States speaks not only to U.S. laws but to natural law. We ask that you assist the National Council of Churches of Christ of the USA in their effort to fulfill the father's official request of assistance to reunify his family.

We have been ardent in our efforts to ensure that Elian's situation not be decided based on the politics of the day or the sentiments of anti-Castro Cubans in Florida and the rest of the United States. Rather, it should be based on the interests of the child and the rights that any father would expect to have.

We urge your immediate intervention to resolve this situation and eliminate any further delay in the reunification of this family. Any further delay will ensure Elian's continued traumatic exposure to the ongoing protests in Miami.

Sincerely,

Maxine Waters
Member of Congress

Barbara Lee
Member of Congress

James E. Clyburn
Member of Congress

William Clay
Member of Congress

Sheila Jackson Lee
Member of Congress

Maurice Hinchey
Member of Congress

Sanford Bishop
Member of Congress

Stephanie Tubbs-Jones
Member of Congress

Alcee Hastings
Member of Congress

Jan Schakowsky
Member of Congress

Gregory Meeks
Member of Congress

Julia Carson
Member of Congress

Neil Abercrombie
Member of Congress

Nancy Pelosi
Member of Congress

Elijah Cummings
Member of Congress

Earl Hilliard
Member of Congress

cc: Attorney General Janet Reno
Commissioner Doris Meissner

Additional Supporters

**Mr. Harold Pope, President
National Bar Association**

**Dr. Joseph Lowery, Chairman
Black Leadership Forum**

**Dr. Dorothy Height, President Emerita and Chair
National Council of Negro Women**

**Mr. John Boyd, President
National Black Farmers Association and
Equality International**

**Mr. William Lucy, President
Coalition of Black Trade Unionists**

**The Honorable Roosevelt Coats, President
National Black Caucus of Local Elected Officials**

**Ambassador Andrew Young
GoodWorks International, LLC**

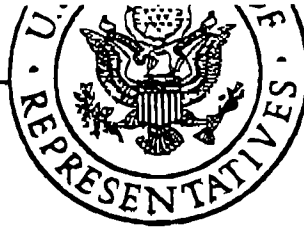
**Ms. Thomasina Cotton, Acting President & CEO
Opportunities, Industrialization Centers of America**

**Ms. Jane Smith, President
National Council of Negro Women**

**Ms. Sullivan Robinson, Executive Director & CEO
Congress of National Black Churches**

**Ms. C. Delores Tucker, Chair
National Political Congress of Black Women**

Manc



Washington Office

2344 Rayburn HOB
Washington, DC 20515
TEL (202) 225-2201
FAX (202) 225-7854

Los Angeles District Office

10124 Broadway, Suite One
Los Angeles, CA 90003
TEL (323) 757-8900
FAX (323) 757-9506

www.house.gov/waters

Office of

Maxine Waters

Member of Congress • 35th District • California

Date: Jan 7, 2000

Pages to follow: 1

To: Chuck Brann

Fax to: () 456-6220

Telephone: ()

From: Rep. Waters

☒ DC☐ LA

Message: This is another support letter from
the many organization who joined us in
our support for Elian's return

CONFIDENTIAL AND PRIVILEGED INFORMATION

The information contained in this fax may contain confidential and privileged information belonging to the Members or Committees of the U.S. House of Representatives and is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action on the contents of such information contained herein is strictly prohibited. If you receive this fax in error, please notify us by telephone and return it to the above address.

Office of The Mayor City of Prichard, Alabama

Telephone 334-452-7800

Fax 334-452-2875



January 6, 2000

Jesse M. Norwood, Mayor

The Honorable William Jefferson Clinton
President of the United States
The White House
Washington, D.C. 20050

Dear Mr. President:

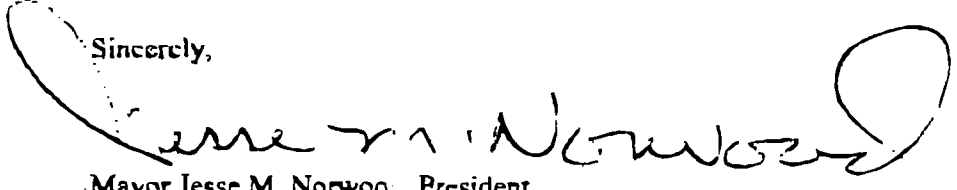
I am writing to you in hopes of urging the Administration to assist in expediting the return of Elian Gonzalez to his father in Cuba. I applaud the National Council of Churches of Christ of the USA on the important role that they are performing in this immigration case. I support their request to accompany Elian back to Cuba and to turn him over to the Cuban Council of Churches, so that he may be reunited with his father, Mr. Juan Gonzales.

The United States Department of Justice Immigration and Naturalization Service's determination that Mr. Gonzales has sole legal authority to speak on behalf of his son regarding Elian's immigration status in the United States speaks not only of U.S. Law but of natural law. I ask that you assist the National Council of Churches of Christ of the USA in their effort to fulfill the father's official request of assistance to reunite his family.

This effort is an attempt to ensure that Elian's situation not be decided based on the politics of the day or the sentiments of anti-Castro Cubans in Florida including those of the remainder of the United States, but, it should be based on the interests of the child and the rights that any father would expect to have.

We urge your immediate intervention to resolve this situation and eliminate any further delay in bringing this family together again which would only ensure Elian's continued traumatic exposure to the ongoing protests in Miami.

Sincerely,



Mayor Jesse M. Norwood, President
National Conference of Black Mayors

BCC: Congresswoman Maxine Waters

JMN/am

Post Office Box 10427

Prichard, AL 36610

JOSÉ E. SERRANO
16TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
2342 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3216
(202) 225-4381
FAX (202) 225-6001

DISTRICT OFFICE:
890 GRAND CONCOURSE
BRONX, NY 10451-2828
(718) 538-5400
FAX (718) 588-3652

Congress of the United States
House of Representatives
Washington, DC 20515-3216

COMMITTEE:
APPROPRIATIONS

SUBCOMMITTEES:
RANKING DEMOCRAT
COMMERCE, JUSTICE, STATE, THE JUDICIARY
AND RELATED AGENCIES
TRANSPORTATION
AND RELATED AGENCIES

MEMBER, CONGRESSIONAL
HISPANIC CAUCUS

MEMBER, CONGRESSIONAL
BLACK CAUCUS

VICE CHAIR
DEMOCRATIC STEERING
COMMITTEE

Office of Congressman José E. Serrano
Facsimile Transmission Cover Sheet

<u>SENT TO:</u>	<u>FROM:</u>
Name: <u>PRESIDENT CLINTON</u>	☒ Congressman José E. Serrano
Organization: _____	☐ Ellyn Toscano
Fax Number: <u>456-2604</u>	☐ Lucy Hand
Number of Pages: <u>2</u> (includes cover sheet)	☐ Idalia Dominguez Marty (Pichy)
Date: <u>1/5/2000</u>	☐ Nadine Berg
	☐ Forest Hayes
	☐ Diaraf Thiouf
	☐ Rosalinda DeJesus
	☐ Xavier E. McCombs
	☐ Intern: _____

MESSAGE:

1- 5-00; 6:42PM; Congressman Serrano
JOSÉ E. SERRANO
16TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
2342 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20615-3216
(202) 225-4361
FAX (202) 225-6001

DISTRICT OFFICE:
890 GRAND CONCOURSE
BRONX, NY 10451-2828
(718) 638-5400
FAX (718) 688-3852

Congress of the United States
House of Representatives
Washington, DC 20515-3216

January 5, 2000

COMMITTEE:
APPROPRIATIONS

SUBCOMMITTEES:
RANKING DEMOCRAT
COMMERCE, JUSTICE, STATE, THE JUDICIARY
AND RELATED AGENCIES
TRANSPORTATION
AND RELATED AGENCIES

MEMBER, CONGRESSIONAL
HISPANIC CAUCUS

MEMBER, CONGRESSIONAL
BLACK CAUCUS

VICE CHAIR
DEMOCRATIC STEERING
COMMITTEE

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500-0005

Dear Mr. President:

Finally after a flawed process and an unjustifiable delay, the INS has announced that Elián González will be returned to his father. I am supportive of this moral decision.

At a recent press conference, lawyers from Miami indicated they would be asking that this decision by the INS be overturned, and stated that they would be initiating legal action. This is outrageous, unacceptable, and has no supporting legal precedent or basis. Any attempt to change this long and overdue correct decision by the INS would be a grave mistake.

Now is not the time to again politicize the process. I urge you to reject all of these attempts to thwart the authority and decision of the INS. This child belongs with his father, and I hope that all of your efforts will be directed towards quickly bringing this to a conclusion.

Sincerely,



José E. Serrano
Member of Congress

JES:nab

Fight Over Boy Is Latest in Lawmaker's War With Castro

By LIZETTE ALVAREZ

MIAMI

PEOPLE usually grimace and squirm when they are publicly vilified, painted as traitors and mocked as animals. But for Representative Ileana Ros-Lehtinen, a Florida Republican and a fist-shaking anti-Communist, it's the next best thing to a shot of Cuban coffee.

Just before the new year, Granma, the state-run newspaper in Cuba, ran a full-page article that denounced her, in head-spinning Marxese, for her involvement in the Elián González case. "The ferocious wolf disguised as a woman," the giant headline read.

Then the Cuban government started showing a documentary on state-run television, morphing its image ever so slowly into that same ferocious wolf, a "loba feroz," as it called her.

Representative Ros-Lehtinen, who was born in Cuba, was so touched by the gesture she immediately dialed Tallahassee to order a vanity license plate: LOBA FRZ. "I wish I had a vowel there, like Vanna White," she said.

"I'm pleased as punch," Ms. Ros-Lehtinen said over a bagel and a café con leche at a restaurant here one morning. "I've been trying for so many years to get him to pick on me," she said, referring to Fidel Castro. "I don't know why now, and I don't know why twice. Something I've been saying has really gotten to him lately because I've been attacking him forever. Heck, he's the reason we're all here."

Maybe it is because Elián, the 6-year-old boy whose father wants him sent back to Cuba, is living with relatives in her district in Miami's Little Havana now, and Ms. Ros-Lehtinen has a fit to fling rhetorical lightning bolts Mr. Castro's way as often as possible.

On Wednesday, the Immigration and Naturalization Service decided that Elián's father had a right to be reunited with his son in Cuba. Ever since, Miami has been in an uproar. A Congressional subpoena has been issued to try to prevent immigration officials from sending him home by Friday. And a state judge is deciding whether to grant temporary custody of the boy to his great-uncle here.

Representative Ros-Lehtinen, 48, was involved in the case from the start. Soon after a fisherman found Elián, his little body peeking out from under a bobbing inner tube, on Thanksgiving, the boy's relatives called her to pay a visit and find out what to do. Elián's mother was among those who died when the

boat carrying them from Cuba sank.

"I was there just about the day he was released," Ms. Ros-Lehtinen said. Her cellular phone rings with yet another interview request. "Burden of Proof." Doesn't everyone shout on that show?" she asks her aide. "No. No. Tell them no."

"I could be on national news everyday," she said, after clicking off the phone. "But I go for local radio. I'm a local gal." Besides, she has to pick up her two daughters at school.

Since Elián's release by the immigration service, his family has invited her back several times. She showed up twice around Christmas, once with a monster truck for Elián and toys for the other children in the family. She also attended his birthday party.

Ms. Ros-Lehtinen shrugs off her critics, who say she and others have turned the boy's case into a political circus. "I've visited many families in my district, sometimes the media comes and sometimes it doesn't," she said. "I don't pick which one is the celebrated case."

Most members of Congress get attention for the pork-barrel projects they bring home or the roads they help build. That happens in Miami, too. But the bread-and-butter issue for Ms. Ros-Lehtinen, who was first elected to Congress in 1989, is reminding the United States government that Mr. Castro is a dictator.

Battling Mr. Castro is not just political, it is also personal. Ms. Ros-Lehtinen was born in Havana in 1952 and was just a year older than Elián when she came here. The year was 1959; Mr. Castro had overthrown the government and thousands of Cubans, including Ms. Ros-

Lehtinen's family, were fleeing.

In Miami, she met the man she would marry, Dexter Lehtinen, a former United States attorney here, while she was a state legislator. Like so many extended Cuban families, hers is tightknit. Her mother and father live right across the street and help take care of her daughters when she is in Washington.

Her constituents are smitten. She has run unopposed during her last three elections. Janitors and yard workers and businessmen recognize her on the street, something that cannot be said for most members of Congress.

The waiter, who arrived here from Cuba four years ago, asks if she wants more coffee, then leans toward her.

"That kid can't go back," he said.

"We hope not," she told him.

"Hope nothing," he said. "I

can't happen. That kid is too important to the exile community."

At a Little Havana senior center, her fans rush her with flowers and well-wishes. "Elián, Elián," they shout. She slips from Spanish to English and back again, whatever the moment requires. A few old Cuban men play music and Ms. Ros-Lehtinen, who says she has two left feet, shuffles around.

"No one talks about Elián's mother, about her sacrifice, so he could reach liberty in this beautiful country," she tells the crowd in Spanish. It is something they love to hear.

But, away from the hubbub, here in the café, Ms. Ros-Lehtinen tones down the rhetoric and shows a pragmatic streak. How can the community justify separating a 6-year-old from his father, who by all accounts was a good parent?

"I've never said in any way that Elián should be here or Elián should be with the father," she said. "All I've ever said and continue to say this day, is that the family wants a fair, impartial court procedure. This is a nation of law and we should be ruled by that, and we shouldn't rely on secretive administrative decisions."

"It's become such a huge issue," she said. "But we have to get back to the basics that this really is about a 6-year-old child."

In Miami, and in Cuba, where politics, passion and the past make for a volatile brew, it is never quite that simple, and she knows it.

"The judge may very well decide to send Elián back," Ms. Ros-Lehtinen said. "If the family had had a fair, impartial and free open hearing, then we would understand that decision. Now it has gone so far beyond that, that I don't know what would happen."

Cuba accuses U.S. of pulling Canada into dispute

From wire reports

HAVANA — Cuba condemned Sunday the United States' expulsion of one of its diplomats to Canada for alleged spying and accused Washington of trying to pull its northern neighbor into the dispute.

A statement read on Cuban state television said Jose Imperatori, 46, former vice consul at Cuba's Interests Section in Washington, had been deported to Canada and was on a hunger strike to protest his expulsion by U.S. authorities for alleged espionage.

"(Cuba) is not accusing Canada. Cuba is accusing the U.S. government which deceived the Canadian authorities, which lied to them," the Cuban statement said.

"The fact is that the United States has also involved the other country in the problem," the statement added.

It said that Imperatori, who categorically denies U.S. allegations that he engaged in espionage, had decided to remain on hunger strike and to seek permission to stay in Canada "the necessary time to find an honorable solution" to his case.

Imperatori was staying at the Cuban Embassy in Ottawa after arriving Saturday night in Montreal following his expulsion from the United States.

When he ignored a State Department demand that he leave on his own, Imperatori was taken into custody at his suburban Maryland home by U.S. authorities and flown to Montreal.

In Havana, scores of teenagers shouting, "Down with the lie!" held a pro-government rally Sunday outside the diplomat's home.

Watching the demonstration of teenagers waving small Cuban flags outside her two-story home in Havana's Vedado neighborhood, Imperatori's mother, Matilde Garcia,



By Manny Ceneta, Agence France-Presse

'Honorable solution:' Jose Imperatori wants to stay in Canada until he resolves his case.

said she looked forward to her son's arrival.

"We are absolutely fine and we are confident that everything will turn out well," Garcia said.

Imperatori's wife, Raquel Fundora, and the couple's 3-year-old son, were also at the home after returning to Havana from the United States on Friday night before their diplomatic immunity expired.

"It is incredible that a person who wants to demonstrate (his innocence) ... is not allowed to," Fundora said, referring to her husband's attempts to prove he had done nothing wrong.

Late Saturday morning, Imperatori announced his plan to defy the State Department expulsion order so he could contest allegations linking him with U.S. immigration official Mariano Faget, who has been charged with spying for Cuba.

"I declare myself in a hunger strike until I have been absolutely cleared of the accusations brought against me," Imperatori said



By Jose Gortia, AP

'Down with the lie:' Teenagers hold a pro-government rally in Havana on Sunday. They demonstrated outside the family home of Jose Imperatori, who was expelled from the United States.

several hours before the State Department's deadline for him to depart the country.

Cuban officials say that the allegations are a smokescreen to block the return of 6-year-old Elian Gonzalez to his father in Cuba.

Faget was arrested a few days before a scheduled court hearing on the Gonzalez case, which was later postponed. The State Department has dismissed such speculation as "utter nonsense."

The boy was rescued from the Florida straits on Nov. 25 after his mother and 10 oth-

ers died trying to get from Cuba to the USA.

Fernando Ramirez, head of Cuba's diplomatic mission, acknowledged that Imperatori had maintained contacts with Faget, but said they were no different from the kinds of above-board relationships the mission maintains with many Cuban-Americans and other Americans.

On Saturday morning, Imperatori gave Ramirez his resignation as consular affairs officer, leaving him without diplomatic immunity before the 1:30 p.m. Saturday deadline.

Boy's father says delay is 'morally indefensible'

HAVANA — The father of Elian Gonzalez calls the delay in returning his son to Cuba "morally indefensible" in a letter to two U.S. officials.

"By not returning my son to me, despite having acknowledged repeatedly that it is the right thing to do, the U.S. government has taken a position which is morally indefensible," read the letter, signed by Juan Miguel Gonzalez, which was made public Saturday.

The text of the letter to U.S. Attorney General Janet Reno and Doris Meissner, commissioner of the Immigration and Naturalization Service (INS), was published in the Cuban newspaper, *Granma*.

Gonzalez faulted "the total lack of action by the U.S. government, (which) has allowed the kidnapping of my son to drag on for almost three months."

The INS has ruled that the boy should be returned to his father, but a federal judge is scheduled to hear an appeal next week by Lazaro Gonzalez, Elian's great-uncle who has been his primary guardian in Miami.

Since he was rescued from waters off Florida in late November, Elian has lived in Miami with his great-uncle, who doesn't want the boy returned to Cuba.

Elian was found clinging to an inner tube after his boat sank.

Israel will hand over Nazi memoirs

War criminal Eichmann's notes at issue

By Matthew Kalman
USA TODAY

JERUSALEM — Israel, acting on a request from lawyers in a British libel case involving claims that the Holocaust never happened, agreed Sunday to hand over contents of unpublished memoirs by convicted Nazi war criminal Adolf Eichmann during his trial in 1962.

Lawyers for Penguin Books and Deborah Lipstadt, a scholar in modern Jewish and Holocaust Studies at Emory University, sought the journals of thoughts, jottings and philosophical essays.

Right-wing British historian David Irving is suing Lipstadt and Penguin Books. Irving contends that a book by Lipstadt, published in 1995, caused irreparable harm to his reputation by calling him "a dangerous spokesman for Holocaust denial."

The book examines claims that the Nazi campaign to exterminate Jews never took place.

Irving denies that millions of Jews were systematically slain by the Nazis.

He claims that Hitler didn't



Imprisoned: Nazi war criminal Adolf Eichmann writes from his Israeli prison cell. He was executed in 1962.

know about the genocide until the final stages of World War II.

Richard Rampton, defense counsel for Lipstadt, asked Israeli Attorney General Elyakim Rubinstein last week to send a copy of the notes to London for use in the trial, as proof that the Holocaust did in fact occur.

The journals have been locked away in state archives

since Eichmann was convicted of crimes against humanity and executed in Israel in 1962.

Eichmann was snatched by an Israeli spy squad from his hideout in Argentina in 1960.

Scholars who have read the notes say they contain attempts by Eichmann to justify his role in the Nazi extermination policy in which as many as 6 million

Jews and 4 million others were murdered, many in designated death camps.

In the notes, Eichmann repeats the blunt admission he made at his trial that the mass murder of Europe's Jews took place under the Nazis. However, he denied playing a major role.

In fact, historians say, Eichmann was the key Nazi official

in charge of organizing the forced emigration of Jews from Germany, Austria and the Czech protectorate before the exterminations began.

Eichmann was put in charge of the mass transportation of Jews from western, central and southeastern Europe to the extermination camps after the mass murders began in 1941.

The Israeli authorities have refrained from publishing the notes because of questions about copyright. Eichmann's sons have demanded that the notes be returned to the family.

Yehuda Bauer of the Hebrew University, Israel's leading Holocaust scholar, was one of the experts called in to advise Rubinstein.

"The copyright issue has not yet been settled, but if there is a demand from the court in London, it has to be considered," he said. "Apart from the fact that he fully admits the murder of the Jews in all its details, which might be useful, there's nothing new in it. There is no historical significance to the notes, but they may be of significance in a trial at which somebody tries to show that there was no Holocaust. This is one of the major actors talking quite freely about the destruction of the Jews."

The Israeli Justice Department said Prime Minister Ehud Barak "agrees with the decision, which is in line with his policy of fighting Holocaust denial."

Fight over Elian heads to Congress

By DIANA MELO

03/01/2000

Associated Press Newswires

Copyright 2000. The Associated Press. All Rights Reserved.

MIAMI (AP) - The fight over whether Elian Gonzalez should stay in the United States or be returned to his father in Cuba is headed back to Congress.

The Senate Judiciary Committee was scheduled to hear today from Marisleysis Gonzalez, a cousin representing Miami relatives trying to get U.S. citizenship for the 6-year-old boy, and Manuel Gonzalez, Elian's great uncle who believes the boy should return to Cuba.

Also scheduled to testify is Alina Fernandez, the daughter of Cuban leader Fidel Castro. Fernandez, Castro's out-of-wedlock daughter who fled the country in 1993, is one of her father's fiercest critics.

"We are taking a general overview of life in Cuba," said Jeanne Lopatto, a spokeswoman for Sen. Orrin Hatch, the Utah Republican who is the committee chairman.

Also on the panel is Sen. Connie Mack, R-Fla., who is the chief sponsor of legislation to grant Elian U.S. citizenship.

The boy has been the center of an international custody dispute since he was found clinging to an inner tube on Thanksgiving Day off the Florida coast. His mother and 10 others traveling with him drowned in an effort to flee Cuba. He is currently staying with his Miami relatives.

Elian will not make the trip to Washington.

"He is going to school and trying to lead a normal life," said Roger Bernstein, attorney for Elian's Miami family. "We want a resolution to this."

Last month, Senate Democratic Leader Tom Daschle suggested that sentiment is growing in both parties in the Senate for allowing the boy to return to his father in Cuba.

Senate Majority Leader Trent Lott, R-Miss., had once pledged to bring a bill conferring U.S. citizenship on the boy to a quick Senate vote but backed away from the plans.

The boy's two grandmothers made personal appeals to allow Elian to be returned to Cuba in visits earlier this year to members of Congress.

Lazaro Gonzalez, another great uncle, has sued the Immigration and Naturalization Service in federal court, challenging the agency's decision to send the boy back to Cuba.

U.S. District Judge K. Michael Moore plans to hear arguments in the federal case next week.

[Revise Folder](#) [View Folder](#)

Copyright ©1999 Dow Jones & Company, Inc. All Rights Reserved.



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

FAX COVER SHEET

DATE: 1/24/2000

TO:

Joel Wiginton

Mark Magaña

PHONE NO.

FAX NO.

456-6468 / 456-2604

FROM:

PATTY FIRST

PHONE NO.:

202/514-4810

FAX NO.

202/514-9149

NO. OF PAGES:

6 (EXCLUDING COVER)

COMMENTS:

Track Rangel bills on Etrian
Make transcript.

U.S. Senator Connie Mack (R-FL) Holds News Conference On Elian

Gonzalez

xfdr GOP-MACK-ELIAN-GONZALEZ sked
TRANSCRIPT

January 24, 2000

NEWS CONFERENCE

U.S. SENATOR CONNIE MACK (R-FL)

WASHINGTON, D.C.

U.S. SENATOR CONNIE MACK (R-FL) HOLDS NEWS CONFERENCE ON ELIAN
GONZALEZ

FEDERAL DOCUMENT CLEARING HOUSE, INC.

209 PENNSYLVANIA AVENUE, S.E., 2nd Floor

WASHINGTON, D.C. 20003

Tel: 202-547-4512

Fax: 301-883-9754

COPYRIGHT 2000 BY FEDERAL DOCUMENT CLEARING HOUSE, INC.

NO PORTION OF THIS TRANSCRIPTION MAY BE COPIED, SOLD OR
RETRANSMITTED WITHOUT THE EXPRESS WRITTEN AUTHORITY OF
FEDERAL DOCUMENT CLEARING HOUSE, INC.

SENATOR MACK HOLDS NEWS CONFERENCE ON ELIAN GONZALEZ

JANUARY 20, 2000

Elapsed Time 00:00, Eastern Time 01:29

SPEAKERS: U.S. SENATOR CONNIE MACK (R-FL)

MACK: Good afternoon. Thank you for waiting. Have you been here
long?

Well, I didn't realize that we were going to get caught up in
the quorum call, and so that's going to—that delayed my statement
on the floor. So I'm pleased to have the opportunity to come and
express to you what I'm attempting to do.

As you probably know by now, we will be using Rule 14 to
introduce a bill to provide citizenship for Elian, Elian Gonzalez.

The purpose of the bill is to move the decision-making about the little boy's future out of the hands of the INS into the hands of a court. The INS focuses on the issue about who can speak for the boy; that's what their interest is. The court's interest would be what's in the best interest of the little boy. And I think that's where it ought to be done.

And again—so today I will be introducing that legislation to get that process under way. And with that why don't I just stop and respond to your questions.

QUESTION: Do you have any idea when the vote will come?

MACK: No. As I understand it, Bobbie (ph), that there's a likelihood that there will be an objection heard today. When I move for the bill to be read for the first time, that's no problem. But when I ask for the bill to be read the second time, it's my understanding there will be an objection.

MORE

XXX be an objection.

MACK: Now what that really just means is it's a delay of one day. The bill would be read automatically for a second time tomorrow, which means that the legislation could come up on Wednesday.

But again, to take that a step further, we do have the bankruptcy legislation on the floor, and it's my understanding that we want to get that done and out of the way before we get back—before I'll be able to, you know, get back on the bill.

QUESTION: So what does the time look like?

MACK: I really don't know beyond that.

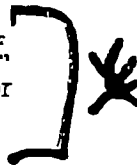
QUESTION: Do you have any idea of how many votes you have for this?

MACK: No, I don't. All I can tell you at this point is that we have not really—you know, because we've been out of session--really haven't made the effort to try to contact members. We have six members who are co-sponsoring the legislation: myself, Senator Lott, Senator Helms and Democrat Senator Graham, Senator Torricelli and Senator Robb. And so I—you know, I'm just hopeful that we're going to have the necessary votes to do what we need to do.

QUESTION: I didn't hear earlier whether this was for citizenship or permanent residence.

MACK: No, citizenship.

QUESTION: OK. And what about the ones, then, that were introduced on the House side that would go for the permanent



residency? How do you reconcile the two?

MACK: Well, as I understand it, there will be a bill offered on the House side for citizenship as well. The House will have to work its will. You know, we're proceeding with citizenship here.

QUESTION: Just to give you the chance to explain the facts on the Cuba--this does not stop him from being returned to Cuba?

MACK: That's correct.

QUESTION: Can you explain it?

MACK: Yes, OK. I'm glad you ask it, because it allows me to kind of state where I am in all of this.

MORE

XXX all of this.

MACK: I mean, first of all, I have some pretty strong feelings about--that I think that Elian ought to stay here in the United States. But I would stress that the legislation that I am proposing does not dictate an outcome. It says in essence that the decisions will be made by a court, and I think that is the right place for these decisions to be made.

So there is--citizenship or permanent residency, for that matter, again does not dictate the outcome. That will be determined by a court, assuming that we're successful in what we do.

QUESTION: Senator, does it seem realistic, though, that a court would say to a U.S. citizen: You have to go to Cuba.

MACK: Well, again, let's focus on what I believe the court will be looking at. They'll be asking the question: What is in the best interest of the little boy? Again, I have some very strong feelings about that as well. It is hard for me to believe that a court in the United States, freest country in the world, would make a decision saying that they think it's in the best interest of the little boy to go back to Cuba--a totalitarian country where he will be told by the state what he will learn, what he can speak, what he can believe, and what he'll become.

But having said that, again, the court will make the determination about what they believe is in his best interest.

QUESTION: Senator, the grandmothers flew from New York to Miami today. What's your reaction to that? And what bearing do you think it will have on this case?

MACK: I have two reactions to it, I guess. One, it's again pretty obvious that they love their grandson. I mean, I have three little grandsons, one of them close to Elian's age. And I would suspect that grandparents are grandparents wherever they're from. So I look at it from that perspective.

MORE

XXX from that perspective.

MACK: But also, having been in this business for now my 18th year, there's also what I think is a very obvious thing that's going on as well, and that's an attempt by Fidel Castro to manipulate public opinion in the United States. And I think we ought to recognize that both of those things in fact are going on.

QUESTION: Could I ask--returning to the matter of court--what about the predisposition of the law that a child should in fact be raised by his natural parents?

MACK: I think that, again, Bob, I think we all have kind of an instinctive reaction that way. But I think there have been many circumstances--and I would suspect that there have been many circumstances in which to put a young boy or young girl back into a situation that could be detrimental to them has been considered by the courts and other decisions have been made.

So again, without making any statements with respect to the love by the father or the grandparents, or for that matter the family in Florida, those are all issues that ought to be looked at by the court to make the determination.

And let me try to tie these last two questions together. I think it is a little strange, unusual, that the father has not indicated his willingness to come to see the boy, to pick the boy up. And I think it all--again, I'm not sure that all parties involved in this are free to express their feelings as they might.

QUESTION: (OFF-MIKE) any other members of the family? Grandmothers, the father...

MACK: Again, what I'm focusing on here--I'll back up again.

MORE

XXX back up again.

MACK: The first thing that struck me on this case, when you started to think--again, remember the first comment made by INS was that this was to be a custody case. And so immediately you get into this, well, what is the father's interest, what is the father's attitude.

And the thing that surprised me is that very few people suggested that we ought to consider what the mother was trying to accomplish. And I am--I am confident that most mothers in America must have thought to themselves: I'm sure she went through a very difficult set of decisions before determining that she was going to take her little boy across the Florida Straits.

And so I think that one of the things that ought to be taken into consideration is what the mother was trying to accomplish.

QUESTION: Senator, what does actually giving him citizenship accomplish? Is it that you want him perhaps to come back to the United States--give him that option? Or does it preclude his--the INS moving ahead in a court case? Or would it give weight to those who want to keep him here in a court case?

MACK: Well, I don't think it necessarily gives weight. It does take the INS out of it. The court will make a determination about what's in the boy's best interest. And there was a third component of what you...

QUESTION: What--well, would it preclude the INS moving quickly and...

(CROSSTALK)

MACK: Oh, the third was about his future. I mean, you know if the court should decide that they believe that it's in the boy's best interest that he goes back to Cuba, as a citizen he would have the option at some point in the future of coming back to America.

MORE

XXX back to America.

MACK: But again, I--others have raised that. And you know, again, from a personal perspective, I embrace that as well. But again, from a legislative perspective, what we are trying to accomplish here is to move it from an INS issue to a custody issue.

(CROSSTALK)

MACK: Let me--no, no, hold on a second, hold on a second.

QUESTION: Are you talking about putting this down to a family court in Florida or a federal court in...

(CROSSTALK)

MACK: Not a federal court. Our understanding this would be in the jurisdiction of a state court and, again, where the focus would be on what's in the boy's best interest.

QUESTION: To follow on that, does this state court have the ability to send him back to Cuba if that were...

MACK: I don't think the court has the ability to send the boy back. They could make the decision, I suspect, that it's in the boy's best interest to be with his father, then I suspect that, you know, that the federal government--through what agency I'm not quite sure. Since he would now be a U.S. citizen, there would have to be some effort I would suspect at that point to bring about the decision by the court.

QUESTION: So you'd have to deport a U.S. citizen in a sense?

MACK: I don't think the term would be "deport," but now we're getting into the intricacies of INS's language and I'm not sure about that.

QUESTION: You mentioned Castro when you were discussing the grandmothers' visit. Are you suggesting that you think that Castro in some way is helping to organize or orchestrate what the grandmothers have been saying?

MACK: I don't think--there's not any question in my mind that there has been contact between the grandmothers and the Castro government, and discussions could have covered anything.

MORE

XXX have covered anything.

MACK: And I don't think it's a stretch of the imagination to think that they may have had a discussion about what might be some good things to say. But as I said a moment ago, I don't question at all the love of the grandparents for their grandson.

QUESTION: What does this say about--I mean if this were--if the father would be from Sweden, this would not have come up. This is very much Cuba. What does it say about U.S. policy towards Cuba? Does this mean that any minor that comes here from Cuba will suddenly become a citizen or anybody...

MACK: No, I don't think so. I mean, I guess I can see how you can stretch that question. I mean, to imply that there's something unusual about the fact that we would get into this debate with Cuba but not, say, with Sweden or England or something, the fundamental point is what we're really talking about is the future of the little boy and the relationship with his father, which we unfortunately can't know under the circumstances that exist today. And the best way to find that out is through a court. And that's the approach we're taking.

QUESTION: Two questions. When you say the relationship with his father, are you bringing--saying that you might be sending him back (inaudible) because of the relationship with his father and not the communist government there?

MACK: Well, I'm raising all kinds of different concerns. All's I'm saying here is that nobody really knows what that relationship was. Again, I'm trying to--let me just be perfectly clear. I am not trying to say anything about the father, because I don't know the father. There's been very little said. But it would seem to me that since there was a divorce that took place, what were the reasons for the divorce? What was the relationship between the son and the father? What are the circumstances that the little boy might go

back into?

MORE

XXX go back into?

MACK: That's all.

QUESTION: The other question was, with previous citizenship bills, Congress was acting on behalf of individuals who were seeking citizenship. In this case, if a parent speaks for a minor, Gonzalez doesn't want citizenship, if his father is speaking for him. Why then would the Congress pass precedent-setting legislation such as this to grant citizenship where it hasn't been sought?

MACK: Yes--well, you know, I guess each case that could be brought up with respect to citizenship can be said in such a way or crafted in such a way that it becomes a precedent. But I mean, we--the Congress has acted in order to give potential Olympic athletes citizenship. So it seems to me when we're talking about the future of a little boy, that it's--I don't find that to be something that either would discourage future Congresses from dealing with, in a like manner. I just--I don't have any problem with the fact that the approach here is citizenship.

And let me just add another point. We've gotten to where we are today because of what appears to me, anyway, to be political influence on this almost from the beginning. We saw the INS come out with a statement that this was a custody issue. And then rallies in Havana and the administration backing off.

And my feeling here is while we're dealing in a legislative body, my effort is to move it out of politics and to put it into the courts so we can truly find out what the relationships among the family members are and make the decision about what's in his best interest.

MORE

XXX his best interest.

MACK: Bob, you look troubled.

(LAUGHTER)

QUESTION: (OFF-MIKE) Has anybody--has anybody asked the child what he--whether he would prefer (OFF-MIKE)

MACK: I have heard that people have. I have not seen anything or read anything to indicate what he may have said. I don't know the answer to your question.

QUESTION: Might not--somebody who is trying to author this legislation that will affect him in that way, it might not you want to know what the child thinks?

MACK: Again, my purpose here is not to make a determination about the outcome. You know well how I think it ought to be. I think it ought to be done by the courts, and his interests clearly can be stated at that time.

QUESTION: You said you're taking this out of politics, putting it into the courts. But aren't those state courts in Florida--aren't those judges elected?

MACK: Well, I don't see it, Larry--I mean, the answer is, yes, they are.

QUESTION: Aren't the judges in South Florida elected, as they are all over Florida? And is it reasonable to expect that a judge is going to move against the prevailing wisdom in that community?

MACK: Well--I mean, Larry, you're...

QUESTION: He's talking about taking it out of politics...

MACK: You're asking a much more fundamental question, and that is, whether judgeships should be elected or not. The point is that they are elected in Florida. There is a belief in our state that judges that are elected can make unbiased and factual and truthful decisions.

MORE

XXX and truthful decisions.

MACK: And I can't help but believe, again, that the court will make the decision of what's in the best interest of the boy.

QUESTION: Just to follow up on that...

MACK: What's that?

QUESTION: (OFF-MIKE) legal principle that the federal courts are already reviewing (inaudible).

MACK: It's a very narrow issue that they're discussing, and that is having to do with INS law and who speaks for the boy. It has nothing to do with what's in the boy's best interest.

You wanted to follow up.

QUESTION: To follow up on Larry's question, isn't the deck stack in Dade County, given the politics of the county?

MACK: Well, I can't accept the premise, because, I mean, what you're setting up there is that there's no way that under political pressure that the courts in South Florida can make fair decisions, and I just don't accept that.

Yes?

QUESTION: Senator, will this--or is there concern at this might open the door for other people to ask for the same type of treatment? For example, the Grinville (ph) children who came from Haiti.

MACK: I think that that matter has been take care of, that the children have been reunited with the mother.

But will there be--could there be issues in the future that come up? Of course there can be issues in the future that might come up. But I would hope that we would address each of those issues. And again, I can only speak for myself. My interest here is to see that a decision is made not by a few bureaucrats. I mean, I make the charge already that I think they have been affected by the public relations game that's been underway. And I feel that the best way to make this decision for the boy's interest is in a court, not in some political arena.

QUESTION: But why this boy? I mean, you have every day children who are born to illegal aliens who are in school, enjoying benefits in states who are deported with their parents. Why aren't people getting upset about what's in their best interest?

MORE

XXX their best interest?

QUESTION: I mean, why is this child?

MACK: Well, it's not because it's Cuba. It is because it is a little boy whose life is going to be determined by a decision that's going to be made in this country. And that decision can either be made by the political system or it can be made in the court. And it just seems to me that that's a very rational way to go about it.

With that...

(CROSSTALK)

QUESTION: (OFF-MIKE)

MACK: Again, I think this is an unusual situation. The mother gave her life in her search for freedom. Her son lived. And now somebody has to decide. That's--I think that's the key point. Somebody has to decide. And I don't want the decision to be made by a federal agency that is subject to political pressure. I want it to be made in a court where I think the issue will be one based on what's in the boy's best interest, as opposed to whether--who can speak for the boy.

And with that, I thank you.

QUESTION: (inaudible) on the Senate floor or...

(CROSSTALK)

MACK: If I could--if we've got a quorum I will, but you all have heard everything I have to say on this.

(LAUGHTER)

END

President Statement 1/25/00

plenty for the next President and the next Congress to do.

And they will have to do that, because the life expectancy is going to go up so exponentially. And we've already gotten Medicare out 25 years -- keep in mind, Medicare was projected to go broke last year, when I took office. Now we've got it out to 2025. I think that it is appropriate to add the voluntary prescription drug benefit, and to take it out a little further by taking some of the reforms that all of us apparently agree on, based on the Medicare Commission that had heavy involvement by Senate Republicans and Democrats. And the Finance Committee's going to take that up. So there will be plenty for America to do next year and the years beyond. There always will be.

Q Mr. President, what do you -- what's your read on the results from Iowa? Were you surprised by the margins on both the Democratic and the Republican side? Can you give us your take?

THE PRESIDENT: Well, I think the Republican race was about as I thought it would be, and I think that the Vice President had a terrific victory last night in Iowa, and I think all the more impressive because he and Senator Bradley, I thought, both ran very substantive campaigns, very idea oriented campaigns, and had that whole series of debates, which I think served the people very well. And I think he should be very proud of that, his strong effort. And I was very pleased to see that. But I don't have any real analysis of what happened in the insides of either one of the campaigns because I didn't follow it that closely.

Q Well, you've been through this. I mean, as they go into New Hampshire, how does it affect the dynamic there?

THE PRESIDENT: I think it's a plus, but I agree with what the Vice President said last night, it's important not to over-read it. The people of New Hampshire are very independent. They want to make a good choice. They understand that to some extent the choice they make affects the choices that the country has after the New Hampshire primary. And I think that you'll see all the candidates there really bearing down and trying to reach the voters, which is what they ought to do.

Q Mr. President, are you inclined to sign or veto any possible bill out of Congress that would grant Elian Gonzalez U.S. citizenship? And do you think it was a good idea for the two grandmothers to come here to meet with Congress, or are you concerned that might further politicize the process as you --

THE PRESIDENT: Well, first, I have done my best, as all of you know, to handle this in a non-political way and to make the judgments for which the law provides. The judgment that the law provides for the INS to make is whether the father can

properly be declared the guardian of the child, since the mother was, unfortunately, killed.

And the case is now in court, and I would like to see -- at a minimum, I would like to see this court case played out before the Congress takes action. I think we ought to try to let the legal system take its course.

I understand that the strong feelings that exist in this country about the Castro government complicates this. And I know that that little boy has some relatives in this country who feel very strongly about that. And I guess his grandmothers, in coming up here, were reacting to what they thought about the extent to which the case had already been politicized.

More than anything else, I wish that somehow -- I mean, no one can really know for sure, I suppose, what terrible and probably not fully conscious burdens that child has already sustained because he lost his mother and because now he's being competed for in a way that is unusual for a six-year-old child. And I know that -- maybe it's just because I'm not running for anything, but I just somehow wish that whatever is best for this child could be done. And I know there are people who genuinely disagree about that, because plainly he would have more economic opportunity in this country. But all the evidence indicates that his father genuinely loved him and spent a great deal of time with him back in Cuba.

So I think that -- you know, what I have tried to do is to set up a circumstance where the people who were in a position to know the most and be the least influenced by whatever the political considerations are would at least have the maximum opportunity to wind up doing what was right for the child. I hope that somehow we can still find a way to do that.

Q If I could follow up, for better or worse, though, politics is a reality in this situation --

THE PRESIDENT: Yes, it is.

Q Could you possibly veto any bill that would grant Elian Gonzalez U.S. citizenship?

THE PRESIDENT: I have not decided what to do and I wouldn't rule that out. I just haven't decided what to do.

Let me just say for the moment, if you take it out of the combustible, emotional nature of our relationship with Cuba and particularly the Cuban American community in South Florida's relationship with Cuba, and you think about the issue, one of the things that I think we all need to think about is this could happen again. I mean, this sort of thing could happen again because you have so many people coming to our shores from all these different countries, and then shifting governments,

shifting policies within countries. And what we do need is an analysis of whether we have the tools to maximize the chance that the kids involved and the families involved will be treated fairly, based on the merits of, particularly, the best interests of the child.

And I think, again -- I'm happy to talk to anybody about this and really try to think this through. I'm just trying to minimize the politics of it, because I think if you take this one decision out of context, it's not just Cuba and it's not just this little boy, there are likely to be a lot of these things in the future as immigration flows increase, upheavals increase elsewhere, and as we know more and more about what goes on in other countries.

This is something that ought to be thought about. But in my -- I suppose I have tended to think of this child more from a point of view of a parent than anything else, and I wish I knew more about the facts even than I do, because I just -- this poor kid has already lost his mother, and whatever happens, I'm sure he's going to carry certain burdens into his early adolescence that most of us did not carry. And somehow, whatever happens, I just hope it turns out to be best for him. He's a beautiful child.

Q Mr. President, in his victory statement yesterday, Governor Bush seemed to be throwing down the gauntlet against you. He seemed to be kicking off his major campaign against you. What do you have to say about that, and do you have a rebuttal? Are you going to do anything about it?

THE PRESIDENT: Well, I have, I guess, two responses. One is, this campaign is between the candidates and the American people, and they will evaluate all claims and charges, and they usually get it right. That's why we're all still around here, after 224 years. They almost always get it right. And so I'm going to leave most of that to them.

Now, it is an unusual claim that we ought to somehow reject an approach that has given us the longest economic expansion in history and the lowest unemployment, welfare and crime rolls in 30 years, not to mention the benefits of the Family and Medical Leave law and the Brady law, which were vetoed in the previous administration. And I agree that the tax program he's proposed might well undo a lot of that, and he can make the claim that that's the basis on which the campaign ought to proceed. But I don't really want to get into an argument with him. He ought to -- I think that ought to be something between him and the other candidates and the American people.

But I do think it's an unusual thing to say that what we really ought to do is change what has given us an unprecedented level not just of economic prosperity, but of social progress and social cohesion, restored credibility of

JOSÉ E. SERRANO
16TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
2342 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3216
(202) 225-4361
FAX (202) 225-6001

DISTRICT OFFICE:
890 GRAND CONCOURSE
BRONX, NY 10451-2828
(718) 531-5400
FAX (718) 588-3652

Congress of the United States
House of Representatives
Washington, DC 20515-3216

COMMITTEE:
APPROPRIATIONS

SUBCOMMITTEES:
RANKING DEMOCRAT
COMMERCE, JUSTICE, STATE, THE JUDICIARY
AND RELATED AGENCIES
TRANSPORTATION
AND RELATED AGENCIES

MEMBER, CONGRESSIONAL
HISPANIC CAUCUS

MEMBER, CONGRESSIONAL
BLACK CAUCUS

VICE CHAIR
DEMOCRATIC STEERING
COMMITTEE

Office of Congressman José E. Serrano
Facsimile Transmission Cover Sheet

<u>SENT TO:</u>	<u>FROM:</u>
Name: <u>MARK</u>	☐ Congressman José E. Serrano
Organization:	☐ Elyn Toscano
Fax Number: <u>456-2604</u>	☐ Lucy Hand
Number of Pages:	☐ Idalia Dominguez Marty (Pichy)
(includes cover sheet)	☒ Nadine Berg
Date: <u>1/2/2000</u>	☐ Forest Hayes
	☐ Diaraf Thiouf
	☐ Rosalinda DeJesus
	☐ Xavier E. McCombs
	☐ Intern: _____

MESSAGE:

*A copy of the Peer Colleague.
There will be a new trip
of the Cong. Range Hill.
Thanks —
Nadine*

Congress of the United States

Washington, DC 20515

January 21, 2000

ELIAN BELONGS AT HOME WITH HIS FATHER

Dear Colleague:

This is our plea to you and to every Member of the House: please approach the case of Elián González without regard to your position on US policy toward the government of Cuba. And please do nothing that would delay for one minute his return to his father and his home.

This is not about foreign relations but about family. Imagine how you would feel if your six-year-old child were being held apart from you in a foreign country by distant relatives, however kind and generous, because they do not approve of the political system you live in. Worse, imagine how your child would feel being kept away from you and from home, however pleasant the "exile", for political reasons a young child simply cannot be expected to understand.

The Immigration and Naturalization Service interviewed Juan Miguel González several times and determined that he is an involved father. He actively shared custody of Elián, and videotapes show them playing happily together. He knows the names of his son's teachers, and even the boy's shoe size. And because there is no hint of abuse or neglect or any other disqualifying factor, only he can or should speak for his child, and it is his decision alone how and where to raise his son.

We believe this is a case where the obvious love between a good father and his small, bereaved son, the fervent desire of four grandparents and a great-grandmother to see their family together again at home, and our own fundamental faith in families, should trump all other considerations.

However, if you must consult your head as well as your heart in this case, consider:

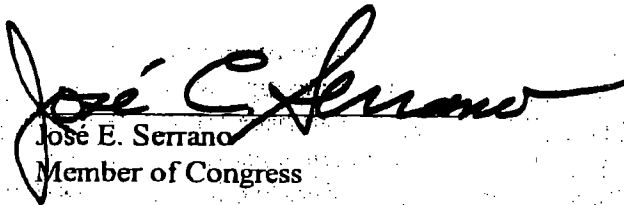
- ☛ If Elián were from any country other than Cuba, he would have been returned. Early this month, more than 400 people whose smuggling boat had run aground off Florida were returned to Haiti, including unaccompanied children, even two, Marc, 9, and Germanie, 8, whose mother had been taken ashore for medical care in Miami.
- ☛ Neither Elián nor his father is seeking U.S. citizenship for him. In contrast, 1.4 million immigrants who want to become citizens have waited the necessary years to apply, have completed the application process, and are now waiting in line in a backlog that can take years. Surely they are at least as deserving of expedited citizenship.
- ☛ U.S. citizenship is precious to those who hold it, but involves responsibilities as well as

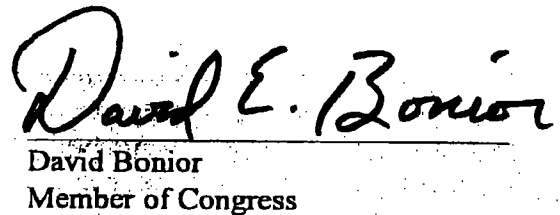
privileges. A child, particularly one whose parent does not want this citizenship for him, can hardly be expected either to appreciate it or to meet its obligations.

- ☞ Congress has only granted citizenship in the past to individuals of extraordinary achievement – Winston Churchill, Mother Teresa, and Raoul Wallenberg, for example. Any six year old's achievements would be in the future.

A majority of Americans favor reuniting Elián, who has experienced great tragedy and great upheaval in his short life, with his father. We urge you, too, to leave politics aside and permit this small child's return to his father, his grandparents, and his home.

Sincerely,


José E. Serrano
Member of Congress


David Bonior
Member of Congress

News From...

The Committee on Government Reform



Dan Burton (R-IN), Chairman

Contact Mark Cornille
(202)225-5074

FOR IMMEDIATE RELEASE

January 7, 2000

Committee Serves Subpoena to Keep Elian Gonzalez in U.S. Pending Judge's Ruling

Washington D.C., — Chairman Dan Burton today issued a subpoena to Elian Gonzalez to insure that no precipitous action is taken until the Florida State court in Miami can adequately address the Gonzalez case.

"First and foremost, I want to make sure that Elian's rights are protected. I am concerned that without a ruling from the judges, Elian is without legal protection over the weekend. I am issuing this subpoena to provide a measure of legal protection while the court is considering this case.

"I would hope that the Clinton Administration will do nothing precipitous over the weekend. This boy's mother lost her life trying to bring her son to freedom in the United States. I think we owe it to her to make sure that Elian has his day in court and is given the opportunity to exercise all of his rights under the law.

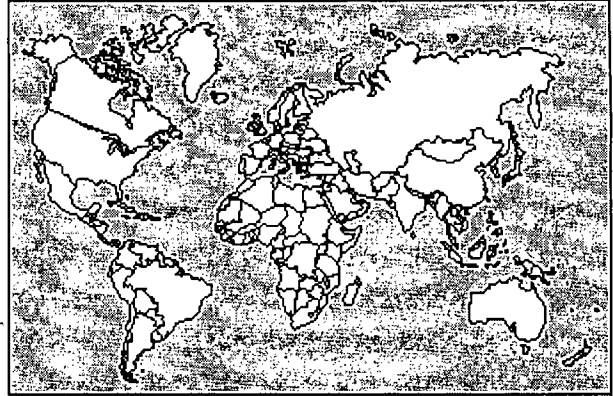
"I extend my sympathy for the tragic loss of his mother, and express my admiration that she died trying to give her son the gift of freedom. It is my sincere hope that this boy will not be used to further political interests.

"I have consulted with Governor Jeb Bush and Elian's lawyers on this matter. I hope that the people of Miami will remain calm and allow the court to do its work."

-- 30 --

NEWS FROM THE
House International
Relations Committee

Benjamin A. Gilman, Chairman



DATE: January 5, 2000
FOR RELEASE: Immediate

Contact: Lester Munson, Communications Director (202)225-5021

GILMAN URGES CITIZENSHIP FOR ELIAN GONZALEZ AND LEGAL RESIDENT
STATUS FOR FATHER AND IMMEDIATE FAMILY

WASHINGTON (January 5) - U.S. Rep. Benjamin A. Gilman (20th-NY), Chairman of the House International Relations Committee, issued the following statement today concerning the decision by the Immigration and Naturalization Service to return six-year-old Elian Gonzalez to Cuba:

"Regrettably, the Immigration and Naturalization Service has decided that Elian Gonzalez does not deserve to live a free and full life in America. Once again, the administration is placating Cuba's dictator. This is not a usual custody case since we do not have a legal relationship with the Cuban dictatorship.

"The Cuban youngster's relatives in Miami apparently intend to appeal this decision. They should not be denied due recourse. In the meantime, out of respect for the child's mother, I will support legislation to grant Elian Gonzalez American citizenship.

"I will also request that the legislation provide legal resident status for the boy's father and other immediate relatives."

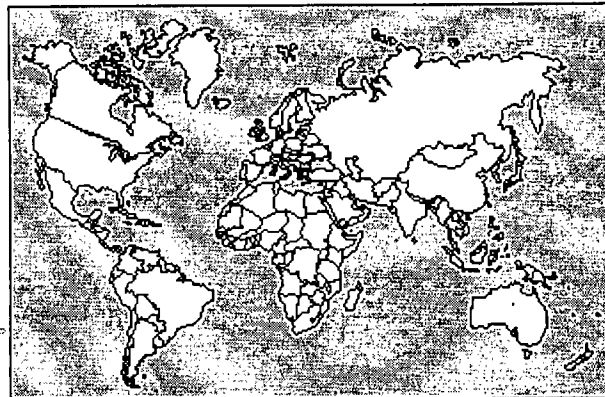
30

NEWS FROM THE

House International

Relations Committee

Benjamin A. Gilman, Chairman



DATE: December 10, 1999
FOR RELEASE: Immediate

Contact: Lester Munson, Communications Director (202)225-5021

GILMAN URGES INS TO AVOID RUSH TO JUDGMENT IN CUBAN BOY'S CASE **"NO ONE SHOULD HURRY TO RETURN THIS CHILD TO FIDEL'S GULAG," SAYS GILMAN**

Miami, FL (December 10) - U.S. Rep. Benjamin A. Gilman (20th-NY), Chairman of the House International Relations Committee, joined Representative Ileana Ros-Lehtinen (R-FL) and Senator Robert Torricelli (D-FL), and Jorge Mas and Pepe Hernandez of the Cuban-American National Foundation this morning at a press conference here to discuss U.S. actions in the case of a six year old Cuban boy, Elian Gonzalez, found alone on a raft at sea on Thanksgiving Day.

The boy is awaiting deferred inspection by the Immigration and Naturalization Service which will determine whether he is to remain with relatives in the United States or be returned to Cuba to the custody of his father. Chairman Gilman offered the following remarks:

"I believe that the State Department and the Immigration and Naturalization Service (INS) must exercise prudence with regard to this tragic, humanitarian case and avoid making any precipitous moves. We are talking about a young child who has suffered a terrible ordeal. Our main concern must be for his welfare. The INS should scrupulously follow every proper procedure in this case.

"We must not allow demonstrations orchestrated by the Castro government to perturb a judicious and proper review of the facts of this case. A fact which weighs heavily with me is that this child's mother gave her life to bring him to freedom. No one should rush to return this child to Fidel's gulag.

"Given Fidel Castro's direct involvement in the matter, there is a real danger that the boy's father and other relatives may be under pressure from Cuba's internal security apparatus.

"The U.S. should insist on speaking directly with the father. Moreover, I urge the State Department to immediately authorize visas for the boy's father and other appropriate relatives to travel to the United States."

30

Congress of the United States

Washington, DC 20515

January 11, 2000

The Honorable Janet Reno
Attorney General
U.S. Department of Justice
Tenth and Constitution Avenue, N.W.
Washington, D.C. 20530

Dear General Reno:

As you know, Florida Circuit Court Judge Rosa Rodriguez has scheduled a hearing for March 6 on a petition to grant temporary legal custody of Elian Gonzalez to his great uncle. In doing so, she ruled that the petition:

"Contains sufficient verified allegations that, if emergency relief is not granted and Elian is returned to Cuba, he would be subjected to imminent and irreparable harm, including loss of due process rights and harm to his physical and mental health and emotional well-being."

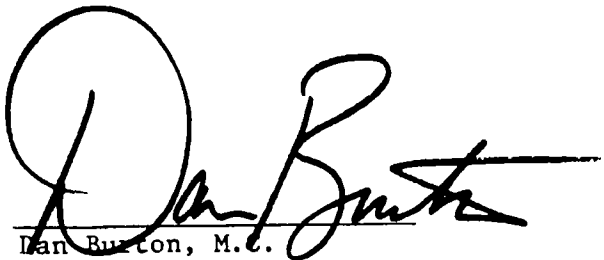
Elian Gonzalez's mother died trying to bring him to freedom in America. We believe that, at a minimum, he deserves his day in court. He deserves the opportunity to exercise every legal option available to him, and no actions should be taken that would preempt his right to due process.

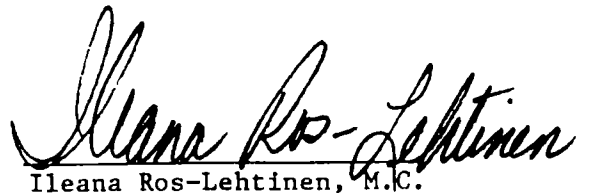
Last week, the Immigration and Naturalization Service set a date of January 14 for Elian's return to Cuba. There has been open speculation in the media that the Justice Department and the INS might not respect the State Court's jurisdiction in this matter, and might attempt to enforce the INS's decision without awaiting a ruling from the court. We believe that such a course of action would be a serious mistake.

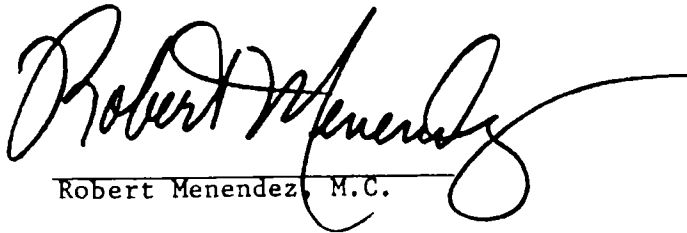
We ask that you make a public commitment that the Justice Department will take no action to return Elian to Cuba until he has had the opportunity to exercise all of the legal options available to him. We do not believe that there is any justification for an attempt to short-circuit the judicial process. By publicly stating that you will take no action until judicial review of this matter has run its course, you will reduce the public anxiety that has surrounded this entire process and reinforce that, in the United States, the rule of law is paramount.

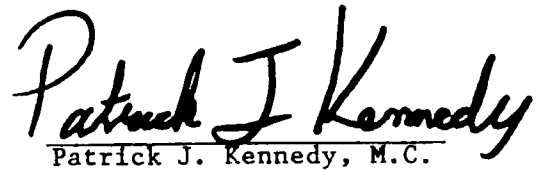
Thank you for your attention to this very important matter.

Sincerely,

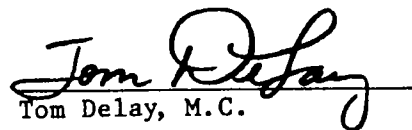

Dan Burton, M.C.

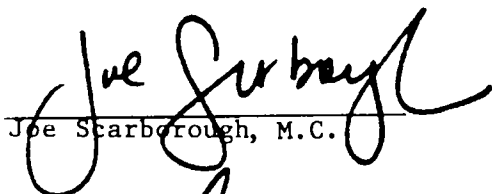

Ileana Ros-Lehtinen, M.C.

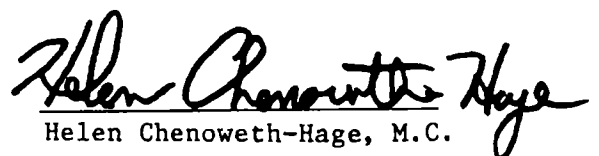

Robert Menendez, M.C.

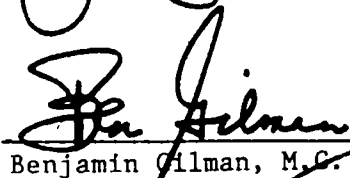

Patrick J. Kennedy, M.C.


Peter Deutsch, M.C.


Tom Delay, M.C.


Joe Scarborough, M.C.


Helen Chenoweth-Hage, M.C.

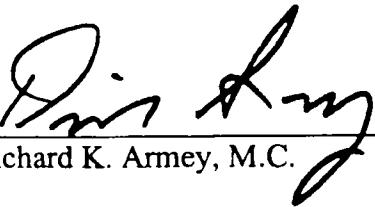

Benjamin Gilman, M.C.


Christopher Shays, M.C.


Robert G. Torricelli
United States Senator


Martin Frost, M.C.

The Honorable Janet Reno
January 11, 2000
Page 3


Richard K. Armey, M.C.


Connie Mack, United States Senate


Bill McCollum, M.C.

- Internal Only -

1/18/00

into town is work on the Elian Gonzalez case. If they did pass a private bill in both Houses and they feel like, politically, they've got enough backing to do that, what would you do with that bill if it got to your desk?

THE PRESIDENT: I don't know, I haven't thought about it. I think it would be -- this is not Winston Churchill, for one thing. You know, I don't think that Congress should put its -- unless they know more about the facts than I do, I don't think they should put themselves in the position of making a decision that runs contrary to what the people who have had to do all the investigation have done.

I think that, obviously, if they believe the INS made a mistake, their decision is subject to challenge in federal court. And the Congress -- even members of Congress can petition to be heard there. But I think that we're setting a -- I think that it would irrevocably lead people to the conclusion that this was much more about politics than it was whether that little boy ought to be taken away from his father.

They're basically taking a position that if you live in Cuba, if we can take you away from your father you're better off -- your parents. And I think that's -- the INS reached a different decision, having exhaustively looked at what was best for that child.

As you all know, I have no sympathy for the Castro regime. I signed the present bill. I think it is tragic how they have blown every conceivable opportunity to get closer to the United States. Just as we were making progress, they murdered those pilots. So I'm not sympathetic there. But I think that we need to think long and hard whether we're going to take the position that any person who comes to our shores who is a minor, any minor child who loses his or her parents should never be sent home to another parent, even if that parent is capable of doing a very good job, if we don't like the government of the country where the people lived.

And again, I say I am not -- I have no brief for the Castro government or for many of their policies. I think the way he has attempted to politicize this is also terrible. It's not just the Cuban Americans that have attempted to politicize it. He has responded by attempting to politicize it. So this poor little boy is six years old. He has scars from his mother's death of which he can only be dimly aware, and making a judgment about what is in his best interest and what is most likely to give him a stable, healthy, whole childhood and allow him to grow into an adult as a solid person I'm sure may not be free of difficulty. And I just think that the decision ought to be made insofar as possible independent of countervailing political pressures.

Q Mr. President, the State of the Union is right around the corner, so I guess is the State of the Union part of the interview. In the previews that you all have made available of what's coming up, it seems like most of it is beefing up programs that you already have, like today's announcement, and returning to --

THE PRESIDENT: It's quite a beef up. This is the biggest thing ever done -- yes --

Q Quite a beef up -- which is -- or trying to get back to unfinished business. And I was wondering whether you were planning on trying to go for some new breakthrough issue this year, or whether that's not really possible in a last year.

THE PRESIDENT: Oh, I think that when you see everything we recommend in the aggregate, you might think that in terms of specifics, it's the most ambitious set of proposals since my first year.

Last year was a very ambitious speech, but in terms of what I asked the Congress to do, it required some willingness on their part to meet with me and work through a joint position on Social Security, for example, or joint position on Medicare. I still think we may get a joint position on Medicare and we may get partway there on Social Security. I'm still going to try to persuade them to take all the

Irene Bueno

01/24/2000 04:04:49 PM

Record Type: Record

To: Leslie Bernstein/WHO/EOP@EOP
cc: See the distribution list at the bottom of this message
bcc:
Subject: Sen. Mack's Press Release 

FYI

FOR IMMEDIATE RELEASE
Monday, January 24, 2000

**MACK: GRANT ELIAN HONOR, FREEDOM &
CITIZENSHIP**

Let the Court Decide Elian's Future

Washington – U. S. Senator Connie Mack (R-FL) today introduced the Elian Gonzalez citizenship bill which would grant United States citizenship and guarantee the boy's future will be decided in a fair open court of law rather than by a political government agency.

Mack said:

"The United States is a country of laws and we zealously believe in the rule of law. The boy's future should not be a political decision made by a government agency, but by a fair hearing in family court. Our goal should be what is in the best interest of the child.

"Elian's mother gave her life in pursuit of freedom for her child. We owe it to her memory to ensure her wishes are at least considered. The legislation does not dictate an outcome, but simply steers the matter to court, the appropriate forum for custody matters."

This measure is co-sponsored by Senators Robert Torricelli (D-NJ), Jesse Helms (R-NC), Charles Robb (D-VA), Trent Lott (R-MI) and Bob Graham (D-FL).
LESLIE

**LESLIE
BERNSTEIN**
01/24/2000 12:38:20 PM



Record Type: Record

To: See the distribution list at the bottom of this message

•

CUBAN BOY
January 21, 2000

CONTEXT: *On January 17, U.S. and Cuban officials began preliminary discussions regarding the possibility of Elian's grandmothers traveling to the U.S. Yesterday, the grandmothers applied for and were granted visas to travel to the U.S. The grandmothers left for New York today, accompanied by representatives of the National Council of Churches, and arrived late afternoon. The National Council has undertaken this effort under their own initiative.*

What is the INS decision in the Elian Gonzalez case? Do you support it?

- INS determined that Elian's father, Juan Gonzalez, has sole authority to speak on his son's behalf regarding his immigration status in this case. Mr. Gonzalez has asked that his son be returned to Cuba.
- INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner and we support their decision.

What's your reaction to today's events?

- We have said from the beginning that we believe that the presence of Elian's father or family members would be helpful, but that any decision to come here would be up to them. Now that the grandmothers are here, we hope that the family will be able to get together.

What is the purpose of the grandmothers' visit?

- That is a question that should be addressed to the grandmothers.

What is the next step in this case? What happens next in the federal lawsuit filed by attorneys for Elian's great uncle?

- Any questions on next steps for the grandmothers should be directed to them. As to the legal proceedings, this is a matter for the Justice Department to handle, and in keeping with normal policy, we cannot comment on pending litigation.

Does the White House support the Attorney General's view that the state courts don't have jurisdiction over the boy from Cuba?

- As we have said before, this matter is appropriately in the hands of the INS and the Department of Justice.

Congress may seek to pass legislation that confers citizenship or permanent resident status on the boy when the session begins. Will you support or oppose such a bill?

- It would be premature to comment on any action that Congress may take.

IF PRESSED: If Congress does pass legislation making Elian a citizen, would that end the INS' role in this matter?

- Again, it would be inappropriate for us to comment on potential legislation to make the boy a citizen, and on how that would affect the case.

What about Dan Burton's subpoena?

- INS and the Attorney General are involved in dealing with all the related legal developments in this case.

Aren't we heading toward a dramatic confrontation in which INS will have to go in and take the child from his Miami relatives?

- Again, this matter is appropriately in the hands of the INS and the Department of Justice. INS believes that its decision can be carried out without the INS taking charge of the boy, and the Attorney General continues to urge all parties to work together to resolve this matter as quickly as possible.

Were the political implications of the decision discussed at the senior levels?

- White House officials did not seek to, nor did they, influence the outcome of this decision, which, let me reiterate, was made solely by the responsible authorities following the law and INS rules and procedures.

Brian S. Mason

01/24/2000 02:32:21 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: Joe Lockhardt comments on Elian Gonzalez and possible Congressional action

Q Joe, the Congress seems likely to pass a bill this week to grant citizenship to Elian Gonzalez. What will the President do when that passes?

MR. LOCKHART: Well, I think since the House doesn't come back for votes until next week, it would be unlikely they'll pass anything this week.

But let me address that. I think, obviously, we're going to wait and see what they have in mind before making any decisions. The President has several times over the last few weeks stated his concern that he doesn't want politics injected into this case, and that still stands. I know the Senate is trying to use some procedural mechanism to bring this up quickly, and that will be their business -- and if they pass something, obviously, we'll take a look at it.

I would certainly hope that given the vigor that they're showing on this case will spill over into other cases. We heard from Senate Majority Leader Lott last week that he didn't think they could get anything done this year. And now they're going to waive a number of rules to try to get something done in a couple days. I think our challenge to the Republican leadership is use the same vigor on patients' bill of rights, on getting a prescription drug benefit for Medicare, on minimum wage, on passing sensible gun safety legislation. If they can show that kind of vigor on these issues, then I think the American people will come out all right.

Q Do you think that this speedy process that the Senate has taken -- is that the political process that the President didn't want this case to be --

MR. LOCKHART: Well, we'll have to see how the debate goes. But I think there is a real danger here that this can become a political issue, that this young boy will be a political football. And I think the President has made it very clear to everyone that they ought to stay away from politics here and stick to what the facts and the law dictate.

Q Well, Joe, would the President prefer that Congress stay out of the matter?

MR. LOCKHART: This is obviously a case that's in the courts now. So the courts will have to decide, based on the filings that have been made before. And I think there is concern that if this goes to the floor of the Senate or the floor of the House that it's going to become a political debate, rather than the substantive debate that it should be.

Q But isn't the boy already a political football between the anti-Castro Cubans down in Miami and the Cubans in Cuba?

MR. LOCKHART: I think that the President has spoken very harshly about some of the things that have gone on in Cuba on this case. And I think politics has become too important here. But that doesn't mean that we can't base our decisions on the facts and the law and move forward, and try to do everything we can to keep politics out of it.

Q Joe, with this case changing attitudes towards immigrants in general, as it apparently might have had an effect on Haitian immigrants, will it open up the process to more immigration from Haiti and from other Central American areas?

MR. LOCKHART: Well, I mean, I think that we believe that we have very sensible immigration laws in this country that are administered in a proper way. I think you'd have to go to the House and the Senate to see if they believe that more needs to be done on Haitians or any other immigrants.

Q But Cuba appears to get special treatment.

MR. LOCKHART: No, Cuba is treated -- we have very strict regulations on the immigration of Cubans. We want it to be legal, safe and orderly. And that's what guides the policy. And we think that that policy makes sense, and we don't see any reason to change it.

Q So he is not -- I mean, until he gets the bill, then he would --

MR. LOCKHART: Well, we're not even sure what they're actually proposing at this point. There's a lot that would have to happen on the Senate floor and over in the House, so we'll wait to see what they do.

Q If Congress decides to grant him citizenship, is it something that the President would have to sign? Do we even know that much about the process?

MR. LOCKHART: Well, it's certainly my understanding that to pass a law, it's got to come up here to the White House for signature at some point.

Q I mean, do we know -- can Congress grant somebody

citizenship without the President --

MR. LOCKHART: Not that I'm aware of.

Q Is residency more acceptable than citizenship to the President?

MR. LOCKHART: Listen, this is a matter that is before a federal court now and I'm certainly not going to try to litigate here for the sake of public discourse.

Q So might he sign a bill and say, I'll sign this, but let the courts make the ultimate decision?

MR. LOCKHART: I wouldn't get into a "might" or "if" here.

Q Isn't a "might" or "if" a religious sort of --
(laughter.)

MR. LOCKHART: To tell you the truth, I was just reading a very interesting segment of Helen's book yesterday, while I was going through. And it has a section in there where my predecessor talked about, only fools answer hypotheticals. So I will not be foolish today.

Message Sent To:

Charles M. Brain/WHO/EOP@EOP
Broderick Johnson/WHO/EOP@EOP
Tracey E. Thornton/WHO/EOP@EOP
Martha Foley/WHO/EOP@EOP
Joel K. Wiginton/WHO/EOP@EOP
Lisa M. Kountoupes/WHO/EOP@EOP
Mark D. Magana/WHO/EOP@EOP
Joanna E. Slaney/WHO/EOP@EOP
Julie K. Anderson/WHO/EOP@EOP
Michael Williams/WHO/EOP@EOP
Joshua J. Ackil/WHO/EOP@EOP
Erica R. Morris/WHO/EOP@EOP
Taneesha J. Johnson/WHO/EOP@EOP
Lauren K. Gillespie/WHO/EOP@EOP
Rebecca Hunter/WHO/EOP@EOP
Marty J. Hoffmann/WHO/EOP@EOP
Hildy Kuryk/WHO/EOP@EOP
Bobby D. Conner/WHO/EOP@EOP
Courtney C. Crouch/WHO/EOP@EOP
Devanshu Patel/WHO/EOP@EOP
Alon J. Kupferman/WHO/EOP@EOP
Brian S. Mason/WHO/EOP@EOP



[Click Here](#)

[Covering all the major food groups! Click here to taste](#)



MAIN PAGE
WORLD
U.S.
LOCAL
POLITICS
WEATHER
BUSINESS
SPORTS
TECHNOLOGY
SPACE
HEALTH
ENTERTAINMENT
BOOKS
TRAVEL
FOOD
ARTS & STYLE
NATURE
IN-DEPTH
ANALYSIS
myCNN

[Headline News brief](#)
[news quiz](#)
[daily almanac](#)

MULTIMEDIA:
[video](#)
[video archive](#)
[audio](#)
[multimedia showcase](#)
[more services](#)

E-MAIL:
 Subscribe to one of our
 news e-mail lists.
 Enter your address:

Or:
[Get a free e-mail account](#)

DISCUSSION:
[message boards](#)
[chat](#)
[feedback](#)

CNN WEB SITES:
[myCNN.com](#) [CNN](#)
[allpolitics](#) [CNN](#)
[AsiaNow](#)
[En Español](#)
[Em Português](#)
[Svenska](#)

[U.S.](#) > [story page](#)

Elían's grandmothers now flying to New York

They're coming to appeal for boy's return to Cuba

January 21, 2000

Web posted at: 2:22 p.m. EST (1922 GMT)

In this story:

['An appeal to the American people'](#)

[Miami relatives won't bring Elían to New York](#)

[Turnabout](#)

[Tug of war](#)

[Shipwreck survivor](#)

[RELATED STORIES, SITES](#) ↓



Lazaro Gonzalez, Elían's great-uncle, walks him to school Friday

HAVANA (CNN) -- After first saying they would not make the trip, two Cuban grandmothers of Elían Gonzalez reversed themselves and left Havana Friday on a flight to New York, where they will "make an appeal" for the return of the 6-year-old boy.

Maternal grandmother Raquel Rodriguez and paternal grandmother Mariela Quintana took off from Jose Marti International Airport at 12.35 p.m. for the three-hour flight to John F. Kennedy International Airport in New York.

The grandmothers kissed and embraced Elían's father, Juan Miguel Gonzalez, then boarded the plane. Elían's father remained in Cuba.

'An appeal to the American people'

The women were accompanied by a delegation from the National Council of Churches -- a New York-based religious group that has been acting as an intermediary in the bitter custody dispute.

BACKGROUND
[National Council of Churches](#)

MESSAGE BOARD
[US/Cuba relations](#)

SHOW
[Buy](#)

Svenska
 Norge
 Danmark
 Italian

FASTER ACCESS:
 europe
 japan

TIME INC. SITES:
 Go To: ☐

CNN NETWORKS:
 CNN
 CNN INTERNATIONAL
 CNN Headline NEWS
 more networks
 transcripts

SITE INFO:
 help
 contents
 search
 ad:info
 jobs

WEB SERVICES:

bn.com
 BARNES & NOBLE
 go!

BELLSOUTH
 The Real White Pages™
 Type a name

Drug Emporium
 .com
 Save \$10*
 + Free Delivery

The council chartered the private jet carrying the group.

Robert Edgar, the council's general secretary, announced earlier Friday in Havana that the two women would make the trip.



Elian's grandmothers Mariela Quintana de Gonzalez, front left, and Raquel Rodriguez, rear center, are flying to the United States

"For the past 24 hours we have been in delicate and emotional conversations with Elian Gonzalez's family, a loving family," Edgar said after he and two other council members met Friday with the boy's father at a hotel in the Cuban capital.

Edgar said the two grandmothers are making the trip to "make an appeal to the American people" for Elian's return.

"We are very pleased that Elian's grandmothers have agreed to accompany us to New York City to have an opportunity to speak to the American public, particularly to ask that Elian Gonzalez come home," Edgar said.

Asked why the grandmothers are going to New York, instead of Miami, where Elian lives with U.S. relatives, Ray Lloyd, a council spokesman in Washington, said: "I got the impression from talking with Bob Edgar that they are concerned about their physical security if they come to Miami."

Miami relatives won't bring Elian to New York

In Miami, Elian's great-uncle Delfin Gonzalez said the family has no plans to allow Elian to go to New York to meet his grandmothers. Instead, family members say the two women are welcome to come to Miami to see for themselves how well the boy is doing in his new surroundings.

"We were waiting for them," Delfin Gonzalez said. But he said the family has had no contact with the grandmothers and does not plan to allow the women to take the boy back to Cuba.

"That has to go to court so that justice and the law of this country can resolve this problem," he said. "The boy is going to be raised here with a healthy and clean mind."

Roger Bernstein, one of the lawyers retained by Elian's Miami relatives, said the visit by the grandmothers would not affect proceedings in federal court to determine Elian's fate.



Marisleyis Gonzalez, Elian's cousin, speaks to the media Thursday in Miami, as Elian's great-uncle, left, and family attorney look on

175K/17 sec. [AIFF](#) or [WAV](#) sound
 188K/18 sec. [AIFF](#) or [WAV](#) sound

Turnabout

On Thursday night, it didn't appear the grandmothers' trip to New York would take place.

The two women indicated they were putting off plans to fly to the United States, apparently because they were unable to obtain guarantees they could bring their 6-year-old grandson home and end the two-month custody battle with the boy's Miami relatives.

The U.S. diplomatic mission in Cuba issued visas to Elian's grandmothers on Thursday, but after meeting that night in Havana with the church delegation, one of the grandmothers told reporters they would not be making the trip.

"No," said Raquel Rodriguez. She then emphatically wagged her finger to reinforce her negative answer.

Before the meeting, Elian's other grandmother, Mariela Quintana, had also signaled her reluctance to make the trip. She said she would go only "when they tell me I can bring back my grandson."

Other than Edgar's comment about "an appeal to the American people" for Elian's return, it was not clear what persuaded the women to change their minds.



Elian's father Juan Miguel Gonzalez (center) leaves a meeting with members of the National Council of Churches in Havana on Friday

Tug of war

The church delegation's visit and the visas for the grandmothers were the latest twists in the tortuous custody battle over Elian, which has pitted Cuban President Fidel Castro's government against its anti-Communist exile foes in Miami, who want the boy to stay in the United States.

During an earlier visit to Havana this month, Dr. Joan Campbell, ex-general secretary of the National Council of Churches, had met Elian's family and the Cuban government and had offered to act as a go-between to try to secure the boy's return from the United States to his father and grandparents in Cuba.

The grandmothers' initial announcement that they would not be traveling to the United States indicated their fears that Elian's case was too heavily entangled in legal and political maneuvers by his Miami relatives and their Cuban exile backers.

A senior Cuban official, National Assembly President Ricardo Alarcon, had also expressed concern this week that if members of Elian's family went to the United States they might also find themselves caught up in the legal wrangling.

Shipwreck survivor

Castro's government has strongly criticized President Clinton and his administration for not promptly implementing an Immigration and Naturalization Service ruling to send Elan back to his father in Cuba.



Elan plays outside the family home in Miami's Little Havana

Havana argues that by not acting quickly, the U.S. government allowed time for legal and political moves by the boy's Miami relatives, and their Cuban exile and U.S. political supporters, to keep him in the United States.

This included an initiative in the U.S. Congress to grant him U.S. citizenship.

Elan has been in the United States living with distant relatives since November 25, when he was rescued off Florida after surviving the capsizing of a boat carrying illegal Cuban migrants.

His mother was among 10 Cubans who drowned; Elan was one of three survivors.

Havana Bureau Chief [Lucia Newman](#), Correspondents [Martin Savidge](#), [Susan Candiotti](#), and [Gary Tuchman](#) contributed to this report.

RELATED STORIES:

[Cuban boy's grandmothers won't fly to U.S. on Friday](#)
January 21, 2000
[Plane leaves for Cuba to pick up Elan's grandmothers](#)
January 20, 2000
[Elan's Miami relatives file federal suit to overturn INS ruling](#)
January 19, 2000
[Elan inspires a place for permanent protest in Havana](#)
January 18, 2000
[Federal petition for 6-year-old Elan expected by midweek](#)
January 17, 2000
[Cuban, U.S. officials disagree over report of Elan talks](#)
January 16, 2000
[Cuban protests turn angry as Elan's return is delayed](#)
January 15, 2000

RELATED SITES:

[National Council of the Churches of Christ in the USA](#)
[U.S. State Department](#)
[U.S. Department of Justice](#)
[Cubaweb](#)
[Cuban American National Foundation](#)
[U.S. Immigration and Naturalization Service](#)

Note: Pages will open in a new browser window
External sites are not endorsed by CNN Interactive.

FOR IMMEDIATE RELEASE
January 11, 2000

CONTACT: Frank J. Phillips
(202) 225-2201

Rep. Waters Decries Miami Judge's Decision as Poor

Washington, D.C. -- Following a Miami-Dade Circuit Court Judge's decision to grant a custody hearing for Miami relatives of Elian Gonzalez, Rep. Maxine Waters (D-CA) decried the decision as poor.

"This decision by Judge Rosa Rodriguez is a poor one that further complicates Elian's situation. Elian should be sent home. The Immigration and Naturalization Service (INS) made a decision that Elian should be returned to his father in Cuba by Friday, and they should follow through on that decision," said Rep. Waters.

The January 10 decision grants Elian's Miami relatives a custody hearing for March 6. According to the Judge's ruling, Elian cannot be removed from the country before that hearing. She further asserts that returning Elian to Cuba before a custody hearing could subject him to imminent and irreparable harm, including loss of due process rights and harm to his physical and mental health and emotional well being.

While Judge Rodriguez cites these alleged dangers as reasons supporting a hearing, such claims have not been confirmed in recent meetings between Elian's father, Juan Gonzalez, and INS officials. After those meetings, INS determined that Elian's father has sole legal authority to speak on behalf of his son, regarding his immigration status in the United States. Doris Meissner's, commissioner of INS, January 5 statement, contained no mention of reasons to believe that Elian would not be returned to a loving and supportive father.

"It is very difficult to believe that any elected Judge in Miami can make sound policy decisions in this volatile situation without feeling pressure from angry voters of the well-organized anti-Castro electorate," said Rep. Waters.

###

[Return to Press Page](#)

For Immediate Release**Date: January 14, 2000****Contact: Susan Dryden, 202-225-2176****McCollum, DeLay, Diaz-Balart and Ros-Lehtinen to Introduce
Bill Granting Elian Gonzalez U.S. Citizenship**

Washington, DC - U.S. Representative Bill McCollum (R-FL), a senior member of the House Subcommittee on Immigration and Claims, Majority Whip Tom DeLay (R-TX), and U.S. Representatives Lincoln Diaz-Balart (R-FL) and Ileana Ros-Lehtinen (R-FL) will introduce a bill when Congress returns to session on January 24 to grant Elian Gonzalez immediate U.S. citizenship. This bill is the House companion to Senator Connie Mack's (R-FL) proposed legislation.

"Elian's mother gave her life to bring her son to a free country, and that cannot be ignored. Since the proper legal process has not been allowed to run its full course, this bill is an added layer of protection to ensure that process is followed. This legislation will keep the matter on the correct legal track to have the custody issue properly decided. The best interest of this child is the most important issue at hand," said McCollum.

"As a member of House leadership, I am fully supportive of doing what is in the best interest of young Elian and moving this bill through Congress when we return," said DeLay.

"The law is clear that only a court of law can decide a custody case regarding a minor. It is unfortunate that the Administration is ignoring the court in this case and continues to seek to send Elian back to totalitarian Cuba through the mechanism of the INS," said Diaz-Balart.

"In order to prevent the INS from continuing to illegally interfere in Elian's judicial custody proceedings and to allow Elian the due process his mother gave her life for, we must grant Elian U.S. citizenship," continued Diaz-Balart.

"The last dying wish of Elian's mother was to have her young son live in freedom and breathe democracy. She is but the latest victim of Castro's cruel tyranny, but her voice is not silent. We will try to help in making real her last prayer on earth which was for Elian to reach the shores of liberty. This bill is a hopeful step towards having Elian's day in court which is what the family has long desired," said Ros-Lehtinen.

All three Florida lawmakers have criticized the Administration for not following proper custody procedures and allowing the Immigration and Naturalization Service (INS) the authority to make custody decisions regarding Elian. Last week the INS decided that Elian should return to Cuba today, rather than allow the courts to decide the custody case. "The fact is there is a legal process that must be followed in Elian's case - for the Administration to circumvent this process is playing into the hand of Castro," said McCollum.

The bill falls under the jurisdiction of the House Committee on the Judiciary and the Subcommittee on Immigration and Claims. Chairman Henry Hyde (R-IL) of the House Judiciary Committee has said he will expedite the process of getting the bill to the floor for a vote.

###

**CONGRESSMAN CURT WELDON***7th District Pennsylvania*

January 14, 2000

WEEKLY COLUMNS/OP-EDS

The Fate of Elian Gonzalez

By Congressman Curt Weldon

Six-year-old Elian Gonzalez has been at the center of an international firestorm since he was rescued from an inner tube in the Atlantic Ocean on Thanksgiving Day -- one of only three Cubans who survived a daring escape attempt from Cuba. Another eleven people, including the boy's mother and step-father, died in their flight for freedom.

After initially granting the three Cuban survivors asylum, the Clinton-Gore Administration has reversed course, directing the Immigration and Naturalization Service to return young Elian to Cuba. The boy, Clinton-Gore Administration officials argue, deserves to be with his father.

But there are serious questions about whether Juan Gonzalez even wants his son to return to life under the Communist dictator Fidel Castro. Elian Gonzalez's family, with whom he currently is staying in Miami, assert that his father knew and approved of his wife's and Elian's escape attempt. Juan Gonzalez, they claim, was even planning on following them to the United States at a later date. "I have lost nothing (in the United States)," the boy's father has been quoted as saying.

But when Fidel Castro learned of the child's escape, he cleverly realized that he could use the issue to arouse anti-American sentiments within Cuba, and gain a propaganda victory over the United States. Juan Gonzalez -- no doubt under immense pressure from Castro and reportedly facing threats to the life of his newborn child in Cuba -- called for his son's return. But if he is truly serious about missing his son, why then has he declined to come to the United States to meet with the child he cares so deeply about?

The answer is simple: Castro won't let him. Castro wants to maintain the distance between father and son as a way of eliciting greater support for his cause. Even more important, he is fearful that Juan Gonzalez may join his son in defecting to the United States once he arrives on American soil.

Unfortunately, the Clinton-Gore Administration has fallen for Castro's ploy -- hook, line, and sinker. Now, the United States of America -- represented by the Clinton-Gore Administration -- is actively working to send a young child back to a life of communist tyranny.

Initially, President Clinton cryptically stated that "there is a legal process for determining... what would be best for the child." But after a Florida court ruled that it would decide who would receive custody of the child -- not a bunch of bureaucrats in the Immigration and Naturalization Service -- the President reversed course. Because the legal process of the courts did not rule as the President wished, Attorney General Janet

Reno ruled the court had no jurisdiction in the case.

In all of the debate over the fate of Elian Gonzalez, few have stopped to think about what the six-year old boy wants. Last week, Senator Robert Smith met with the boy and his family members in Miami. He learned that Elian wants a life of freedom. The boy wants to remain here in America.

Certainly, Elian Gonzalez's father deserves to make his voice heard. But if he truly wants custody of his child, he should come to the United States. He can he speak his true desires on free soil, without fear of incurring Castro's wrath. Let's give the father a chance to speak out before we sentence his son to a life of squalor and oppression under Castro's communist regime.

Congressman Curt Weldon represents portions of Chester, Delaware, and Montgomery Counties. His web site is www.house.gov/curtweldon and he can be reached by phone at (610) 259-0700 or by email at curtpa07@mail.house.gov.



[Home Page](#) | [Welcome](#) | [Constituent Services](#) | [About Curt](#) | [It's an Outrage](#)
[Projects](#) | [News](#) | [Federal Links](#) | [7th District](#) | [How to Contact Curt](#)

FOR IMMEDIATE RELEASE
January 6, 2000

CONTACT: Frank J. Phillips
(202) 225-2201

Elected Officials and Civil Rights Organizations Urge President Clinton to Assist in Elian's Return to Father

Washington, D. C. -- In a letter to President Clinton today, Rep. Maxine Waters (D-CA) and other elected officials urged him to assist in expediting Elian Gonzalez' return to his father in Cuba.

Joining Rep. Waters in the letter were such elected officials as Reps. Barbara Lee (D-CA), James Clyburn (D-SC), William Clay (D-MO), Sheila Jackson Lee (D-TX), Maurice Hinchey (D-NY), Sanford Bishop (D-GA), Stephanie Tubbs-Jones (D-OH), Alcee Hastings (D-FL), Jan Schakowsky (D-IL), Gregory Meeks (D-NY), Julia Carson (D-IN), Neil Abercrombie (D-HI), Nancy Pelosi (D-CA), Elijah Cummings (D-MD) and Earl Hilliard (D-AL).

The contents of the letter read:

"We are writing to you to again urge the Administration to assist in expediting the return of Elian Gonzalez to his father in Cuba. We applaud the National Council of Churches of Christ of the USA on the important role they are performing in the Elian Gonzalez immigration case. We support their request to accompany Elian back to Cuba and to turn him over to the Cuban Council of Churches so that he may be reunited with his father, Mr. Juan Gonzalez.

"The U.S. Department of Justice Immigration and Naturalization Service's determination that Mr. Juan Gonzalez has the sole legal authority to speak on behalf of his son, regarding Elian's immigration status in the United States speaks not only to U.S. laws but to natural law. We ask that you assist the National Council of Churches of Christ of the USA in their effort to fulfill the father's official request of assistance to reunify his family.

"We have been ardent in our efforts to ensure that Elian's situation not be decided based on the politics of the day or the sentiments of anti-Castro Cubans in Florida and the rest of the United States. Rather, it should be based on the interests of the child and the rights that any father would expect to have.

"We urge your immediate intervention to resolve this situation and eliminate any further delay in the reunification of this family. Any further delay will ensure Elian's continued traumatic exposure to the ongoing protests in Miami," wrote the Members.

Organization leaders supporting the initiative were Mr. Harold Pope, president, National Bar Association; Dr. Joseph Lowery, chairman, Black Leadership Forum; Dr. Dorothy Height, president emerita and chair, National Council of Negro Women; Mr. John Boyd, president, National Black Farmers Association and Equality International; Mr. William Lucy, president, Coalition of Black Trade Unionists; The Honorable Roosevelt Coats, president, National Black Caucus of Local Elected Officials; Ambassador Andrew Young, GoodWorks International, LLC; Ms. Thomasina Cotton, acting president & CEO opportunities, Industrialization Centers of America; Ms. Jane Smith, president, National Council of Negro Women; Ms. Sullivan Robinson, executive director & CEO, Congress of National Black Churches; and Ms. C. Delores Tucker, chair, National Political Congress of Black Women.

###

[Return to Press Page](#)

FOR IMMEDIATE RELEASE
December 23, 1999

CONTACT: Frank J. Phillips
(202) 225-2201

Congresswoman Waters Petitions President to Return Elian Gonzalez to His Father

Washington, D.C. – In a letter to the President today, Rep. Maxine Waters (D-CA) made the following statement.

"I am writing to you to urge the Administration to expedite the return of Elian Gonzalez to his father in Cuba. It is unconscionable that this real life tragedy has become overly politicized and his return further delayed by postponement of his hearing by the Immigration and Naturalization Service until January 21, 2000.

"It has been nearly a month since, by the grace of God, Elian's life was spared after an unsuccessful attempt by his mother and others to come to the United States aboard a risky vessel. Elian should have been back home in Cuba well before Christmas, and his father should not have to experience the anguish of separation from his child in this highly politicized environment.

"Clearly, Elian is a Cuban native.

"Clearly, his father is in Cuba.

"Clearly, his father made no effort to "smuggle" Elian into the United States.

"There are no outstanding issues. And, moreover, Elian is too young to be interviewed.

"Mr. President, I am sending this urgent letter of request in an attempt to avoid the proposed delay. Many other Members of Congress will join me during our next communication on this issue. Some of us are determined that this situation will not be decided based on the politics of the day or the sentiments of anti-Castro Cubans in Florida and the rest of the United States. Rather, it should be decided based on the best interest of the child and the rights that any father would expect to have.

"Elian has lost his mother to death on the high seas. Are we also now going to take away his father? I urge your immediate consideration of these concerns," said Waters.

[Return to Press Page](#)



News From... Congressman Vito J. Fossella



**13th Congressional District of New York • Staten Island
& Brooklyn**

431 Cannon House Office Building • Washington, D.C. 20515 • (202) 225-3371
4434 Amboy Road • Staten Island, NY 10312 • (718) 356-8400
9818 4th Avenue • Brooklyn, NY 11209 • (718) 630-5277

FOR IMMEDIATE RELEASE

January 7, 2000

Contact: Craig Donner (718) 356-8400
Beeper: (800) 815-2171
www.house.gov/fossella

Fossella Seeks To Send Back Ferry Slasher, Then Readdress Case of Elian Gonzalez

Staten Island, NY -- Following yesterday's decision by the Immigration and Naturalization Service (INS) to return Elian Gonzalez back to Cuba, Congressman Vito Fossella (R-NY13) today declared that the United States should first attempt to send back the Ferry Slasher before considering the case of the six-year old boy. Fossella said the INS should rescind its decision on Elian Gonzalez until the Ferry Slasher situation is resolved.

"I find it hard to believe that the INS has agreed to return Elian Gonzalez to Cuba when they have never even tried to send back the Ferry Slasher," Fossella said. "I would hope the INS understands that returning the Ferry Slasher and other violent criminals like him to Cuba should be our first order of business. Castro is not in a position to pick and choose who he will and will not accept back into his country. For years Castro locked his borders when the United States attempted to return violent criminals like the Ferry Slasher. Before the United States even reconsiders the fate of Elian Gonzalez, we must first demand that Castro take back the Ferry Slasher and other violent criminals he sent here."

If Castro accepts back the Slasher, Fossella said the fate of Elian Gonzalez should be addressed in Florida state court, which routinely handles child custody cases. State court applies a different standard than the INS, which looks at blood relation but not matters such as educational opportunities and quality-of-life. The overriding goal in state court is to determine what is in the best interest of the child.

"I do not believe the INS should make a unilateral decision on a matter affecting the life of this six-year old boy," Fossella said. "A court hearing in the United States would allow all sides to express their views to a judge, who could then determine what is in the best interest of Elian. But first, Castro must take back the Ferry Slasher."

###



FOSSELLA

[Home](#) | [Legislative Information](#) | [Issue Updates](#) | [Constituent Services](#)
[Breaking News](#) | [District Information](#) | [Info for Students](#)

FOR IMMEDIATE RELEASE
January 6, 2000

CONTACT: Frank J. Phillips
(202) 225-2201

Rep. Waters Supports NCC of the USA's Role in Return of Elian Gonzalez to His Father

Washington, D. C.-- In a letter to Joan Brown Campbell, immediate past general secretary of the National Council of Churches of Christ of the USA, Rep. Maxine Waters (D-CA) wrote the following:

"I applaud you and the National Council of Churches of Christ of the USA on the important role you are performing in the Elian Gonzalez immigration case. I support your role to fulfill Mr. Juan Gonzalez, Elian's father's, official request for you to accompany Elian back to Cuba and to turn him over to the Cuban Council of Churches so that they may be reunited. And, I am encouraging other Members of Congress and civil rights organization leaders to join with me.

"The U.S. Department of Justice Immigration and Naturalization Service's determination that Mr. Juan Gonzalez of Cuba has the sole legal authority to speak on behalf of his son, regarding Elian's immigration status in the United States speaks not only to U.S. laws but to natural law.

"My colleagues and I have been ardent in our efforts to ensure that Elian's situation would not be decided based on the politics of the day or the sentiments of anti-Castro Cubans in Florida and the rest of the United States. Rather, it should be based on the interests of the child and the rights that any father would expect to have.

"Again, I applaud you in this important undertaking, and I am confident that you and the National Council of Churches of Christ of the USA will be able to fulfill the father's request to reunify his family," wrote Rep. Waters.

###

[Return to Press Page](#)



January 12, 2000

This Week in Washington

Congress to Attorney General: Don't Interfere with Florida Court hearing of Elian Gonzalez

Washington D.C., -Chairman Dan Burton (R-IN) and a bipartisan group of lawmakers today sent a letter to Attorney General Janet Reno asking her not to circumvent the judicial proceedings regarding Elian Gonzalez in Florida State Court.

The legislators requested that the Justice Department and the INS respect the State Court's jurisdiction in the matter. The letter stated that an "attempt to enforce the INS's decision without awaiting a ruling from the court would be a serious mistake."

Burton was joined by House Majority Whip Tom DeLay (R-TX), Chairman of the International Relations Committee, Ben Gilman (R-NY), Senator Connie Mack (R-FL), Senator Bob Torrice (D-NJ), Congresswoman Ileana Ros-Lehtinen (R-FL), Congressman Bob Menendez (D-NJ), Congressman Patrick Kennedy (D-RI), Congressman Peter Deutsch (D-FL), Congressman Joe Scarborough (R-FL), Congressman Chris Shays (R-CT), Congresswoman Helen Chenoweth-Hage (R-ID), and Congressman Martin Frost (D-TX).

Earlier in the day, Burton spoke with INS Commissioner Doris Meissner who would not make commitment to respect the Florida court's jurisdiction.

On Monday, Miami-Dade Circuit Judge Rosa Rodriguez issued a temporary protective order so that the case of the 6 year-old Cuban refugee will be heard in court in March. The bipartisan group of Members of Congress wants to ensure that the Justice Department will not ignore the court ruling and try to send Elian Gonzalez back to communist Cuba before his case is decided the Florida court.

"We ask that you make a public commitment that the Justice Department will take no action to return Elian to Cuba until he has had the opportunity to exercise all of the legal options available to him. We do not believe that there is any justification for an attempt to short-circuit the judicial process. By publicly stating that you will take no action until judicial review of this matter has run its course, you will reduce the public anxiety that has surrounded this entire process and reinforce that, in the United States, the rule of law is paramount," they wrote.

Armey signs on to Burton's letter

Washington, D.C. --- House Majority Leader Dick Armey (R-TX) today added his name to the growing bipartisan list of lawmakers asking the Attorney General not to circumvent the judicial proceedings in the case of Elian Gonzales.

Chairman Dan Burton's (R-IN) effort to ensure that the six-year-old boy's right to due process not short-circuited has won bipartisan support, signaling growing concern on Capitol Hill about the Administration's handling of this case. In addition to the Majority Leader, Burton's letter has been signed by the House Majority Whip, the Chairman of the House Democratic Caucus, the Chairman of the House International Relations Committee, and a prominent Senator from both

parties.

The letter to the Attorney General, which was sent yesterday, stated that an "attempt to enforce the INS's decision without awaiting a ruling from the court would be a serious mistake."

The 8 Republicans and 5 Democrats who have joined Chairman Dan Burton (R-IN) in signing letter include: House Majority Leader Dick Armey (R-TX), House Majority Whip Tom DeLay (R-TX), Chairman of the International Relations Committee, Ben Gilman (R-NY), Senator Connie Mack (R-FL), Senator Bob Torricelli (D-NJ), Congresswoman Ileana Ros-Lehtinen (R-FL), Congressman Martin Frost (D-TX) Congressman Bob Menendez (D-NJ), Congressman Patrick Kennedy (D-RI) Congressman Peter Deutsch (D-FL), Congressman Joe Scarborough (R-FL), Congressman Chris Shays (R-CT), Congresswoman Helen Chenoweth-Hage (R-ID).



FOR IMMEDIATE RELEASE
January 6, 2000

CONTACT: Frank J. Phillips
(202) 225-2201

Congresswoman Maxine Waters on the issues:

Elian Gonzalez and United States' Immigration Policy -- Our nation's policies on immigration and refugee issues have been extremely inconsistent and overly politicized. A clear example of this politicization is the case of Elian Gonzalez, a small boy who was rescued after his mother was killed while attempting to come to the United States from Cuba on board a risky vessel. Clearly, Elian is a Cuban native. His father is in Cuba, and his father made no effort to "smuggle" him into the United States. Nevertheless, Elian's return to his father in Cuba has been needlessly postponed in response to pressure from anti-Castro Cuban-Americans. The case of Elian Gonzalez should not be decided on the basis of political considerations or anti-Castro sentiment. It should be decided on the basis of the best interests of the child and the rights that any father would expect to have.

I am deeply concerned about a variety of inequities in our nation's immigration policies. For example, immigration from Haiti and Africa is limited to extremely low numbers, while all immigrants from Cuba who reach the shores of the United States are allowed to apply for permanent resident status in one year. Furthermore, immigrants from Nicaragua also are eligible for permanent resident status adjustment under the Nicaraguan Adjustment and Central American Relief Act, while immigrants from El Salvador, Guatemala, Honduras and Haiti are not. I am a cosponsor of the Central American and Caribbean Refugee Adjustment Act, H.R. 36, which would eliminate this inequity and make immigrants from El Salvador, Guatemala, Honduras and Haiti eligible for permanent resident status.

I am also deeply concerned about the treatment of immigrants and refugees here in the United States. Immigrants who have been detained for entering the United States without documentation are kept in overcrowded detention facilities. Many are forced to wait months or years in these facilities while their applications for asylum are reviewed. As a member of the United States House of Representatives, I am working to ensure that all refugees and immigrants are treated fairly in the United States of America.

ATM Surcharges -- I support a ban on ATM surcharges and am the author of H.R. 3503 the "ATM Surcharge Elimination and Consumer Empowerment Act." I believe it is unfair for banks -- hiding under the guise of customer convenience -- to abuse the privilege of being a financial agent of our government. The FDIC recently reported that commercial banks earned a record \$19.4 billion during the third quarter in 1999. This surpassed the previous quarterly record of \$18.0 billion set in the first quarter of 1999. To record even bigger profits, American consumers are being double charged for using ATM machines at institutions where they have no account.

Banks have always been paid when a noncustomer used their ATM machine. They were paid in the form of an interchange fee by the card-issuing bank. The card-issuing bank typically paid this interchange fee out of a foreign fee that the customer paid to his or her bank when using an ATM where the customer had no account. Surcharges started in 1996 when banks realized that customers -- many of whom may be stranded without cash and far away from their own banks ATM machines -- would pay an extra surcharge fee to use an ATM machine at an institution where they were a noncustomer. In a report commissioned by the American Bankers Association, Robert Litan, vice president and director of the Economic Studies Program of the Brookings Institution stated "it is true that a portion of the foreign fee -- which is paid to the cardholder's bank -- and the surcharge are paid to ATM owners." This double charge is unfair to consumers, but very profitable for the banks.

In 1997 the *Saint Paul Pioneer Press* reported that Norwest and First Bank owned seven

ATMs at the Minneapolis-St. Paul International Airport, popular stops for thousands of passengers passing through the main terminal. "Bolstered by fees," the article stated, "each machine yields an estimated \$89,000 in average annual profits." During a 1997 hearing on ATM Surcharges in the California State Capitol, Nicolas Retsinas, then Director of the Federal Office of Thrift Supervision, reported the results of a survey estimating bank transaction costs. The survey suggested that bank transactions with a high-labor component, such as teller transactions, are much more costly than ATM transactions. In fact, the survey suggested that a teller transaction costs the bank up to \$2.93 while an ATM transaction costs the bank only \$0.27. The interests of American consumers must be balanced with the interests of our banks. Eliminating the surcharge fee will go a long way toward doing this.

Community Reinvestment Act (CRA) -- I am a staunch supporter of the Community Reinvestment Act (CRA) and the author of H.R. 3504, the "CRA Restoration Act" because I know that much work needs to be done so that all Americans can share in the dream of homeownership. Owning a home is one of the primary ways of accumulating wealth in our society. CRA requires all federal bank and thrift regulators to encourage depository institutions under their jurisdiction to help meet the credit needs of the community the institution is chartered to serve, consistent with safe and sound operations. Despite repeated commitments from the banks that they will lend in minority communities -- "because it is profitable to do so" -- the facts tell a different story. The facts tell a story of a housing situation that is at crisis levels for our most vulnerable citizens.

In May of 1988, the issue of banking discrimination and redlining exploded onto the front pages of the *Atlanta Journal and Constitution*. This Pulitzer Prize-winning series, "The Color of Money," described the wide disparity in mortgage lending practices in black and white neighborhoods of Atlanta. The series exposed that black applicants were rejected at a greater rate than whites, even when economic situations were comparable. A 1991 Federal Reserve Board study -- analyzing 1990 Home Mortgage Disclosure Act data -- found racial lending disparities across the country. This study found that blacks and Latinos were rejected twice as often as white applicants, regardless of income.

In 1992, the Federal Reserve Bank of Boston issued a report that stated that blacks and Latinos "were two to three times as likely to be denied mortgage loans as whites. In fact, high-income minorities in Boston were more likely to be turned down than low-income whites." A report prepared by the Urban Institute this year concluded, "minority homebuyers in the United States do face discrimination from mortgage lending institutions. Although significant gaps remain in what we know, a substantial body of objective and credible statistical evidence strongly indicates that discrimination persists." This past December, a report released by the Greenlining Institute shows that home lending in African American communities remain dismal. The report states that in California, "only 2 percent of all conventional home loans made in 1998 were made to African Americans. And, most shocking, only five percent of loans to low income LA County residents were made to African Americans."

Being a homeowner increases people's feelings of control over their lives and their sense of overall well being. High rates of homeownership strengthen neighborhoods by increasing resident's stake in the future of their communities. A strong Community Reinvestment Act helps to achieve this sense of purpose. Unfortunately, the recently passed Gramm-Leach-Bliley Financial Services Modernization bill made several changes to CRA that were intended to weaken the Act. Along with other lawmakers, I am committed to restoring and strengthening CRA so that all Americans can develop wealth through homeownership and pass that wealth on to their children

CENSUS 2000 -- I am committed to making Census 2000 a success. I continue to work with Commerce Secretary William Daley, the regional Census Bureau office in my district, community leaders and business leaders to make the Census work for us. Mr. Kenneth Prewitt, Director of the U.S. Census Bureau and I joined forces for a special Census 2000

meeting in Los Angeles in December 1999. The meeting -- sponsored by the African American Civil Rights Complete Count Committee for Census 2000 -- provided the latest update on resources available to nonprofit and community organizations taking part in efforts to ensure a complete count. The committee was formed by myself, community leaders and organizations, civil rights activists and elected officials in Los Angeles to guarantee that people of color will not be marginalized, discounted or undercounted in the upcoming census. I intend to expand this committee to include national civil rights leaders. This is a national issue.

We have fought too hard in our struggle for Civil Rights and we have come too far to be diminished and undercounted. We are not anonymous and we will not be invisible. The effort to obtain an accurate count of people of color is part and parcel of the overall struggle for fairness and equality in America. The committee and I remain committed to ensuring that an undercount is not repeated. Estimates from a 1990 report that 8 million people were not counted in the census.

Beyond the importance of the count to fair political representation in Congress and in state legislatures, the census figures are the basis for the distribution of funds for a variety of programs including housing, community and economic development, transportation, job training and low-income, home-energy assistance. Instead of being locked out, we must stand up and be counted in. An accurate count will mean our fair share of resources for healthcare, drug rehabilitation and schools. It will mean more jobs for highway and street improvements. A full count will bring more resources to create business ownership opportunities.

###

[Return to Press Page](#)



Should the U.S. Return 6-year-old Elian Gonzalez to his Father in Cuba?

Thank you for contacting me regarding the controversial situation surrounding Elian Gonzalez. It disgusts me that this little boy has become a pawn in a larger political battle.

This is a very sad predicament, indeed. Here is a boy whose mother sought to bring him to a better life, and in doing so lost her life. Now the question is, should the child remain here with family who would provide the kind of life that his mother wanted to give him, or should he be returned to Cuba to be with his father and both sets of grandparents.

Despite our feelings about Fidel Castro's dictatorship in Cuba, governments and political opinions should not interfere in this decision. Elian's father has the right and responsibility to make decisions affecting him. It is my fervent hope that the situation for Elian will be resolved quickly and with as little trauma possible for his father and him.

Again, thank you for contacting me regarding this sad situation. If I can be of help to you in the future, please feel free to contact me again.



[Back to News & Views](#)

For Immediate Release

Date: December 9, 1999

Contact: Susan Dryden, 202-225-2176

McCollum Condemns Castro for Playing Politics with 6-Year-Old Boy

Administration Should Not Bow to Bullying Tactics

WASHINGTON, DC -In response to reports that Fidel Castro is threatening to boycott a critical and ongoing dialogue on migration issues between the United States and Cuba scheduled for December 13, U.S. Representative Bill McCollum (R-FL) today condemned Castro for playing politics with the issue of the six year-old Cuban boy, Elian Gonzales.

"Once again, Fidel Castro is showing his true colors by attempting to break long-standing migration agreements while a legitimate legal process regarding Elian is underway. I am in disbelief that the Clinton Administration would ever consider succumbing to Castro's threats. This Administration must make it clear that whatever thaw in the relationship Cuba was seeking with the United States has now ended," said McCollum.

In May 1995, the Clinton Administration and Castro reached an informal agreement to prevent the flood of illegal immigrants to the United States from Cuba. Many in Congress are critical of the Clinton-Castro agreement because of their opposition to striking deals with Castro. The intent of the 1966 Cuban Adjustment Act was to avoid any deal-making with Castro.

"The American standard has always been that the child comes first in custody matters," said McCollum. "This decision should be made by an American judge in an American court with the best interest of Elian Gonzales in mind. We cannot ignore the sacrifice made by Elian's mother to bring him to freedom."

###

For Immediate Release

Date: January 5, 2000

Contact: Susan Dryden, 202-225-2176

McCollum Criticizes INS for not letting the legal process run its full course

Washington, DC -In response to the Immigration and Naturalization Service (INS) ruling to return the six year-old Cuban boy, Elian Gonzales, to Cuba, U.S. Representative Bill McCollum (R-FL) today criticized the Clinton Administration for not allowing the legal process to run its full course.

"The United States should not ignore the sacrifice made by Elian's mother to bring him to a free country. As with all Cuban refugees fleeing from Fidel Castro, Elian has a right to remain in the United States," said McCollum.

"Since he is a young boy, the decision to stay or to return to Cuba should be made according to proper custody procedures and not unilaterally by the INS. In no way should the Clinton Administration succumb to Castro's threats, stopping short our laws from fully running their course. I am disappointed with the INS decision to return Elian to Cuba without the benefit of following the processes established by U.S. law."

###

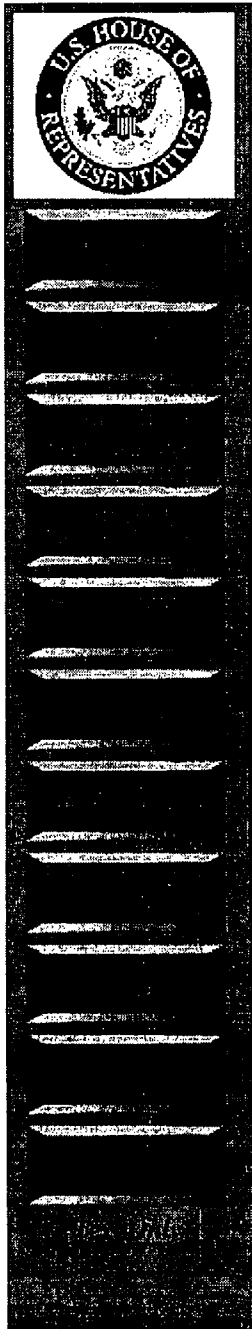
Next



Previous



Press Release List



FOR IMMEDIATE RELEASE

January 4, 2000

CONTACT: Rosalinda DeJesus

(202) 225-4363

Rosalinda.DeJesus@mail.house.gov

CONGRESSMAN SERRANO QUESTIONS HANDLING OF ELIÁN GONZÁLEZ CASE

Washington, D.C., Jan. 4 -- Congressman José E. Serrano (D-NY) questions Immigration and Naturalization Service's handling of the Elián González case.

"The INS should stop playing politics with the Miami community and return this child to his father and grandparents," Serrano said. "They are to be blamed for this fiasco. Where did they get the authority to turn him over to anyone in Miami in the first place?"

The case involving Elián, who was rescued Nov. 25 off the Florida coast, has turned into a political tug of war. Elián, who is staying with relatives in Miami, survived a boating accident in which his mother and stepfather perished after they attempted to enter the United States. The boy was one of three survivors in which 10 Cubans drowned. United States officials have asked the Cuban government to make arrangements to bring the boy's father to Miami to pick up the child. However, INS can make a decision about the child at any time.

"The only consideration should be what is obvious to everyone, that this child should be reunited with his father," Serrano said. "Instead, political considerations are becoming a part of this child's future. The fact that INS is responding to political considerations warrants further study."

This raises questions about INS's procedures in handling this matter and why INS is taking so long to handle the matter, Serrano said. He is urging the agency to make a fair and informed decision in the best interests of the child.

"All my efforts will be directed to getting the child reunited with his father," Serrano said. "As ranking Democrat on the Subcommittee on Commerce, Justice, State, Judiciary, and related agencies that funds INS, I intend to follow through with this matter."

-0-

Please visit this site for more information:

http://www.house.gov/apps/list/press/ny16_serrano/~list.html

Next



Previous



Press Release List

Copyright 2000 The Christian Science Publishing Society
The Christian Science Monitor

January 20, 2000, Thursday

SECTION: USA; Pg. 1

LENGTH: 1570 words

HEADLINE: Race, pardons, and a small boy from Cuba

BYLINE: Francine Kiefer and James N. Thurman, Staff writers of The Christian

HIGHLIGHT:

As he begins his final year in office, President Clinton expounds on

BODY:

President Clinton, in his most extensive comments yet on the tangled case of Elian Gonzalez, emphasized the importance of family unity - even when it means returning children to countries where "we don't like the government."

He implicitly warned Congress not to make a special grant of American citizenship to the six-year-old to keep him in this country - a move that could set up the first showdown of 2000 between the White House and Capitol Hill.

With his remarks, he threw the full weight of his office behind the Immigration and Naturalization Service (INS), which has ruled Elian should return to his father in Cuba.

The president outlined his views in an interview with the Monitor while on an anticrime visit to Boston this week. Relaxed and talkative after a breakfast of "good grits" at Mike's City Diner earlier in the day, Mr. Clinton covered an array of topics - from cyberwarfare to forgiveness.

Alternatively pensive and impassioned in the 50-minute interview, sitting cross-legged one moment and stirring the air with his fingers the next, Clinton:

*Suggested that the White House will eventually issue an executive order to "get rid of" racial profiling by federal law-enforcement authorities.

*Cited learning in the past two years of the importance of forgiving others - even to "seventy times seven," as the Bible puts it - if he expects to be forgiven.

*Noted that his 2001 budget, due out Feb. 7, will move the nation toward eliminating the \$ 5.7 trillion national debt in 15 years.

*Intimated that he will look to grant more pardons this year, despite the controversy that erupted over the clemency he gave several Puerto Rican nationalists last fall.

*Said he was "profoundly" grateful to the press for generally leaving his daughter alone during the first family's tenure at the White House.

Until now, the president has said little on Elian's case, except that he supports the INS decision to send the boy back to Cuba.

But he made it clear he puts reuniting the Gonzalez family above the political question of which country would offer the most opportunity for the boy, whom he said could be only "dimly aware" of the "scars

from his mother's death."

"We need to think long and hard whether we're going to take the position that any person who comes to our shores who is a minor, any minor child who loses his or her parents, should never be sent home to another parent - even if that parent is capable of doing a very good job - if we don't like the government of the country where the people lived."

If lawmakers disagree with the INS decision, he said, the place to fight it is in federal court - not with special legislation to make Elian a US citizen.

Citizenship, he said, "would irrevocably lead people to the conclusion that this was much more about politics than it was whether that little boy ought to be taken away from his father."

But **Clinton** also had harsh words for Cuban leader Fidel Castro. "I think the way he has attempted to politicize this is also terrible," he said, adding that, generally, **Cuba** has "blown every conceivable opportunity to get closer to the United States."

Diligence on race relations

Since he first took office, the president has put improving race relations high on his agenda. While the living standards of minorities have improved with the strong economy, he disputed the premise that attitudes about race remain largely unchanged.

One example he pointed to was the recent reaction to Atlanta Braves pitcher John Rocker, whose disparaging comments about New York City's homosexual, minority, and immigrant populations kicked up a racial dust storm. "The unfortunate comments that the Atlanta baseball player made - that's really troubling. On the other hand, the fact that Hank Aaron and Andy Young met with him is encouraging," the president said.

Clinton called the fight against racism "the sort of work that may never be done," but said he needs to keep highlighting the issue, working to reduce the economic and education gaps between whites and minorities. He also called for more "vigorous law enforcement."

Along those lines, Clinton later said he was "very sympathetic" with the call to get rid of racial profiling - the practice by law-enforcement authorities of targeting someone based on their race.

The issue surfaced this week at a Democratic presidential debate in Iowa, when former Sen. Bill Bradley challenged Vice President Al Gore to "walk down the hall" and ask the president to sign an executive order outlawing the practice.

Clinton suggested it isn't that easy - "there are a lot of practical questions" involved. At the US border, for instance, "is it profiling or not if we stop every third car to check for drugs when 90 percent of the people coming over ... are Hispanic? The truth is, we don't know the answer to any of that."

After his administration has collected data and released its findings, "then [we'll] craft an order to get rid of it that reflects the need for the agencies to do a certain job for the American people, and the need to avoid racial discrimination," he said.

His ingredients for spiritual growth

When asked about his own spiritual growth over the past two years, Clinton paused for a moment and grew pensive.

Hand to his head, he began with the caveat that Christ Jesus teaches one to pray in secret and not on the street corner, and that a person in public life should address such a question with "some amount of humility and reluctance."

He then said that all his life, but most recently in the last two years, "the thing I have really had to work on is trying to gain some spiritual anchor that will enable me to give up resentments and disappointments and anger - and to understand that, in seeking forgiveness, I had to learn to forgive." Asking for forgiveness, "is easy," he added, but "it can't count unless you can give it as well as ask for it."

Clinton noted that, as he's gotten older, he's learned that the key to growth is "letting things go." "I used to see life as a struggle for always learning more things, cramming more things in my head, anywhere I could do more things ... Now I see the search for wisdom and strength is also a process of letting go. A lot of things you have to let go."

Promise of a 'big' last year

Clearly sensitive to the tag of being a lame duck, Clinton said the agenda for his final year in office will be the "most ambitious" since his first 12 months. He hinted there would be a "couple of things" new in his State of the Union address next week, but wouldn't say what they were.

He did say, as part of his budget, he would deliver a plan that would avoid spending the Social Security surplus, get the country out of debt in 15 years, invest in programs that Congress approved last year, and still provide a modest tax cut.

Clinton defended his "incremental" approach to governing, saying that small steps had led to "big change" over time. He cited welfare reform and back-to-back budget surpluses. "You take it in small steps, but if you keep walking in the same direction, all of a sudden your steps constitute a giant leap forward."

Among other issues the president touched on:

*Pardons. Clinton touched off a firestorm last year when he granted clemency to 16 Puerto Rican FALN nationalists. The president said he believes a chief executive should rarely commute sentences, overturning the work of judge and jury. But he has no regret in the case of the FALN terrorists.

Despite the move, he has issued fewer pardons and commutations than any chief executive in modern history, a fact even he did not realize until then-White House Counsel Charles Ruff began digging into the FALN case. He did suggest, though, that he might exercise the power more frequently in his final year in office.

"The president should be more forthcoming in being willing to grant pardons," he said.

*Cybersecurity. In recent months, China has signaled its willingness to use the Internet as a future venue of war. The US, for its part, has issued a report outlining steps to protect critical systems in this country from online threats.

Despite the rising concern about an emerging "cool war" in cyberspace, Clinton said a more real threat would come from "terrorists, organized criminals, and narco-traffickers than other countries."

*Chelsea. Early in the Clinton presidency, an unwritten understanding existed between the mainstream press and the first family to keep Chelsea out of the media spotlight. "First kids" have at times encountered difficulty with the hot-house environment the White House creates.

When asked about how the media have done, Clinton said it's impossible these days to identify "the press" and that it will be harder in the days to come to do so given the blurring of lines between communication, entertainment, and journalism. But with few exceptions, he said, "the press has been willing to let my daughter have her life and try to grow up and deal with all the challenges that entails."

*For a complete transcript of the interview, visit our Web site at csmonitor.com.

[ABOUT LULAC](#) [MEMBERS](#) [PROGRAMS](#) [ISSUES](#) [EVENTS](#) [PUBLICATIONS](#) [LINKS](#) [SITE MAP](#) [HOME](#)

News Release

LULAC SUPPORTS ELIAN'S CAUSE

Cuban boy waiting for U.S. authorities to decide his future

For Immediate Release
December 11, 1999

CONTACT: Javier S. Cuebas (202) 833-6130

Miami, FL-- The League of United Latin American Citizens (LULAC) today issued a resolution supporting the rights of Elián González, the Cuban child who was found floating in the sea off the coast of South Florida on Thanksgiving Day. The young boy's mother, along with nine others, did not survive the attempt to reach the shore.

"It is our responsibility and that of the Latino community nationwide to look out for Elián's welfare," said Rick Dovalina, LULAC National President. "This young boy's mother made the ultimate sacrifice. She lost her life trying to provide a better future to her son. Today, we are calling upon President Clinton to safeguard the child's rights and act in his best interests."

Currently, Elián Gonzalez is waiting for U.S. authorities to decide his future. Elián's father and Cuban President Fidel Castro are calling for his immediate return home to the Communist nation. However, the Cuban community in South Florida and Latinos elsewhere in the United States stand adamantly opposed to the boy's return.

"The Latino community nationwide is rallying behind Elián, " added Dovalina. "He has suffered enough."

The League of United Latin American Citizens is the oldest and largest Latino civil rights organization in the United States. LULAC advances the economic condition, educational attainment, political influence, health and civil rights of Hispanic Americans through community based programs operating at more than 700 LULAC councils nationwide.

###

LEAGUE OF UNITED LATIN AMERICAN CITIZENS
2000 L Street, NW, Suite 610; Washington, DC 20036
(202) 833-6130 FAX (202) 833-6135

[About LULAC](#) | [Members](#) | [Programs](#) | [Issues](#) | [Events](#) | [Publications](#) | [Links](#) | [Site Map](#) | [Home](#) | [Email](#)

ABOUT LULAC MEMBERS PROGRAMS ISSUES EVENTS PUBLICATIONS LINKS SITE MAP HOME



RESOLUTION

The Case of Elián González

WHEREAS, Article III of the LULAC Constitution specifically calls on our organization to exert our unified efforts to uphold the rights guaranteed to every individual by our state and national laws and to insure justice and equal treatment under these laws; and

WHEREAS, since its inception, LULAC's mission has been and still is to advance the civil rights and political influence of the Hispanic population in the United States; and

WHEREAS, the protection and defense of our children is our responsibility;

NOW THEREFORE, BE IT RESOLVED that the League of United Latin American Citizens fully supports the right of Elián González to remain in the United States until the issues affecting the life and welfare of the child are resolved, pursuant to established legal principals and doctrine; and

BE IT FURTHER RESOLVED, that LULAC calls on our justice system to safeguard the child's best interests free of political pressure; and

BE IT FURTHER RESOLVED, that LULAC respects and praises the wishes of Elián's mother, who sacrificed her own life in the pursuit of happiness and justice for her child; and

BE IT FURTHER RESOLVED, that United States policy toward Cuba should seek to advance political rights and civil liberties enjoyed by U.S. citizens.

Approved this 11th day of December, 1999.

Rick Dovalina
LULAC National President

[About LULAC](#) | [Members](#) | [Programs](#) | [Issues](#) | [Events](#) | [Publications](#) | [Links](#) | [Site Map](#) | [Home](#) | [Email](#)

YAHOO! NEWS[Home](#) - [Yahoo!](#) - [My Yahoo!](#) - [News Alerts](#) - [Help](#)**AP** **Associ
Press**

**Your First Order of
Vitamins or Health Products Is Free**
(up to \$15.00)

1st order, up to \$15, is free!

[Home](#) | [Top Stories](#) | [Business](#) | [Tech](#) | [Politics](#) | [World](#) | [Local](#) | [Entertainment](#) | [Sports](#) | [Science](#) | [Health](#)**World Headlines**[Add to My Yahoo!](#)**Wednesday January 19 7:18 AM ET**

Opinion on Elian Appears Divided

By *DEBORAH HASTINGS AP National Writer*

MIAMI (AP) - Bending over flattened tobacco leaves, Eneida Quintana shakes her head, sympathy shining in her eyes.

"That poor boy," says Quintana, who came here from Cuba 20 years ago during the infamous Mariel boatlift. "The father deserves the boy."

A murmur rises from coworkers studiously hand-rolling cigars at the El Credito Cigar store in Little Havana. A clear, female voice drifts across rows of wooden tables.

"In Cuba, he has no future," the voice says.

Quintana begins to backtrack. "All the Cubans living here know what he's going back to and all the restrictions. He should stay here."

On television and in newspapers and opinion polls, nearly all of Miami's Cuban-American population appears to want 6-year-old Elian Gonzalez to stay right here.

It could be that many emigres are afraid to open their mouths.

"The leadership of the Cuban community doesn't believe in free speech," said David Abraham, an immigration law professor at the University of Miami.

"They are still fighting a 40-year-old civil war against Fidel Castro. And when you're at war like that, there isn't too much room for dissent."

Cuban exile leader Ramon Saul Sanchez was indignant.

"That is not true," he said, sighing heavily. "It hurts very deeply that the truth gets twisted. All we have been saying is that even a child deserves his day in court."

Elian has become the poster boy for a cause predating his birth by decades ever since he was rescued from an inner tube on Thanksgiving Day in the Florida Straits.

His mother had whisked him out of Havana on a boat piloted by her boyfriend. In raging seas with a dead engine, the boat sank. Eleven passengers drowned, including Elian's mother and her boyfriend.

Elian and two adults survived.

What to do with him has become the-story-with-no-end-in-sight. His great uncle wants to keep him in Miami. Life without communism, he says, is better than any life in Cuba.

Elian's father, Juan Miguel Gonzalez, wants his son to come home and U.S. immigration authorities have ruled in his favor. But politicians have stepped in and hundreds have protested here against returning Elian to Cuba, where there have been huge government-led rallies calling for the boy's return.

It has been left to the federal courts to decide the child's fate.

In Miami, the scene in the cigar store was repeated in restaurants and shops frequented by Cuban-Americans.

At an outdoor cafe, Antonio Valdes, 54, tipped his Panama hat and said Elian should stay in Cuba ``until he's 18 and then he can make up his own mind."

From more than 10 feet away, Santiago Allende, 74, pricked up his ears, then strode over and stuck his face into Valdes's. Allende called Valdes a communist and insulted Elian's father, whom he's never met.

``The father is a dog," Allende said.

Valdes rolled his eyes and nodded toward the shouting man, as if to say, ``What am I supposed to do?"

But then Valdes changed his story, telling Allende the boy should stay in Miami. ``His mother decided he should come here," Valdes said.

The men continued to shout at each other in Spanish, with Allende still calling Valdes a communist - a supreme indignity to someone who fled Cuba - roughly the equivalent of calling an Israeli a Nazi.

Blocks away in Coral Gables, clerk Daine Rojas, 18, shyly arranged wedding favors in a bridal shop. She came here seven years ago, a young girl put aboard a big boat by her fleeing parents.

``I think he should be with his father, whether it's here or in Cuba or in Europe," she said in a voice barely above a whisper. ``He should live with his father."

It's what she would have chose, even if her parents had tried to put her on the boat alone, which thousands have done.

Bernard Perlmutter, director of the University of Miami's Children and Youth Law Clinic, said he was disheartened that a question of law had disintegrated into threats and name-calling.

``I find the statements of some of the lawyers chilling. Statements such as ``We're not going to turn the child over,'" he said, referring to attorneys hired by Elian's relatives in south Florida.

Said Perlmutter: ``Parents have the right to take care of their children, even if they live in Cuba."

	Search
--	--------

Search: ☒ Stories ☐ Photos ☐ Full Coverage

[Jan 18](#) | [Jan 17](#) | [Jan 16](#) | [Jan 15](#) | [Jan 14](#) | [Jan 13](#) | [Jan 12](#) | [Jan 11](#) | [Jan 10](#) | [Jan 09](#)

[Home](#) | [Top Stories](#) | [Business](#) | [Tech](#) | [Politics](#) | [World](#) | [Local](#) | [Entertainment](#) | [Sports](#) | [Science](#) | [Health](#)

Copyright 2000 Associated Press
AP Online

January 18, 2000; Tuesday 4:47 PM, Eastern Time

SECTION: International news

LENGTH: 411 words

HEADLINE: Groups Urge Elian's Return to Cuba

BYLINE: REBECCA SINDERBRAND

DATELINE: WASHINGTON

BODY:

Leaders of several Cuban-American and religious groups that want **Elian Gonzalez** returned to his father in Cuba said Tuesday they were prepared to call for protests and acts of civil disobedience if the child is not sent back soon.

They urged Attorney General Janet Reno to enforce the decision of the Immigration and Naturalization Service and release the boy to his father's custody in Cuba before Congress or the courts become any more involved.

"The attorney general doesn't even need to wait" for the courts and Congress to act, said Rep. Jose Serrano, D-N.Y. "She has the final say. There is still time for her to send Elian back to Cuba."

He sharply criticized some groups that oppose the boy's return, saying they have "inserted themselves into the process."

"Both political parties are in a race to see who can 'out-Miami Cuban' the other," said Serrano.

The assembled activists had tough words for the Florida courts, contending that state Judge Rosa Rodriguez, who issued an order blocking Elian's return, deliberately concealed campaign ties to man who has been prominent in the effort to keep the boy in the United States.

Calling the judge "a disgrace," Serrano said, "Judge Rodriguez should resign from the bench."

Rodriguez has said a judge has no obligation to reveal when past campaign supporters are involved in a case before her.

Those in attendance also denounced Congress for considering legislation that would grant U.S. citizenship to the 6-year-old over his father's objections.

"Imposing citizenship on people feels a little like imposing religion on people," said the Rev. Joan Brown Campbell of the National Council of Churches, which supports returning Elian to Cuba. "You don't impose religion, and you don't impose citizenship."

Campbell said she had met with the father, Juan Gonzalez, and other family members, and promised them her organization would fight on their behalf.

"Nations don't raise children. Fathers and mothers and families raise children," said Campbell.

Michael McCormick, director of the American Coalition for Fathers and Children, also pledged his group's support for Juan Gonzalez.

"This should be a matter of parenting, not of politics," said McCormick, whose group has filed an amicus brief with the INS on Juan Gonzalez's behalf.

Members of half a dozen organizations, including the Cuban American Alliance Education Fund, participated in the event.

LANGUAGE: ENGLISH

LOAD-DATE: January 18, 2000

FOCUSTM

Search: General News;Elian Gonzalez

To narrow this search, please enter a word or phrase:

Example: House of Representatives

[About LEXIS-NEXIS](#) | [Terms and Conditions](#) | [What's New](#)
Copyright© 1999 LEXIS-NEXIS, a division of Reed Elsevier Inc. All rights reserved.

>> You've just had your first
"hedge fund dream."

SmartMoney
.com

[[Business](#) | [US Market](#) | [By Industry](#) | [IPO](#) | [AP](#) | [S&P](#) | [International](#) | [PRNews](#) | [BizWire](#) | [CCN](#)]

Tuesday January 18, 6:00 am Eastern Time

Company Press Release

SOURCE: Cuban American Alliance

Cuban-American Leaders Urge Janet Reno to Uphold INS Decision to Send Cuban Boy Home, Denounce Miami's Violent Attempts to Silence Cuban-Americans Who Back INS

EMBARGOED UNTIL NOON JANUARY 18, 2000

WASHINGTON, Jan. 18 /PRNewswire/ -- Cuban American leaders gathered at a press conference at The National Press Club in Washington today to call upon US Attorney General Janet Reno to uphold the INS decision to return little Elian Gonzalez to Cuba and to decry the death threats and violence meant to silence what they called "the average Cuban-American" who believes the little boy should go home.

"I came today to support the Cuban Americans in this room and around the nation who want the INS' to uphold its decision to return Elian to what is quite clearly a loving family in Cuba who miss this boy very much," said Rev. Dr. Joan Brown Campbell, outgoing General Secretary of the National Council of Churches, who recently interviewed Elian's father and grandparents in Cuba.

"I am here to tell you that the carefully choreographed demonstrations you see in Miami do not represent the views of the average Cuban-American living in the US. Those who have tried to organize peaceful demonstrations to support the INS have received death threats and been otherwise intimidated for simply trying to say the obvious, that Elian must go home to heal his wounds, not go to Congress to testify or be paraded around as a symbol for an anachronistic, angry mob in Miami," Delvis Fernandez Levy, President of the Cuban American Alliance, an umbrella group of 36 Cuban-American organizations nationwide, said. A member of the group who had been a target of such attacks in Miami was present to describe the harassment that had been directed toward her.

Cuban-American leaders and legal experts described what would happen if an expected Federal Court decision was not made by next Tuesday, January 24, when the US Congress reconvenes. Representative Dan Burton (R-Ind) subpoenaed Elian to appear before the Government Oversight and Reform Committee that he chairs. Rep. Burton and two Cuban-American Representatives from Florida are expected to push for a vote to make Elian a US citizen as soon as Congress reconvenes. Experts at the press conference said conferring citizenship on Elian could potentially delay the boy's return to Cuba by embroiling the boy's family in lengthy court proceedings.

"It would be unconscionable for the US Congress to come between this father and son," Jose Pertiera,

Related Quotes		
^DJI	11560.72	+162.26
^NYSE	4130.81	+66.54
^SPC	1455.14	+10.01
^NYX	563.97	+8.70
^PSE	984.37	+2.38
delayed 20 mins - disclaimer		
Get Quotes		

Cuban American leader and immigration and human rights attorney, said. "Politics should play no role here. The law is crystal clear in this case: Since there is no evidence Elian's father is unfit, his rights trump those of any distant relative."

"The INS made a ruling with respect to the status of this boy, and it is up to Attorney General Janet Reno to uphold the laws of the United States," Michael McCormick, Director of the American Coalition for Fathers and Children, said.

A press conference organized by the Chicago Cuba Coalition with representatives of several Midwest Cuban American groups, legal experts and US Representatives Jan Schakofsky and Danny K. Davis, members of the House Government Reform and Oversight Committee chaired by Rep. Dan Burton was held simultaneously with today's Washington event.

SOURCE: Cuban American Alliance

	Search News	Help
--	-------------	------

Copyright © 2000 Yahoo! All Rights Reserved. [Privacy Policy](#) - [Terms of Service](#)
Copyright 2000 PRNewswire. All rights reserved. Republication or redistribution of PRNewswire content is expressly prohibited without the prior written consent of PRNewswire. PRNewswire shall not be liable for any errors or delays in the content, or for any actions taken in reliance thereon.
[Questions or Comments?](#)

Yahoo! Messenger - online friends, instant messaging, voice chat

[Home](#) | [Top Stories](#) | [Business](#) | [Tech](#) | [Politics](#) | [World](#) | [Local](#) | [Entertainment](#) | [Sports](#) | [Science](#) | [Health](#)

Top Stories Headlines

[Add to My Yahoo!](#)

Tuesday January 18 12:34 PM ET

Elian's Miami Kin to File U.S. Lawsuit Wednesday



By Jim Loney

MIAMI (Reuters) - The Miami relatives of Cuban boat boy Elian Gonzalez will file a lawsuit on Wednesday in a further bid to prevent the U.S. government from sending the child back to communist Cuba, lawyers for the family said Tuesday.

The lawsuit would be filed Wednesday afternoon in the U.S. District Court in Miami, the lawyers said in a statement.

It was expected to seek a ruling blocking any attempt by the U.S. Immigration and Naturalization Service to send the 6-year-old back to his father, in defiance of U.S. and Cuban government claims the child should be returned and appeals from the father, Juan Miguel Gonzalez.

The INS, backed by Attorney General Janet Reno, has said Elian, who was found floating on an inner tube off the Florida coast on Nov. 25, belongs with his father, a Cuban tourism industry worker.

But the boy's Miami relatives said he should grow up "in freedom" in the United States and, backed by powerful Cuban exile groups, organized a campaign that included appeals to a Florida state court and right-wing lawmakers in Washington.

Last week, the Florida family court ruled that the boy should stay in the United States pending a March 6 hearing to determine if he would be harmed by returning to Cuba. Legal experts said the court overstepped its authority with the ruling.

Reno said the state court had no right to intervene in what the federal government considers an immigration matter.

Elian, who survived a refugee boat sinking in which 11 people died, including his mother, quickly became a focal point of hostility between Cuban President Fidel Castro and his longtime anti-communist foes in Miami.

Exiles adopted the child as a poster boy for their opposition to Castro's revolution and insisted he should be kept in the United States. But his

Full Coverage

See a Yahoo! special report on **Elian Gonzalez Case**

Related News Stories

- Groups Urge Elian's Return to Cuba - AP (Jan 18, 2000)
- Elian's peers treated differently - Christian Science Monitor (Jan 18, 2000)
- Textbook is guide for kids at Elian's school - Miami Herald (Jan 18, 2000)
- Cuba hits citizenship proposal for Elian - Miami Herald (Jan 17, 2000)
- Cuban, U.S. officials disagree over reports of Elian talks - CNN (Jan 16, 2000)

[More In Full Coverage](#)

Related Web Sites

- Janet Reno: Cuban Boy Remarks - excerpts from her Jan 6 press conference. From the Miami Herald
- Kidnap in Miami - site protesting U.S. custody of Elian Gonzalez, sponsored by the Cuban state newspaper, Granma Internacional
- Let Elian Gonzalez Go Home - asks that the U.S. return Elian Gonzalez to his father. Has links to news stories, editorials, and petitions
- LibertyForElian.org - organization attempting to keep Elian Gonzalez in the United States
- We would have to ask for an adjustment act for all Latin Americans - part of an interview granted to NBC News correspondent Andrea Mitchell by President Fidel Castro Ruz on the Elian Gonzalez custody battle

[More In Full Coverage](#)

revolution and insisted he should be kept in the United States. But his father has repeatedly demanded his return to Cuba.

The custody tug-of-war created new tensions between Havana and Washington, which despite repeatedly ruling the boy belongs in Cuba has not outlined any plan of action to send him back.

Anti-Castro hard-liners in Washington, supporting the exiles and the boy's Miami kin, have begun a push to have Congress award Eliañ U.S. citizenship, a move designed to make it more difficult for the government to send him back.

During the weekend, Ricardo Alarcon, head of Cuba's National Assembly, said that making Eliañ a U.S. citizen would be tantamount to stealing his Cuban nationality.

Alarcon, Castro's main spokesman on U.S. affairs, said the tug-of-war over the child's fate has damaged the already poor relations between the United States and Cuba and making Eliañ a U.S. citizen would make things even worse.

Cuban Foreign Minister Felipe Perez Roque began a 10-day tour of Europe on Sunday, carrying the fight for Eliañ into international diplomatic circles.

Cuba continued a series of demonstrations designed to show support for the boy's return, putting 150,000 people into the streets on Saturday.

On Monday, bulldozers and work crews replaced protesters in front of Havana's U.S. diplomatic mission, leveling a long section of ground, sweeping away lawns, shrubs and pavement in front of the building.

Cuban President Fidel Castro last month ordered that the open space in front of the U.S. Interests Section should be converted into a "permanent stage" for Cuba's youth to participate in public activities, especially political ones.

Earlier Stories

- [Don't Steal Boy's Nationality, Cuban Official Says](#) (January 16)
- [Don't Steal Boy's Cuban Nationality, Official Says](#) (January 16)
- [Cuba Takes Battle for Eliañ to International Arena](#) (January 16)
- [Cuba Wary of Eliañ Family Going to U.S.](#) (January 15)
- [Reno Rejects Florida Judge's Ruling on Cuban Boy](#) (January 13)
- [Reno Says Cuban Boy to Go; Miami Kin to Fight](#) (January 12)

[More In Full Coverage](#)

Opinion & Editorials

- [Castro has a history of pretending to be a father](#) - Miami Herald (Jan 18, 2000)
- [Keep Eliañ Free - Capitalism Magazine](#) (Jan 18, 2000)
- [Father Knows Best - The New Republic](#) (Jan 17, 2000)

Magazine Articles

- [And a Child Shall Lead Them - The New Republic](#) (Jan 17, 2000)
- [The War Over Eliañ - Newsweek](#) (Jan 12, 2000)
- [The Life of Six-Year-Old Eliañ Gonzales is in Bill Clinton's hands](#) (Jan 12, 2000)

Audio

- [Cuban boys' U.S. family to petition Federal court](#) - NPR (Jan 17, 2000)
- [Reno Appeals for Cooperation in Cuban Boy Case](#) - NPR (Jan 13, 2000)

[More In Full Coverage](#)

Video

- [Cuba boy's relatives battling with words across two countries](#) - CNN (Jan 15, 2000)
- [Interview with Juan Gonzalez, Eliañ's father](#) - ABC (Jan 14, 2000)
- ["Rallies have taken place almost daily"](#) - BBC (Jan 8, 2000)

Message Boards

- [Yahoo! US: Cuba Custody Dispute](#)
- [CNN: US/Cuba relations](#)

Related Full Coverage

- [Yahoo! en Español: Eliañ González](#)

Yahoo! Categories

- [Cuba](#)
- [Yahoo! Travel: Cuba](#)

[More In Full Coverage](#)

Search: ☒ Stories ☐ Photos ☐ Full Coverage

[Jan 17](#) | [Jan 16](#) | [Jan 15](#) | [Jan 14](#) | [Jan 13](#) | [Jan 12](#) | [Jan 11](#) | [Jan 10](#) | [Jan 09](#) | [Jan 08](#)



CRS Report for Congress

Private Bills: Procedure in the House

Richard S. Beth, Specialist in Legislative Process
Government Division
July 21, 1998

A private bill is one providing benefits to specified individuals (including corporate bodies). Individuals sometimes request relief through private law ~~when administrative or legal remedies are exhausted~~, but Congress seems more often to view private legislation as appropriate in cases for which no other remedy is available, and when its enactment would, in a broad sense, afford equity. From 1817 through 1971, most Congresses enacted hundreds of private laws, but since then the number has declined sharply, as Congress has expanded agency discretion to deal with many of the situations that tended to give rise to private bills. Private provisions also are occasionally included in public legislation.

Subjects of Private Bills

No House rule defines what bills qualify as private, but most private bills have official titles stating them to be "for the benefit of" named individuals. House Rule XXII, clause 2(a) prohibits private bills for granting pensions, building bridges, correcting military or naval records, or settling claims eligible for action under the Tort Claims Act (Title 28 U.S. Code). Subjects of contemporary private bills (and House committees receiving referral of those bills) include:

- Immigration (e.g., naturalization, residency status, visa classification): Judiciary.
- Claims against the government: Judiciary (domestic claims); and
- International Relations (foreign claims).
- Patents and copyrights: Judiciary.
- Vessel documentation: Transportation and Infrastructure.
- Taxation (e.g., income tax liability, tariff exemptions): Ways and Means.
- Public lands (e.g., sales, claims, exchanges, mineral leases): Resources.
- Veterans' benefits: Veterans' Affairs.
- Civil Service status: Government Reform and Oversight.
- Medical (e.g., FDA approvals, HMO enrollment requirements): Commerce.
- Armed services decorations: National Security.

Introduction of Private Bills

Private bills are introduced and referred in the same way as other measures. They are commonly introduced by the Member who represents the individual to be benefitted. Seldom are companion bills introduced in both chambers. Cosponsors have occasionally appeared on private bills that attract broad interest, though House Rule XXII (clauses 1 and 4(b)(1)) permits no cosponsorship on private bills.

Committee Consideration

Immigration and claims matters are the most common subjects of private bills (though private immigration bills have recently become more infrequent). The Committee on the Judiciary refers these to its Subcommittee on Immigration and Claims, which has established rules and routine procedures for processing them. Committees that handle other kinds of private legislation have no similarly institutionalized procedures.

The Subcommittee on Immigration and Claims generally ~~takes no action on a private bill unless its sponsor submits specified documentation and requests a hearing. The sponsor is generally the only witness at this hearing. The panel usually declines to report a private bill if its records show few precedents for favorable House action on bills dealing with similar conditions. It makes available to Member offices information on what documentation it requires, and the kinds of bills on which it is likely to take favorable action.~~

Floor Consideration

House Rule XXIV, clause 6, establishes special procedures for the consideration of private bills. When reported, private bills go on a special calendar, the Private Calendar (technically, the "Calendar of the Committee of the Whole House;" House Rule XIII, clause 1). Consideration of bills on this calendar is in order on the first and third Tuesday of each month, though the House often dispenses with the call by unanimous consent. Each bill is called up automatically, in the order in which it was reported and placed on the calendar. The bills are considered "in the House as in Committee of the Whole," meaning that there is no period of general debate, but debate and amendment may occur under the five-minute rule. Usually, little debate occurs and measures are disposed of by voice vote.

During the call of the Private Calendar, if two Members object to the consideration of any bill, it is automatically recommitted. Each party appoints official objectors, who are responsible for scrutinizing bills on the Private Calendar and objecting to those they deem inappropriate. Sometimes, a member of a subcommittee dealing with immigration or claims bills has served simultaneously as an official objector. In practice, instead of objecting, objectors will often ask that a bill be "passed over, without prejudice," thereby giving sponsors an opportunity to discuss concerns with them informally before the next calendar call.

If a private bill is recommitted, the committee may re-report it as a paragraph of an omnibus private bill, which has priority for consideration on the third Tuesday of each month. [See CRS Report 98-142 GOV, *Days Reserved for Special Business in the House*.] At this stage, the substance of each original private bill may be defeated by majority vote, by means of a motion to strike the paragraph out of the omnibus bill. Otherwise, each paragraph may be amended only by reducing amounts of money or providing limitations. After an omnibus private bill is passed, it is broken up again into separate bills for further action. In current practice, committees seldom re-report private measures once recommitted.

Other Proceedings

Further proceedings on private bills follow the general lawmaking process. Private bills have sometimes been vetoed by Presidents, often by pocket veto;

otherwise, Congress may override the veto in the same way as for public measures. Either house of Congress may also, ~~by resolution, refer a private claims bill to the Court of Claims for a recommendation from a trial commissioner.~~ These recommendations are requested occasionally, but often followed when requested. /

**PARLIAMENTARY OUTREACH PROGRAM****U.S. HOUSE OF REPRESENTATIVES****COMMITTEE ON RULES****MAJORITY OFFICE**

H-312 U.S. CAPITOL, WASHINGTON, D.C. 20515

(202) 225-9191

**THE HISTORY OF THE PRIVATE
CALENDAR AND THE CONSIDERATION OF
PRIVATE BILLS****EXTENSIONS OF REMARKS**by the Honorable F. James Sensenbrenner, Jr.
of WisconsinIn the House of Representatives
Wednesday, April 21, 1999

Mr. Speaker, I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House Calendars, the Private Calendar is the one to which all Private Bills are referred. Private Bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were Private Laws. But their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress, 1885 to 1887, the first Congress for which complete workload and output data is available - passed 1,031 Private Laws, as compared with 434 Public Laws. At the turn of the century the 56th Congress passed 1,498 Private Laws and 443 Public Laws - a better than three to one ratio.

Private bills were referred to the Committee on the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62nd Congress changed this procedure by its rule XXIV, clause six which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932, and then adopted in its present form on March 22, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that Act banned the introduction or the consideration of four types of private bills: first, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream, or fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood for private immigration bills. The 82nd Congress passed 1,023 Private Laws, as compared with 594 Public Laws. The 88th Congress passed 360 Private Laws compared with 666 Public Laws.

Under rule XXIV, clause six, the Private Calendar is called the first and third Tuesday of each month. The consideration of the Private Calendar bills on the first Tuesday is mandatory unless dispensed with by a two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the Committee reporting it. No reservation of objection is entertained. Bills unobjected to are considered in the House in the Committee of the Whole.

On the third Tuesday of each month, the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matters so stricken out shall not be again included in an omnibus bill during that session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved in their component bills, which are engrossed separately and disposed of as if passed separately.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members the Official Objectors system the House has established to deal with the great volume of Private Bills.

The Majority Leader and the Minority Leader each appoint three Members to serve as Private Calendar Objectors during a Congress. The Objectors are on the Floor ready to object to any Private Bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or questions about a particular Private Bill, he or she can get assistance from objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private calendar has caused the six objectors to agree upon certain ground rules. The rules limit consideration of

bills placed on the Private Calendar only shortly before the calendar is called. With this agreement adopted on April 21, 1999, the Members of the Private Calendar Objectors Committee have agreed that during the 106th Congress, they will consider only those bills which have been on the Private Calendar for a period of seven (7) days, excluding the day the bill is reported and the day the calendar is called. Reports must be available to the Objectors for three (3) calendar days.

It is agreed that the majority and minority clerks will not submit to the Objectors any bills which do not meet this requirement.

This policy will be strictly enforced except during the closing days of a session when the House rules are suspended.

This agreement was entered into by: The gentleman from Wisconsin (Mr. Sensenbrenner), the gentleman from North Carolina (Mr. Coble), the gentleman from Pennsylvania (Mr. Gekas), the gentleman from Virginia (Mr. Boucher), and the gentlelady from Connecticut (Mrs. DeLauro).

I feel confident that I speak from my colleagues when I request all Members to enable us to give the necessary advance consideration to private bills by not asking that we depart from the above agreement unless absolutely necessary.

**SCENARIO FOR MARCH 13, 1997 SUBCOMMITTEE
MEETING ON ADOPTION OF PROCEDURAL RULES
AND MARKUP OF PRIVATE BILLS**

"TODAY THE SUBCOMMITTEE ON IMMIGRATION AND CLAIMS CONSIDERS THE ADOPTION OF THE RULES OF PROCEDURE FOR BOTH PRIVATE IMMIGRATION AND PRIVATE CLAIMS BILLS. THESE RULES ARE IDENTICAL TO THOSE ADOPTED BY THE SUBCOMMITTEES OF JURISDICTION SINCE THE 102ND CONGRESS. THE PRIMARY FOCUS OF MOST OF THE RULES IS TO ESTABLISH STANDARD REQUIREMENTS FOR THE CONSIDERATION OF PRIVATE BILLS, WHICH ARE ESSENTIALLY REQUESTS TO CIRCUMVENT THE LAW.

"WITHOUT THESE STANDARDS, THE CONGRESS COULD POTENTIALLY BE INUNDATED WITH REQUESTS FOR PRIVATE IMMIGRATION AND PRIVATE CLAIMS BILLS WITHOUT ANY RESTRICTIONS BASED ON CURRENT LAWS AND REGULATIONS.

"THE SUBCOMMITTEE WILL ALSO CONSIDER ADOPTION OF THE SUBCOMMITTEE POLICY OF NOT GRANTING NEW FEDERAL CHARTERS TO PRIVATE, NON-PROFIT ORGANIZATIONS. THIS POLICY HAS BEEN ADOPTED BY THE JUDICIARY COMMITTEE SUBCOMMITTEE OF JURISDICTION SINCE THE 101ST CONGRESS, AND REFLECTS THE SUBCOMMITTEE'S BELIEF THAT CHARTERS ARE UNNECESSARY FOR THE OPERATIONS OF ANY CHARITABLE ORGANIZATION AND FALSELY IMPLY TO THE PUBLIC THAT AN ORGANIZATION AND ITS ACTIVITIES CARRY A CONGRESSIONAL "SEAL OF APPROVAL."

"THIS POLICY ALSO REFLECTS THE SUBCOMMITTEE'S BELIEF THAT THE SIGNIFICANT RESOURCES REQUIRED TO PROPERLY INVESTIGATE PROSPECTIVE CHARTERED ORGANIZATIONS AND MONITOR THEM COULD AND SHOULD BE SPENT INSTEAD ON THE SUBCOMMITTEE'S LARGE RANGE OF POLICY MATTERS.

"AND FINALLY, FOLLOWING CONSIDERATION OF THE PROCEDURAL RULES FOR THE SUBCOMMITTEE, WE WILL BE CONSIDERING TWO PRIVATE BILLS. THE PREDECESSORS OF THESE BILLS IN THE 104TH CONGRESS WERE BOTH APPROVED BY THE SUBCOMMITTEE."



Judiciary Homepage



PRIVATE BILLS

Private bills are restricted to one or more specifically named persons, corporations, institutions, or organizations, usually to grant relief when no other legal means is available. Private bill titles normally begin with the phrase: "For the relief of" Most private bills deal with claims against the United States federal government, immigration and naturalization matters, land titles, or appeals for special treatment for a corporate or private person. If approved by both houses of Congress (the House and the Senate) in identical form and signed by the President, they become "Private Laws."

Since the mid 19th century, Congress has sharply reduced the number of private bills it considers by authorizing executive branch agencies to resolve private claims or appeals.

[HOME](#)[FEEDBACK](#)[About THOMAS](#)

Last Update: 05/26/98 11:08:37



Wednesday, October 14, 1998 06:08 AM

[Return to News Page](#)

Private relief bills stalled by Congressional brinksmanship

In an unseemly undercard to the budget battle on Capitol Hill, a boy with cancer and a recent adoptee find themselves pawns in a game of legislative chess.

Both boys need Congress to pass special bills for them to remain in the United States. But their two "private relief" bills are among 17 that currently are being blocked in a congressional showdown.

On Tuesday, the mother of Heraclio Tolley, a California teenager, called the Washington office of Sen. Frank Lautenberg, D-N.J., to ask why he was objecting to her son's continued stay in the United States.

Heraclio was legally adopted but not until after his 16th birthday. Only children adopted before that age automatically receive permanent residency. Rep. Duncan Hunter, R-Calif., has introduced a bill to grant residency to young Tolley.

Invoking a Senate privilege, Lautenberg has placed a "hold" on numerous pieces of legislation, including the Tolley bill. As his staff explained to Tolley's mother, Lautenberg did so in hopes of forcing action on a private relief bill of his own.

That bill would grant permanent residency to a Ukrainian child whose leukemia is blamed on the nuclear accident in Chernobyl. The child, Vova Malofienko, lives in New Jersey and has been receiving medical treatment in the United States for about seven years.

The disease is in remission, but the latest visa extension for Vova and his parents expired in March.

A veteran of the process said private bills are often moved only at the last minute so they can be used as bargaining chips in the frenzied final days of a congressional term. They could pass quickly if approved by unanimous consent.

Rep. James Sensenbrenner, R-Wis., who monitors private relief bills for House Republicans, has objected to Lautenberg's bill because it has not passed the Senate and was never looked at by any House committees.

Lautenberg reacted to Sensenbrenner's objection, placing ``holds" on bills from the House Judiciary Committee, which has jurisdiction over the private bills.

Among the measures currently stalled by Lautenberg's ``holds" are 15 other private relief bills.

One by Sen. Orrin Hatch, R-Utah, would grant residency to a British woman whose visa application failed because of a clerical error. Another by Rep. John Linder, R-Ga., would stop deportation proceedings against a man whose wife allegedly got him in trouble with the law by planting cocaine in his house.

Lautenberg's spokesman, Richard McGrath, said his boss hopes to reach an accommodation so all 17 private relief bills get through together. McGrath blamed Republican leaders for the slow progress of bills.

``In essence, we're all on the same side," McGrath said. ``We want all these sympathetic cases to be resolved favorably."

Sensenbrenner stood by his objection Tuesday and said he is being made a scapegoat for Lautenberg's failure to get his bill passed in the Senate.

``Lautenberg's had two years to deal with this subject," Sensenbrenner said. ``All I ask for is the chance for the (House) committee to have a chance to look at it."

[Return to News Page](#)

[Home](#)

Capitol Hill Blue is published daily on the web. Some material is ©*The Associated Press* and © *Reuters NewMedia*.



Monitor Site Map

Go

THURSDAY, JANUARY 20, 2000

Headlines

 **e-mail** this story to a friend

USA

Interview/Bill Clinton

Race, pardons, and a small boy from Cuba

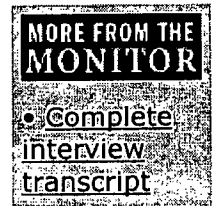
As he begins his final year in office, President Clinton expounds on issues confronting the nation - and his own personal growth.

Francine Kiefer (kieferf@csps.com) and James N. Thurman (thurmans@csps.com)
Staff writers of The Christian Science Monitor

President Clinton, in his most extensive comments yet on the tangled case of Elian Gonzalez, emphasized the importance of family unity - even when it means returning children to countries where "we don't like the government."

He implicitly warned Congress not to make a special grant of American citizenship to the six-year-old to keep him in this country - a move that could set up the first showdown of 2000 between the White House and Capitol Hill.

With his remarks, he threw the full weight of his office behind the Immigration and Naturalization Service (INS), which has ruled Elian should return to his father in Cuba.



The president outlined his views in an interview with the Monitor while on an anticrime visit to Boston this week. Relaxed and talkative after a breakfast of "good grits" at Mike's City Diner earlier in the day, Mr. Clinton covered an array of topics - from cyberwarfare to forgiveness.

Alternatively pensive and impassioned in the 50-minute interview, sitting cross-legged one moment and stirring the air with his fingers the next, Clinton:

- Suggested that the White House will eventually issue an executive order to "get rid of" racial profiling by federal law-enforcement authorities.
- Cited learning in the past two years of the importance of forgiving others - even to "seventy times seven," as the Bible puts it - if he expects to be forgiven.
- Noted that his 2001 budget, due out Feb. 7, will move the nation toward eliminating the \$5.7 trillion national debt in 15 years.
- Intimated that he will look to grant more pardons this year, despite the controversy that erupted over the clemency he gave several Puerto Rican nationalists last fall.
- Said he was "profoundly" grateful to the press for generally leaving his daughter alone during the first family's tenure at the White House.

Until now, the president has said little on Elian's case, except that he supports the INS decision to send the boy back to Cuba.

But he made it clear he puts reuniting the Gonzalez family above the political question of which country would offer the most opportunity for the boy, whom he said could be only "dimly aware" of the "scars from his mother's death."



A PENSIVE PRESIDENT: President Clinton's mood alternated between pensive and impassioned during a Monitor interview. He spoke of the difficulties of crafting a fair measure to outlaw racial profiling.
ANDY NELSON - STAFF

"We need to think long and hard whether we're going to take the position that any person who comes to our shores who is a minor, any minor child who loses his or her parents, should never be sent home to another parent - even if that parent is capable of doing a very good job - if we don't like the government of the country where the people lived."

If lawmakers disagree with the INS decision, he said, the place to fight it is in federal court - not with special legislation to make Elian a US citizen.

Citizenship, he said, "would irrevocably lead people to the conclusion that this was much more about politics than it was whether that little boy ought to be taken away from his father."

But Clinton also had harsh words for Cuban leader Fidel Castro. "I think the way he has attempted to politicize this is also terrible," he said, adding that, generally, Cuba has "blown every conceivable opportunity to get closer to the United States."



On Elian Gonzalez: "We need to think long and hard whether we're going to take the position that any person who comes to our shores who is a minor, any minor child who loses his or her parents, should never be sent home to another parent, even if that parent is capable of doing a very good job, if we don't like the government of the country where the people lived."
PHOTO BY ANDY NELSON - STAFF

Diligence on race relations

Since he first took office, the president has put improving race relations high on his agenda. While the living standards of minorities have improved with the strong economy, he disputed the premise that attitudes about race remain largely unchanged.

One example he pointed to was the recent reaction to Atlanta Braves pitcher John Rocker, whose disparaging comments about New York City's homosexual, minority, and immigrant populations kicked up a racial dust storm. "The unfortunate comments that the Atlanta baseball player made - that's really troubling. On the other hand, the fact that Hank Aaron and Andy Young met with him is encouraging," the president said.



Clinton called the fight against racism "the sort of work that may never be done," but said he needs to keep highlighting the issue, working to reduce the economic and education gaps between whites and minorities. He also called for more "vigorous law enforcement."

Along those lines, Clinton later said he was "very sympathetic" with the call to get rid of racial profiling - the practice by law-enforcement authorities of targeting someone based on their race.

The issue surfaced this week at a Democratic presidential debate in Iowa, when former Sen. Bill Bradley challenged Vice President Al Gore to "walk down the hall" and ask the president to sign an executive order outlawing the practice.

Clinton suggested it isn't that easy - "there are a lot of practical questions" involved. At the US border, for instance, "is it profiling or not if we stop every third car to check for drugs when 90 percent of the people coming over ... are Hispanic? The truth is, we don't know the answer to any of that."

On Internet warfare: "We have got to be prepared to deal with the explosion of technology in ways that could threaten our security, not only on data systems...."
PHOTO BY ANDY NELSON - STAFF

After his administration has collected data and released its findings, "then [we'll] craft an order to get rid of it that reflects the need for the agencies to do a certain job for the American people, and the need to avoid racial discrimination," he said.

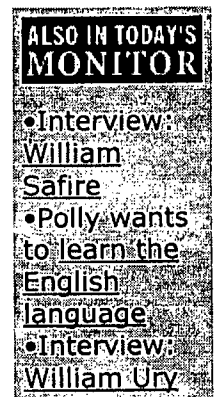
His ingredients for spiritual growth

When asked about his own spiritual growth over the past two years, Clinton paused for a moment and grew pensive.

Hand to his head, he began with the caveat that Christ Jesus teaches one to pray in secret and not on the street corner, and that a person in public life should address such a question with "some amount of humility and reluctance."

He then said that all his life, but most recently in the last two years, "the thing I have really had to work on is trying to gain some spiritual anchor that will enable me to give up resentments and disappointments and anger - and to understand that, in seeking forgiveness, I had to learn to forgive." Asking for forgiveness, "is easy," he added, but "it can't count unless you can give it as well as ask for it."

Clinton noted that, as he's gotten older, he's learned that the key to growth is "letting things go." "I used to see life as a struggle for always learning more things, cramming more things in my head, anywhere I could do more things ... Now I see the search for wisdom and strength is also a process of letting go. A lot of things you have to let go."





On race relations: "This is the sort of work that may never be done, since in all of human history, we haven't succeeded in rooting out people's fear or suspicion of those who are different."

PHOTO BY ANDY NELSON - STAFF

Promise of a 'big' last year



A PRESIDENTIAL VIEW: President Clinton gives emphasis to a point.
ANDY NELSON - STAFF

Clearly sensitive to the tag of being a lame duck, Clinton said the agenda for his final year in office will be the "most ambitious" since his first 12 months. He hinted there would be a "couple of things" new in his State of the Union address next week, but wouldn't say what they were.

He did say, as part of his budget, he would deliver a plan that would avoid spending the Social Security surplus, get the country out of debt in 15 years, invest in programs that Congress approved last year, and still provide a modest tax cut.

Clinton defended his "incremental" approach to governing, saying that small steps had led to "big change" over time. He cited welfare reform and back-to-back budget surpluses. "You take it in small steps, but if you keep walking in the same direction, all of a sudden your steps constitute a giant leap forward."

Among other issues the president touched on:

- Pardons. Clinton touched off a firestorm last year when he granted clemency to 16 Puerto Rican FALN nationalists. The president said he believes a chief executive should rarely commute sentences, overturning the work of judge and jury. But he has no regret in the case of the FALN terrorists.

Despite the move, he has issued fewer pardons and commutations than any chief executive in modern history, a fact even he did not realize until then-White House Counsel Charles Ruff began digging into the FALN case. He did suggest, though, that he might exercise the power more frequently in his final year in office.

"The president should be more forthcoming in being willing to grant pardons," he said.

- Cybersecurity. In recent months, China has signaled its willingness to use the Internet as a future venue of war. The US, for its part, has issued a report outlining steps to protect critical systems in this country from online threats.

Despite the rising concern about an emerging "cool war" in cyberspace, Clinton said a more real threat would come from "terrorists, organized

criminals, and narco-traffickers than other countries."

- Chelsea. Early in the Clinton presidency, an unwritten understanding existed between the mainstream press and the first family to keep Chelsea out of the media spotlight. "First kids" have at times encountered difficulty with the hot-house environment the White House creates.

When asked about how the media have done, Clinton said it's impossible these days to identify "the press" and that it will be harder in the days to come to do so given the blurring of lines between communication, entertainment, and journalism. But with few exceptions, he said, "the press has been willing to let my daughter have her life and try to grow up and deal with all the challenges that entails."

For a complete transcript of the interview, visit our Web site at [csmonitor.com](http://www.csmonitor.com).

■ Before bookmarking this page in your browser, click [here](#).

■ The URL for this page is:

<http://www.csmonitor.com/durable/2000/01/20/fp1s2-csm.shtml>

■ For further information:

- [Office of the President White House](#)

Please Note: The Monitor does not endorse the sites behind these links. We offer them for your additional research.

[Send Editor E-mail](#) | [Go to Forums](#) | [Get Free E-mail Update](#)

[Home](#) | [Today's Paper](#) | [Archive](#) | [@csmonitor.com](#) |
[Subscriptions](#) | [About Us/Help](#) | [Feedback](#)

(c) Copyright 2000 The Christian Science Publishing Society.
All rights reserved.

"It took me three weeks to find a PR agency using the yellow pages."

--Michael Collado, unemployed software CEO.



Friday, January 21, 2000

The Christian Science Monitor Interview with President Bill Clinton

Jan. 18, 2000

By Francine Kiefer and James N. Thurman

[Back to Monitor article](#)

BOSTON

THE CHRISTIAN SCIENCE MONITOR: Mr.

President, I know your time is valuable. The first thing I wanted to ask you, there have only been a couple of times in this century that Congress has come together, got their heads together enough, both sides of the Congress, to come together and pass legislation to give somebody citizenship. It happened with Winston Churchill, a few other people. I wanted to know if Congress does — it looks like the first thing they're going to do when they come back into town is work on the Elian Gonzalez case. If they did pass a private bill in both Houses and they feel like, politically, they've got enough backing to do that, what would you do with that bill if it got to your desk?

THE PRESIDENT: I don't know, I haven't thought about it. I think it would be — this is not Winston Churchill, for one thing. You know, I don't think that Congress should put its — unless they know more about the facts than I do, I don't think they should put themselves in the position of making a decision that runs contrary to what the people who have had to do all the investigation have done.

I think that, obviously, if they believe the INS made a mistake, their decision is subject to challenge in federal court. And the Congress — even members of Congress can petition to be heard there. But I think that

Topics

[Elian Gonzalez and citizenship](#)

[The upcoming State of the Union Address](#)

[The legacy of the national debt](#)

[The threat to the new American dream](#)

[Changing attitudes on race](#)

[National security in the 21st century](#)

[Spiritual growth](#)

[Chelsea Clinton and the media](#)

[Presidential pardons](#)

[Racial profiling](#)

we're setting a — I think that it would irrevocably lead people to the conclusion that this was much more about politics than it was whether that little boy ought to be taken away from his father.

They're basically taking a position that if you live in Cuba, if we can take you away from your father you're better off — your parents. And I think that's — the INS reached a different decision, having exhaustively looked at what was best for that child.

As you all know, I have no sympathy for the Castro regime. I signed the present bill. I think it is tragic how they have blown every conceivable opportunity to get closer to the United States. Just as we were making progress, they murdered those pilots. So I'm not sympathetic there. But I think that we need to think long and hard whether we're going to take the position that any person who comes to our shores who is a minor, any minor child who loses his or her parents should never be sent home to another parent, even if that parent is capable of doing a very good job, if we don't like the government of the country where the people lived.

And again, I say I am not — I have no brief for the Castro government or for many of their policies. I think the way he has attempted to politicize this is also terrible. It's not just the Cuban Americans that have attempted to politicize it. He has responded by attempting to politicize it. So this poor little boy is six years old. He has scars from his mother's death of which he can only be dimly aware, and making a judgment about what is in his best interest and what is most likely to give him a stable, healthy, whole childhood and allow him to grow into an adult as a solid person I'm sure may not be free of difficulty. And I just think that the decision ought to be made insofar as possible independent of countervailing political pressures.

TCSM: Mr. President, the State of the Union is right around the corner, so I guess is the State of the Union part of the interview. In the previews that you all have made available of what's coming up, it seems like most of it is beefing up programs that you already have, like today's announcement, and returning to —