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Female Legislators Seek Probe of Md. Judge

By MATTHEW MOSK
and KATHERINE SHAVER
Washington Post Staff Writers

Maryland's female legislators voted yesterday to file a formal complaint against a Montgomery County judge who told an 11-year-old girl "it takes two to tango," and said she was partly to blame for being molested because she invited the man into her home.

The legislators joined a widening circle of public officials calling for an investigation into Circuit Court Judge Durke G. Thompson's remarks in the Jan. 4 hearing and at least two other cases involving sexual abuse or domestic violence.

"A lot of people were outraged and embarrassed by the comments," said Del. Cheryl C. Kagan (D-Montgomery). "We would like to think people on the bench have gotten past the notion of blame the victim."

The letter of complaint to the Maryland Commission on Judicial Disabilities asserted that Thompson's "tango" remarks constituted a

violation of the Maryland Code of Judicial Conduct. The lawmakers also complained that the judge had shown a "pattern of bias" against victims, citing the cases of a woman who was carjacked from Montgomery Mall and then raped, and of a former coach at Albert Einstein High School accused of having sexual relations with four students.

Commission officials say they cannot comment on or confirm any investigations, which are confidential unless the commission decides to take action.

Thompson, a Circuit Court judge

for six years, did not return a call seeking comment yesterday. In a written statement last month about his "tango" comment, Thompson said he regretted "if these words have caused concern and confusion over the seriousness and gravity with which I treated this matter."

The judge made the remarks before ordering Vladimir Chacon-Bonilla, 23, to serve 18 months in the county jail for a second-degree sex offense. The judge suspended the rest of a five-year state prison sentence and ordered him to serve three years of probation.

Montgomery prosecutors said the girl's mother found Chacon-Bonilla in the closet of her daughter's bedroom in July with his pants around his ankles and the room smelling of cigarettes and alcohol. The girl told police she met Chacon-Bonilla two months earlier through an Internet chat room and that she'd had sex with him that night in her bedroom and once before, prosecutors said.

Thompson said Chacon-Bonilla's conduct was "unacceptable" and that he had "taken advantage" of the girl, but the judge said he disagreed with the girl's father that the incident had

"destroyed" the child's life.

"I don't think [the victim] is free of fault," the judge said. "I think the old adage that it takes two to tango is true here."

Thompson noted that the sentence, while falling below state sentencing guidelines of four to nine years in prison, exceeded the recommendations of the parole and probation department.

The Montgomery County chapter of the National Organization for Women also filed a complaint against Thompson with the judicial commission last month, and a state investigator is scheduled to meet with NOW representatives this week, a source said.

Attached to the lawmakers' com-

plaint was a statement from Maureen Quinn, an Annapolis attorney who appears regularly before Montgomery County judges on domestic violence cases. "Judge Thompson stands alone in his consistent and condescending treatment of victims of domestic violence," Quinn stated.

Montgomery County State's Attorney Douglas F. Gansler, who was the first to publicly criticize Thompson's remarks, said he doesn't know why there is a need for an investigation into the "tango" comments.

"It seems like there's not much to investigate," Gansler said. "He said what he said, and everything is right there in the transcript. Nothing was hidden. This was all done on the record and it's all public record."

Most 'Unaccompanied Minors' Quickly Sent Back

In immigration parlance, Elian Gonzalez is an "unaccompanied minor." The arrival of such minors on U.S. soil, and their return to their home countries, is an everyday occurrence.

In any given year, the Immigration and Naturalization Service apprehends 5,000 children arriving in the United States without their parents. The children most often are from China, Mexico, Guatemala, Honduras and El Salvador, according to a spokeswoman. Most are teenage boys.

"Most of the kids are churned through the INS system really fast," said Wendy Young, of the Women's Commission for Refugees, Women and Children. "You name

a world hot spot, and you'll probably find unaccompanied minors from that country, and they'll probably be sent home."

Poverty and repression in a home country are not enough to warrant political asylum at any age. Otherwise, a large chunk of the world's population could assert a right to live in the United States. Rather, under U.S. law, the person must show he or she specifically faces persecution because of race, religion, nationality or political opinion.

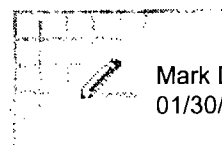
Even if Elian were targeted by the regime of Fidel Castro, Justice Department officials say that only his father would have the right to speak for him on immigration

matters—despite the team of lawyers who say they speak for him.

Elian, in a childish scrawl, printed his first name on paperwork submitted to a federal court, informing the court that he had consented to having the various lawyers appear on his behalf. But family law experts said they find that ludicrous.

"For any attorney saying a little kid signed a letter making me his attorney—that's absurd," said Michael Oddenio, general counsel for the Children's Rights Council, a nonprofit group that has filed a friend-of-the-court brief supporting the Justice Department.

— Cindy Loose



Mark D. Magana
01/30/2000 04:41:27 PM

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To: See the distribution list at the bottom of this message
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Subject: CQ WEEKLY -- Citizenship Plan for Cuban Boy Meets Unexpected Resistance Among Republican Lawmakers 

CQ WEEKLY - LAW & JUDICIARY
Jan. 29, 2000

Citizenship Plan for Cuban Boy
Meets Unexpected Resistance
Among Republican Lawmakers

By Elizabeth A. Palmer

Political support has cooled for a plan advanced by Republican congressional leaders to grant U.S. citizenship to 6-year-old Cuban refugee Elin Gonzlez.

GOP leaders had pushed the citizenship plan as a way to prevent the Immigration and Naturalization Service (INS) from sending Elin back to Cuba. But when Congress returned to Washington on Jan. 24, leaders found members deeply divided on the issue.

Keeping Elin in the United States has become a cause celebre in the Cuban exile community in Miami -- and another chapter in the strained relations between the United States and Cuba. Elin has been staying with relatives in Miami since he was rescued from the ocean off the Florida coast in November. His father back in Cuba is pressing for his return.

Early calculations about the political benefit for Republicans in supporting the powerful anti-Castro lobby in Miami -- in the key swing state of Florida -- by trying to keep Elin in the United States seemed to have overlooked a powerful personal dynamic: Most members of Congress are fathers.

It is unclear what, if any, legislative action will occur the week of Jan. 31. Senate Majority Leader Trent Lott, R-Miss., had promised rapid Senate

Draft POTUS Statement – DOE Task Force on Racial Profiling

I am pleased that the Secretary of Energy announced today that he has started to implement the recommendations of the Department of Energy's Task Force on Racial Profiling.

I commend Secretary Richardson for taking action to address concerns of racial profiling against Asian Pacific Americans, in the wake of alleged Chinese espionage at the Department of Energy's major nuclear weapons laboratories. The establishment of the Task Force and now the implementation of their recommendations will help assure a fair and safe working environment for all laboratory employees, including Asian Pacific Americans.

Asian Pacific Americans have long made significant contributions to our country, our national security and to our scientific achievement. Asian Pacific American scientists are an essential part of the Department of Energy workforce and deserve a working environment free of prejudice and suspicion. They are entitled to equal opportunity for employment and advancement in all areas of our scientific endeavors.

We cannot tolerate unfair racial profiling or discrimination in any part of the federal government. Secretary Richardson has taken the right steps to protect the rights of federal employees within his jurisdiction. He has accomplished this through open communication with the Asian Pacific American community and the involvement of community leaders throughout the process.

I look forward to successful results from Task Force recommendations and continued open and honest workforce assessment at the U.S. Department of Energy.

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action on the citizenship bill (S 1999), but on Jan. 26 he declined to set a timetable. House leaders are waiting to see what the Senate does.

Meanwhile, Elin's two grandmothers from Cuba visited him in Miami on Jan. 26 and met with lawmakers in Washington who support their effort to take Elin back to Cuba.

And the Justice Department on Jan. 27 filed a brief with a U.S. District Court in Florida, arguing that the Miami relatives, who have filed suit in state court to be allowed to have custody of Elin, do not have standing to make decisions for the boy. The brief urged dismissal of the suit. A state court hearing is set for March 6.

Difficult Journey

After the boy was rescued from the ocean, where his mother drowned, he was sent to Miami relatives while the INS studied the situation and interviewed his father, Juan Gonzalez, in Cuba.

On Jan. 5, the agency ruled that the elder Gonzalez has the authority to make decisions for the boy and said he should be returned to Cuba. The INS set Jan. 14 as the day for Elin's return. Attorney General Janet Reno has said she fully supports the INS decision, as has President Clinton. But the government has taken no steps to force the boy to leave the country.

At first, congressional Republicans feared that the government would deport the boy before any court could rule. Early in the controversy, Miami's two Cuban-American representatives, Republicans Ileana Ros-Lehtinen and Lincoln Diaz-Balart, argued that Elin should remain in the United States, as did Sen. Connie Mack, R-Fla.

Mack on Jan. 24 introduced legislation (S 1999) that would make Elin a "naturalized citizen" immediately. Florida's Democratic senator, Bob Graham, cosponsored the bill, as did Lott, Senate Foreign Relations Committee Chairman Jesse Helms, R-N.C., and Robert G. Torricelli, D-N.J. Mack said that if the child were made a citizen, the courts, not the INS, could decide who should have custody.

It is rare but not unprecedented for Congress to directly confer citizenship. In 1975, for example, Congress made Mrika Mrnacaj a citizen. The

111-year-old Albania native wanted to vote in a U.S. election before she died.

Rep. Bill McCollum, R-Fla., a candidate for the Senate seat to be vacated by Mack, who is retiring, introduced similar legislation (HR 3531) in the House. Cosponsors include House Majority Whip Tom DeLay, R-Texas.

The Senate, if it acts at all, plans to take the bill straight to the floor. House leaders said they want their bill to go through the committee process, which could be lengthy.

A Deep Divide

Despite the snowstorm that closed the federal government, Senate Republicans on Jan. 26 gathered for their first meeting since Elin was rescued on Thanksgiving Day. Mack and Lott found themselves confronting stronger opposition than expected.

"The boy should go back to his father," said Slade Gorton, R-Wash. "I'm not on Sen. Mack's side. And I am a long way from being alone."

Said Chuck Hagel, R-Neb.: "We have laws in this country, and I don't think the right way to approach it is going forward to confer honorary citizenship on a 6-year-old when his family is opposed to it in Cuba." Arlen Specter, R-Pa., also said he opposed the bill.

After the meeting, Lott reiterated his support for the Mack bill. But he also gave himself room to drop the matter, if Mack decides it cannot pass.

"My intent is to bring it up if Sen. Mack and the supporters of the legislation conclude that that's the only way that this can be fairly considered in a custody court, not to be determined by the INS or Janet Reno," he said.

Diaz-Balart acknowledged that the citizenship plan was in trouble but said: "Cuba votes are always tough in the Senate. . . . It may turn around, I don't know."

House Republicans were also deserting the plan. Conservative Steve Largent, R-Okla., was an original cosponsor of a resolution (H Con Res 240) introduced by Charles B. Rangel, D-N.Y., calling for Elin's return to Cuba. Largent said as a father he

had no other choice. Other Republican cosponsors were David Vitter of Louisiana and Thomas W. Ewing and Ray LaHood of Illinois.

By Jan. 27, House Speaker J. Dennis Hastert, R-Ill., was saying Congress needed to look out for the best interests of the child and that "politicians really need to step back." He reiterated his support for settling the case in family court, but added: "There is a lot of different feelings in our conference. We have got to work it out."

Even as the divisions became more pronounced, the already volatile lobbying campaign intensified. Elin's two grandmothers flew to the United States for an emotional reunion with the boy. Before and after the visit, the two women walked the halls of Congress, meeting with members who supported their cause.

Mack on Jan. 26 held a news conference with two other survivors from Elian's boat and the fisherman who found them. And by the end of the week, the Miami relatives were on Capitol Hill, looking for support.

Polls show that public opinion is firmly on the side of returning the boy to his father. A Gallup/CNN poll on Jan. 10, for example, found that 56 percent of those questioned thought Elin should go back to Cuba and 36 percent believed he should stay in the United States.

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From: Lisa J. Macecevic on 01/27/2000 09:19:51 AM

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Subject: Opposition growing to special citizenship bill; normal procedures will be followed

CQ MONITOR NEWS

OPPOSITION GROWS TO SPECIAL CITIZENSHIP BILL FOR CUBAN BOY

By Elizabeth A. Palmer, CQ Staff Writer

Jan. 26, 2000 - Congressional support for granting U.S. citizenship to 6-year-old Cuban refugee Elian Gonzalez appeared to erode Wednesday even as the boy and his grandmothers were reunited briefly in Florida.

As Senate Republicans emerged from their weekly luncheon, several said that the conference was deeply split over the issue, while Democrats said they were united against the bill (S 1999) introduced by Connie Mack, R-Fla.

"The boy should go back to his father. I'm not on Senator Mack's side. And I am a long way from being alone," said Slade Gorton, R-Wash., after the weekly GOP policy luncheon.

Senate Majority Leader Trent Lott, Miss., a cosponsor of the bill, did not to commit to any specific timetable for Senate action.

"It is not going to be acted on this week," he said. "Obviously it could come up next week. But there are a lot of people looking at this issue and there may be developments between now and then."

Both Lott and Judiciary Committee Chairman Orrin G. Hatch, R-Utah, said the Senate bill, if it comes up, would go directly to the floor, not through the Judiciary committee.

"My intent is to bring it up if Senator Mack and the supporters of the legislation conclude that that's the only way that this can be fairly considered in a custody court, not to be determined by the INS or Janet Reno," Lott added.

The Immigration and Naturalization Service (INS) has determined that Elian, who was rescued at sea off the coast of Miami last November, should be returned to Cuba to be with his father. Elian's mother died trying to reach the United States. The citizenship bill is designed to take the decision away from the INS and allow a Florida court to decide who will have custody of Elian.

"We ought to take into consideration the mother's desire," to live in the United States, said

Mack, as well as the father's desire to have his son returned.

In addition to Gorton, Arlen Specter, R-Pa., and Chuck Hagel, R-Neb., said they opposed the Mack bill. With Minority Leader Tom Daschle, S.D., holding on to his Democrats, passage of the bill would be difficult.

Democrats announced on the Senate floor Wednesday that if forced to vote on the legislation, they will offer a non-binding resolution urging his return to his father.

In the House, Speaker J. Dennis Hastert, Ill., said, "The understanding is whatever we do, we need to make sure the welfare of the boy is the No. 1 priority." He also said he believes "the courts are the best arena to settle this ... especially the family courts."

Majority Whip Tom DeLay, Texas, plans to meet Thursday with the boy's uncles who have been caring for him in Miami since November.

But House leaders have decided that the private relief bill introduced by Bill McCollum, R-Fla., will not be considered outside normal procedures.

It will be referred to the Judiciary Subcommittee on Immigration and Claims which will ask INS for a report on the case. During that time, a source said, it is customary for the INS to halt deportation procedures, but it is also likely that the subcommittee will wait to act until the report is delivered.

When the bill reaches the full committee, according to a source, at least two Republicans on the full committee could vote against the bill. If Democrats are united in opposition, it would take just three GOP defections to kill it.

The GOP leadership would face a difficult quandary on the next step. If it continues under normal rules, the bill would be brought to the floor as a private relief measure, which means the objection of just one member would kill it. The only way around that problem is to send the measure to the Rules Committee for a protective rule, which would be a break with precedent.

Source: CQ Monitor News

(i've added the bolds myself)

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REVIEW & OUTLOOK

The Grannies Gonzalez

Say this for Fidel: the man knows spin. After weeks of holding mass demonstrations intended to embarrass the United States into sending six-year-old Elian Gonzalez back to Cuba, the bearded one dispatched the boy's more camera-friendly grandmothers to America to make the case for him. And make that case they did, in a meeting with Janet Reno, at a prayer service at New York's Riverside Church and in an appearance on NBC's "Today" show.

• We wonder: Has anyone else noticed that the grandmothers and their handlers did not even *try* to visit Elian in Miami until last on their list, in what now looks to be a calculated (and internationally televised public) snub? Where would *you* go first if you were free to decide?

• Make no mistake, that noise you hear in the background is the grinding of political axes. The same people who screech so loudly about Elian's fate having been "politicized" are the folks who cheer the INS decision to take this case from a Florida family court. In the case of the National Council of Churches, the grandmothers' sponsors, they are the folks with a long-established soft spot for Fidel's Cuba. And they are the folks who oppose any U.S. pressure on Fidel to allow Elian's father, Juan Miguel Gonzalez, to come with his new family to America, where we might hear what he really thinks without the proverbial gun pointed to his head.

Unfortunately they also have the backing of the Clinton Administration. On Saturday, for example, Attorney General Janet Reno issued a statement of support saying that the rights of parents are a "cornerstone" of U.S. law. This echoed INS chief Doris Meissner, who called for the public to "respect and uphold the bond between parent and child." Such touching concern for parental rights would be far more persuasive had this same Administration not sat on its hands in cases involving American mothers who have American custody papers over their American-born children, but whose American children have been illegally kept from them by relatives living overseas.

Ask Pat Roush. Miss Roush's two daughters, Alia and Aisha, were taken out of the country in 1986 by her Saudi ex-husband when they were, re-

spectively, seven and three years old. They have been in Saudi Arabia ever since. Though equipped with U.S. and Interpol warrants for her ex-husband's arrest, and despite a California court grant of custody, Ms. Roush says she has had no real help from the State Department, which appears to take the line that none of this violates Saudi law.

Miriam Hernandez was luckier. Her 13-year-old daughter, Yasmeen, escaped. Also held in Saudi Arabia against her will, from June 1997 to April 1999, Yasmeen says her father abused her, calling her "a bitch just like your mother" and beating her when she said she was a Christian. Though Miss Hernandez even taped a desperate call from Yasmeen imploring her mother "to get me out of here they are going to kill me," both she and her daughter were told by the U.S. Embassy in Riyadh not to have Yasmeen come there for help.

And what of the National Council of Churches, sponsor of the grandmothers' much-hyped visit? At a largely ignored press conference in Miami on Friday, Rep. Ileana Ros-Lehtinen (R., Fla.) mentioned the case of Jose Cohen, an escapee from Cuba whose wife and three children remain behind even though they have been granted U.S. visas; they remain only because Fidel will not let them leave. In December Mr. Cohen faxed the NCC for help. Surely we can expect as big a campaign from the NCC for Mr. Cohen's family as it has mustered for Mr. Gonzalez's family. And on the phone Mrs. Ros-Lehtinen reminded us about the once-famous case of Rafael del Pinto, a well-known Cuban general who defected in 1987 with his son from a previous marriage. Though his ex also denounced him and called for the return of her son, ultimately she escaped to the U.S. as well, where she promptly declared that all her previous talk about "kidnapping" was the kind of thing she had to say.

No one doubts that Elian's father and grandmothers love him dearly. And we're all for seeing the law enforced. But we'd feel much better if, in determining where these rights begin and end, we could be sure the family members whose opinions are cited can really speak freely—and that the laws that we enforce are American, not Saudi or Cuban.

Is this true?

Back in Cuba, a different story emerges

By Jack Kelley
USA TODAY

CARDENAS, Cuba — At Marcelo Salada Primary School, his empty desk and little blue chair are revered as icons and are draped with his pictures, poems and Cuban flags.

On nearby Cosio Street, where he lived with his father, banners, buttons and signs herald him as "Cuba's patriot," and songs describing his plight are played over loudspeakers.

And inside his dad's small concrete house, his school portraits hang next to those of Cuban President Fidel Castro and revolutionary leader Ernesto "Che" Guevara.

"To Cuba, Elian has become a communist legend," says his

father, Juan Gonzalez, 31, picking up the boy's Power Ranger from atop his bed and playing with his pet parrot that still squawks his name. "But to me he is my 6-year-old son, and I want, and need, him back. This has gone on for too long."

As his custody battle is pursued in federal court and even Congress, the family and friends of Elian Gonzalez sit sadly and impatiently by their phones and hand-held radios eager to hear the latest twist in what Cuba's communist newspaper calls "this crazy case of kidnapping."

During the weekend, all eyes were on Elian's grandmothers, who arrived in New York to appeal for the right to bring Elian back to Cuba.

"This trip may be the best chance we have to return Elian to the father and the country he loves," Raquel Rodriguez, Elian's maternal grandmother, said Friday morning as she packed her bags and applied her makeup for the trip. "We believe the world will be watching, and if we can explain our case, it will be behind us."

So far, the world has watched the boy's every move since he was found clinging to an inner tube off the coast of Fort Lauderdale, Fla. on Thanksgiving Day.

His mother and 10 others, including her boyfriend, drowned as they tried to leave Cuba for Miami. Only three people, including Elian, survived.

His case has sparked an international tug of war between his father, who wants him returned to Cuba, and his extended relatives, who want him to remain in Miami.

"Elian belongs in the United States. His mother died to give him freedom from Castro's repressive, communist regime," says Jorge Mas Santos, chairman of the Cuban American National Foundation (CANF), a powerful Miami-based exile group that is spearheading the fight to keep Elian in the United States.

But more than two dozen interviews with family members, friends, co-workers and even dissidents who are against Castro's government reveal a different story of Elian's mother, Elizabeth Broton.

Before telling their stories, family members insisted that they were free to say what they wanted and had not been coached by anyone in or related to Castro's government. No officials were present during the interviews.

"Up until now, only one side of the story has come out, and it has been full of lies," says Mariela Quintana de Gonzalez, Elian's paternal grandmother. "It's about time we tell the other side."

'Our miracle child'

The four grandparents, sitting in Gonzalez's small sofa and one chair, begin by sharing black-and-white pictures of Gonzalez and Broton when they met as high school sweethearts at age 14. Records show that the two were married in 1984; the couple had hopes, the grandparents say, of starting a family.

But Elizabeth suffered seven miscarriages before Elian was born, says Raquel Rodriguez, Elizabeth's mother, and was ready to give up when Elian was conceived. The two parents were so excited at the birth that they combined letters from their first names — Elizabeth and Juan — to come up with the name Elian.

"He is our miracle child," Rodriguez says of Elian, her only grandchild. He is also Gonzalez's only son though he now has a three-month-old boy from a second marriage.

Nearly everyone, including neighbors and co-workers, describes Gonzalez as an "ideal father" who treated his son to hamburgers at a local café, drove him to school in his 1956 Rambler and even brought him to work on school holidays.

Rodriguez says Elian was so close to his father that he wouldn't take a bath or get his hair cut without him.

Broton, co-workers say, was just as committed. She attended parent-teacher meetings, school records show. Together, she and Elian played Nintendo, watched TV and danced to Cuban music in her small apartment, neighbors say.

"The two of them were obsessed with that boy," says neighbor Isabel Alarcon, 54. "You could even say Elian was spoiled. The parents had dollars, you know."

Both Gonzalez and Broton worked in the tourist industry and were paid in hard currency along with Cuban pesos. Their dollar paychecks enabled them to buy hard-to-find, or expen-

sive, foods such as beef and eggs at stores that are off-limits to most Cubans.

Broton worked as a housekeeper at the Paradiso-Puntarena Hotel in the nearby resort city of Veradero. Gonzalez is a guard at an amusement park and shopping mall.

The two divorced in 1997, apparently after strains that developed with her inability to first conceive. But they remained "good friends" and caring parents, co-workers say.

A home video, stamped with the date Sept. 1, 1998, shows Elian and his father dressed as pirates and playing with toy swords. It also shows Gonzalez and Broton dancing at a party as Elian plays in the back-ground.

During the week, Elian lived with Broton in the apartment that she shared with her mother above an open-air pharmacy. On weekends, and whenever Broton had to work late, the boy slept at his father's house, the grandparents say.

"Except for the living arrangements, it was hard to tell they were divorced," says Regla Garcia, administrator of Marcelo Salada Primary School, where Elian attended first grade. "Elian was the center of that family. Everything revolved around him."

Lured by love

Soon after her divorce, Broton began dating a Cuban named Lazaro Munero, the grandparents say. It was a passionate affair, Quintana de Gon-

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zalez, the grandmother, says, but one that she always felt uneasy about.

"I didn't like him from the moment I met him," she says. "He manipulated her and was even violent." She refused to elaborate.

But police records in Cardenas show that Munero spent three years in jail in his early 20s for cutting off a man's finger with a knife during a bar brawl. "He was tough, maybe hardheaded (and) a hustler," concedes Dagoberto Munero, Lazaro's uncle who lives across town. "He was troubled."

By June 1998, relatives say Lazaro Munero had become disillusioned with job prospects in Cuba and decided to travel 90 miles across the Florida Straits in a small boat to Miami. But after only a year there, Munero grew dissatisfied with the meager jobs he was offered, friends say. He was also homesick for Elizabet. He reportedly stole a boat and made the return trip to Cuba.

Upon his arrival, police records show, he was arrested for illegally entering the island and spent 62 days in prison. The jail time, family members say, only heightened his resolve to leave Cuba again.

Upon his release, Munero resumed his love affair with Elizabet, her co-workers say. After what her mother describes as a "bad" argument with her daughter several months ago, Elizabet stormed out of the apartment and moved in with Munero. Elian then began spending most of his time with his father, co-workers say.

"I regret that day," Rodriguez says. "But I had to tell her that seeing him was wrong."

Weeks later, Munero began

telling his family that he was returning to Miami and taking Elizabet with him.

He told his uncle that he had bought an old 17-foot aluminum boat and a 50-horsepower engine with money he had saved. He then quietly offered to take his family and friends to Miami for \$2,000 a piece, according to Munero's uncle and statements that two of the three survivors gave Miami-Dade police upon their arrival.

Second attempt

On the morning of Saturday, Nov. 20, a group of 15 people, including Broton and Elian, set off in the small boat but were soon spotted by a Cuban patrol ship and forced to turn back, eyewitnesses say. Minutes later, the boat's engine failed. The group was forced to row back to shore, Munero's uncle says.

The next morning, the passengers tried again. But minutes before pushing off, one of them, a 22-year-old single mother named Arianne Horta-Alfonso, decided the trip was too risky for her 5-year-old daughter, Stephanie, and left her behind, Munero's uncle says. Horta-Alfonso was one of two adult survivors of the trip.

Elizabet also had misgivings about the voyage, Munero's uncle says. He says he watched as Lazaro took Broton aside in the mangroves in an attempt to persuade her. Minutes later, she entered the boat with Elian. Two other relatives also confirmed the story. They, along with a co-worker, also said Munero and Broton had kept the trip a secret from Broton's family and Gonzalez.

"No one on his side of the

family knew," says Giralda Perez, 29, who worked with Broton as a housekeeper at the Paradiso-Puntarena Hotel. "She was scared but wanted to follow her man. She was lured by love."

During the voyage, a storm erupted and the boat sank, Coast Guard officials speculated. Gonzalez says he learned of the voyage only after his son was missing from school.

"He was in tears for days," Gonzalez's father says. "Now, he's very quiet. He has stopped going to work, stopped talking, (and) stopped showing emotion."

Waiting impatiently

Here in Cardenas, a city of 100,000 about 90 miles east of Havana, dozens of friends and relatives come by bike and horse-drawn carts to offer encouragement to the family. Hundreds of others visit Elian's school to sign a book of condolences.

Many of them bring a toy, often homemade, for the boy in case he returns.

His family acknowledges that Elian's toys, like the scooter made of scrap wood and the kite built by his uncle, are primitive compared with the motorized dune buggy and designer jacket that his relatives in Miami gave him for Christmas.

"We may be poor compared to people in the U.S., but we can offer the boy something he can't get in Miami, and that's a father's love," Gonzalez says, staring out his son's bedroom window. "I just want my son back," he whispers between tears. "This is killing me."

2/2

Cuban Exiles' Obsession Is Catching

Whatever moral authority the Cuban exile community had, it has squandered in the space of a couple of months of insanity over the future of 6-year-old Elian Gonzalez.

The child has been turned into an international pawn in the bitter-end fight of Cubans who fled to Miami after Fidel Castro's takeover. Now we have members of the Florida congressional delegation introducing legislation to grant citizenship to the child, a crude ploy to get him out of the jurisdiction of the Immigration and Naturalization Service, which has ruled that the boy should be returned to his father in Cuba.

What is happening is nothing short of kidnapping.

And the irony is that it's the law-and-order Republicans who are leading the charge. These include Rep. Bill McCollum (Fla.), who will always be remembered as one of the most obnoxiously sanctimonious impeachment managers. On the Senate side, legislation to thrust citizenship on little Elian is being sponsored by Connie Mack (Fla.), who ought to know better than to get involved with wrapping up a child in the American flag and then stealing him. These busybodies keep yammering about how much better off Elian would be if he could grow up in the United States, but as far as I can tell, Elian's welfare has not been a priority.

One of the mantras of the exile community has been that Elian's mother, Elizabet, gave her life so the child could be raised in freedom. The fact is nobody really knows what her motives were. The fact is also that she left Cuba with her boyfriend and put her 6-year-old at risk in a boat that was not seaworthy. It is unlikely that she told her former husband, Juan Miguel, of her plans to flee with her boyfriend and son. So in effect she was also severing the boy's ties with his father.

Elian's two grandmothers traveled here last weekend and made an impassioned plea to Attorney General Janet Reno to free the child to return with them to Cuba. Here, at least, are two people who sound like they know what's important to a 6-year-old. They, for example, have not lost sight of the fact that this child's mother drowned. "The retention of Elian in the United States adds to the tragedy of the family over the loss" of Elian's mother, they said in a statement they gave to Reno. "For us, the significance of returning Elian to his family will honor his mother's memory, return the family to normality and, more importantly, return Elian to the normality of life with his father, brother, family, friends at school, his toys, dog and parrot."

The two women, Mariela Quintana and Raquel Rodriguez, also asked Reno to return Elian "to his immediate family and not to his distant family, where [there] had not been a previous relationship."

Whether the boy wants to stay here or return to Cuba is not material. He is only 6, years short of being able to give informed consent to anything.

The INS was right to rule he should be returned to his father. But as far as Elian's great uncle, Lazaro Gonzalez, is concerned, it was the wrong decision. He filed a federal lawsuit last week seeking an asylum hearing for the boy.

Reno, who has backed the INS, promised the grandmothers she would seek a quick resolution of the matter in federal court. So we could end up with the bizarre situation of a federal court upholding the INS, while Congress is busily passing legislation to make Elian a citizen or a permanent resident, effectively ending his ties with the family he knows best.

His distant family has shown very little understanding of a child's basic need to be with his family, particularly having just lost his mother. They may be smothering him with toys and electronic gadgets, but that can't possibly compensate for the trauma of being separated from the family he loves and trusts. Atop that, they've exposed Elian to a media frenzy that would intimidate a movie star. The ruling principle in resolving disputes about children has been to make the best interests of the child—not of the adults—paramount. Parents prevail in custody disputes unless they are shown to be unfit. These same principles are embedded in the Convention on the Rights of the Child, to which the United States is a signatory.

Elian is hardly the first child to be sent back to his own country. According to the INS, 585 minors were deported in fiscal 1999. (The agency provided voluntary departure for an additional 628 minors that year.) One was deported to China, one to Vietnam, one to Haiti, 150 to Guatemala, 168 to Mexico and 169 to Honduras.

During the year, the agency detained 4,607 juveniles from countries ranging from Afghanistan to Zambia. The group included 648 youngsters from the Chinese mainland. Many detained children are released on voluntary recognizance, usually when the agency finds someone to take care of them so they can stay in the United States.

No one has raised a fuss about these children and their futures. Obviously, they and their families fled conditions that were less than optimum, choosing to enter this country illegally to try to better their lives. But they did not catch the attention of the Cuban American community, which has been poisoning American-Cuban relations every since Castro took over. That they are now using a 6-year-old to do this shows that they will stop at nothing to prevent a long-overdue rapprochement between the two countries.

Kidnapping is against the law. For the Cubans in Miami who never met Elian to lay claim to him when his father wants him returned is outrageous. But what is even more outrageous is to see members of Congress rushing into this madness and trying to cloak kidnapping in respectability. What they're showing the world is that American arrogance knows no bounds.



IN HIS
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A Flimsy Student Aid Propos

THE PRESIDENT threatens to confirm the Republican caricature of his final budget as a mail-order catalogue in which the strong proposals are lost among too many flimsy ones whose principal purpose is to score political points in an election year. An example is the proposal trotted out the other day to provide a further \$30 billion over 10 years in increased college student aid.

Most of the money would be in the form of a tax break that would do little to increase access to higher education among those too poor to afford it. Rather, in what remains a tight budget era, the proposals would mainly defray the costs of middle- and upper-middle-income students who would likely attend college anyway. It would come on top of a 1997 Clinton initiative, also in the form of tax breaks, that constituted about a 50 percent increase in federal aid to higher education. Much of that money also went to the middle class, though over time the colleges are likely to be the major beneficiaries, in that they will feel freer than otherwise to raise their rates.

Obviously, this further conversion of the cost of college into an implied entitlement

would be popular. But higher education is heavily subsidized, at the state more than at the federal level. Access to education is a great equalizer, but mosticans who want a higher education no get it; nor is the administration proposal toward those who continue to be d. There are better uses for \$30 billion over years; even within the field of education, to spend it on the early years when so children are left behind.

Aides say that, because other aspects of the president's budget are heavily tilted to the poor, this should be given a bye. They argue that the president's proposal is more aggressive than the congressional one on which it is based, and that his budget, whatever weaknesses, remains preferable to those Republicans are proposing. Can that really be the standard he wants to be judged by?

Part of his purpose is also said to be defensive. If the Republicans are bound to grant a tax cut, he would hope to capture some of the proceeds for his own favored purposes, as he did in 1997. But that's too acquiescent a position, and too weak a justification for a bad idea.

Eliau's Protectors

IT SHOULDN'T have been too much to hope that after all Elian Gonzalez had been through—a shipwreck, the drowning of his mother, the hours adrift at sea—someone would act selflessly and apolitically in his interests. In the past few days, however, the grown-ups purporting to speak for the 6-year-old have sounded depressingly like 6-year-olds themselves.

When his grandmothers flew in from Cuba, they and the Miami family members with whom he is staying were unable even to arrange a meeting; yesterday the Immigration and Naturalization Service had to order that one take place on neutral ground. The Cuban government and Miami exile community both have been milking the issue for political points while piously accusing the other of doing the same. Congress now would compound the irresponsibility by seeking to confer citizenship upon the boy. All profess to be acting on Elian's behalf while adding to a political tangle that cannot be helpful to him.

The issue should have been settled with the arrival of the grandmothers. The idea of sending anyone back into a dictatorship is painful. But a child is better off with a loving father,

even in a tyranny, than parentless in a democracy. Part of the concern with returning Elian had been the possibility that his father, Juan Miguel Gonzalez, was not speaking his mind when he insisted that he wanted Elian back. Having the grandmothers come in his place is an imperfect solution; they may still not be free to say what the family really wishes. But there is no evidence of that. This is as good a procedure as it is going to be possible to find.

A citizenship bill, if passed, would turn an immigration dispute into a custody fight, effectively denying the administration the ability to deal quickly and under the broad discretion the immigration laws afford. But a protracted custody battle in Florida courts will do Elian no good. President Clinton should make clear that he will veto any legislation intended to thwart the normal process.

In the meantime, everyone ought to step back and remember what is at stake. This is not about Fidel Castro, the embargo, the evils of dictatorship or the inequities of immigration law. It is about one small child who has already been through too much. The weight of Cuban-American tensions is too much to place on his back.

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The Law on Campaign Money

The Supreme Court performed a valuable public service on Monday by demolishing one of the main arguments brandished by Congressional foes of campaign finance reform. In a decisive 6-to-3 ruling, the court reaffirmed the constitutionality of campaign contribution limits and exposed the emptiness of claims that the First Amendment presents an insurmountable bar to meaningful action by lawmakers to restrict the corrupting flow of money into campaigns.

The case involved a test of Missouri's \$1,075 limit on an individual's donations to a statewide candidate. A lower appeals court had struck down the limit on free-speech grounds, in essence overruling the portion of the Supreme Court's 1976 decision in *Buckley v. Valeo* that upheld the \$1,000 contribution limit for federal candidates as a permissible precaution against corruption.

In rejecting this invitation to reconsider its approval of the cap in light of 24 years of inflation, the court put due emphasis on the corruptive nature of large campaign gifts. It also turned aside arguments that such limits amount to suppression of speech, lacking any concrete proof that candidates are prevented from raising sufficient funds to get their voices heard. "Leave the perception of impropriety unanswered, and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic government," wrote Justice David Souter in the majority opinion signed by five of his colleagues,

including Chief Justice William Rehnquist.

Senator Mitch McConnell, the Kentucky Republican who is the leading Congressional opponent of campaign finance reform, says the opinion is inconsequential to the ongoing battle over banning the unregulated contributions to political parties known as soft money. Yet one immediate effect of the decision is to render laughable Mr. McConnell's attempt to portray himself as a First Amendment champion for opposing a soft-money ban. The majority opinion did not address soft money directly. But its endorsement of contribution limits to protect the integrity of the political process strongly suggests that legislative steps to prevent candidates from evading those limits by raising and spending soft money would also pass muster.

Indeed, as the two concurring opinions by Justices John Paul Stevens and Stephen Breyer underscored, a number of justices are deeply concerned about the dominant role of big money in politics. They also seemed concerned about the court's own role in helping to accelerate the money chase by ruling, in another, highly lamentable part of the *Buckley* decision, that limits on campaign spending violate the First Amendment. In future rulings, the court needs to allow limits on both contributions and spending of personal funds by wealthy candidates.

In reaffirming contribution limits, the court decided that those limits do not harm anyone's rights to free speech. No one is prevented from speaking, just from buying undue influence.

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.

From: Lisa J. Macecevic on 01/26/2000 11:25:10 AM

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Subject: 1 of 3 Elian stories

CQ MONITOR NEWS

SENATE ON FAST TRACK FOR CITIZENSHIP OF CUBAN BOY

By Amy Fagan, CQ Staff Writer

Jan. 24, 2000 - Congressional leaders in both chambers yesterday introduced bills aimed at granting U.S. citizenship to shipwrecked 6-year-old Cuban refugee Elian Gonzalez, but the Senate appears to be moving on a faster track.

Invoking a parliamentary procedure to speed up consideration of the measure, Senate Majority Leader Trent Lott, Miss., said a vote could come this week, possibly as early as Wednesday.

The granting by Congress of citizenship is an extraordinary act that is now seldom done, and never in the case of a minor child against his father's wishes. For example, in a symbolic gesture, citizenship was granted to figures such as Winston Churchill and Mother Teresa. In 1988, actress Elizabeth Taylor's son, Michael Wilding, a British subject, was granted citizenship to avoid deportation on drug possession charges, according to an Associated Press report.

House leaders have not yet determined whether their bill will go straight to the floor or through the committee process. An aide for Majority Whip Tom DeLay, Texas -- one of the co-sponsors of the House bill -- said members would be discussing a course of action at today's GOP conference.

"I don't think a plan of action will be clear until after they've discussed it," said DeLay spokesman Jonathan Baron.

Lott told the Senate the bill to grant the child citizenship could come up for debate as soon as Wednesday, depending on what happens with a bankruptcy overhaul bill (S 625), which is set to be considered over the next few days.

The path of the citizenship bill will be clearer after the GOP leadership meetings this morning.

Political Cause Celebre

The boy was rescued off the Florida coast in November, surviving a shipwreck that killed his mother and several other Cubans fleeing their homeland. His case has become a political and custodial tug-of-war between those who say he should be returned to his father in Cuba and those who want him to remain with relatives in the United States.

The boy's grandmothers, who came to the United States from Cuba last week to plead for his return, are expected to meet with members of Congress today.

Granting the child U.S. citizenship would take the matter out of the hands of the <Immigration> and Naturalization Service (<INS>), 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 in Miami, who has temporary custody of the boy, and would allow a Florida state court to proceed with the case, sponsors said.

"I don't want the decision to be made by a federal agency that is subject to political pressure," said Connie Mack, R-Fla., who sponsored the Senate version. "The <INS> focuses on ... who can speak for the boy. The court's interest would be what's in the best interest of the little boy."

A spokesman for Senate Minority Leader Tom Daschle, S.D., said the measure has widespread Republican support and will probably easily pass, so the Democratic leadership is not planning to press the party faithful to oppose it.

Already, Mack's measure has gained the support of Democrats Robert G. Torricelli, N.J., and Bob Graham, Fla.

DeLay and Florida Republicans Bill McCollum, Lincoln Diaz-Balart and Ileana Ros-Lehtinen introduced the House companion bill.

GOP leaders were set to meet this morning to determine the next step for the bill. Some lawmakers are hoping to follow the Senate's lead and send the bill

directly to the floor for quick action.

"We're definitely optimistic about it coming to a vote," said a spokesman for Diaz-Balart. "We're waiting on leadership to tell us what the process will be."

One option would be to send the bill through the <Judiciary> Committee -- the traditional path of most private <immigration> bills. Typically, the <INS> stops all <immigration proceedings on that person to prevent deportation while the committee considers the issue.

Democratic Opposition

Rep. Charles B. Rangel, D-N.Y., is spearheading an effort to unite Democrats against the bill. He and 10 Democrats introduced a resolution of their own Monday, urging the reunification of the boy with his father in Cuba. Republicans Steve Largent, Okla., and Ray LaHood, Ill., also signed onto the measure.

"We're going to get strong Democrat support on this," said Rangel spokesman Emile Milne. "We know that there is concern that this is not a slam dunk on the Republican side."

Complicating the fate of the citizenship bill further is a measure, introduced Monday by Robert Menendez, D-N.J., that would grant the boy permanent resident status, which would allow him to decide later whether he wants to be a U.S. citizen.

"We're hoping that this will go through, but if it looks like the Republican bill will go through, we are prepared to support that," said Menendez spokesman Andrew Kauders.

Source: CQ Monitor News

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From: Lisa J. Macecevic on 01/26/2000 11:28:27 AM

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CQ MONITOR NEWS

CUBAN BOY'S GRANDMOTHERS MEET WITH LAWMAKERS

By Amy Fagan, CQ Staff Writer

Jan. 25, 2000 - As the grandmothers of Elian Gonzalez spent the day canvassing Capitol Hill, lawmakers in both chambers rallied to oppose a bill to grant the boy U.S. citizenship and keep him here.

Majority Leader Tom DeLay, Texas, introduced a bill Monday to grant the 6-year-old U.S. citizenship, in an effort to avoid the Immigration > and Naturalization Service (<INS>) ruling that he be returned to his father in Cuba, and instead allow the courts to decide.

The House leadership has yet to determine the path of the legislation.

Senate Majority Leader Trent Lott, Miss., said a Senate vote on the citizenship measure youth will not happen until Monday or Tuesday.

Support for the measures is growing but opponents -- including some Republicans -- are organizing against it.

President Clinton declined Tuesday to say whether he would veto any citizenship bill Congress may clear.

Sen. Chuck Hagel, R-Neb., said he plans to talk to Lott Wednesday and urge him not to bring the citizenship bill to the floor. Hagel joined Democratic Sens. Christopher J. Dodd, Conn., Barbara Boxer, Calif., Patrick J. Leahy, Vt., and Richard J. Durbin, Ill., in a meeting with the grandmothers Tuesday afternoon.

"I hope the leadership does not allow this to become a national debate," Hagel said. "It's disgraceful."

If the bill does come to a floor vote, Hagel said he is confident that "there are others in my party who will join me" and vote against it.

"This is not a matter of Senate debate," said Dodd. "The idea that the House and Senate are going to determine the fate of a 6-year-old is ridiculous."

Boxer said if it does come to a Senate vote next week, she plans to filibuster and Leahy added he would "talk at great length" as well.

"We're allowing a group of people with animosity for an old man in Cuba to interfere with the love of a boy for his father and the father for his boy," Dodd said.

The grandmothers previously met with Democratic Reps. Jose E. Serrano, N.Y. and Sheila Jackson-Lee, Texas. Other Democratic lawmakers sat in on the meetings as well, as did Steven C. LaTourrette, R-Ohio.

Republicans Steve Largent, Okla., and Ray LaHood, Ill., have also joined Democrats in urging the boy's return to Cuba, but were not present at the meetings.

Serrano said some members will feel politically pressured into voting for the citizenship bill. "That's what I'm afraid of," he said.

He also criticized Attorney General Janet Reno for failing to enforce the <INS> ruling.

"We need someone at the federal level to say 'We don't care what the fallout is in Miami, just make it happen,'" he said.

Members also said that the grandmothers told them Elian's mother did not leave Cuba of her own will but was forced to do so by a boyfriend who abused her.

The <INS> Tuesday ordered the boy's Miami relatives to make him available Wednesday for a meeting with his grandmothers at the Miami Beach home of Barry University President Jeanne O'Laughlin, who is a sister in the

Dominican order.

< Immigration officials stressed that the meeting -- set for late Wednesday afternoon -- is only a visit and will not change Elian's current placement with his great-uncle.

It was unclear when the grandmothers would leave for Miami because of the inclement weather, but they insisted the youngster should return to Cuba with them eventually.

When asked how long they will stay in the United States, maternal grandmother Raquel Rodriguez said "how long it takes" to get the boy.

Paternal grandmother Mariela Guintana responded with a hearty "No!" when asked if they would return to Cuba without the boy.

Source: CQ Monitor News

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Lott vows fast track for action on Elian

Grandmothers set to return to Cuba

By Joyce Howard Price
THE WASHINGTON TIMES

Senate Majority Leader Trent Lott says a bill that would make 6-year-old Elian Gonzalez a U.S. citizen will be filed today and could be acted on by the Senate as early as Wednesday.

"We have a procedure in the Senate, called Rule 14, that would allow it to be brought up after a two-day waiting period without having to go through committee.

"We're going to impose that rule," the Mississippi Republican said on John McLaughlin's "One on One" interview program.

Mr. Lott vehemently denied Senate Republicans are trying to circumscribe the rights of Elian's father in Cuba, who wants him returned to his homeland.

"All that [the bill] would do would say that this is a custody issue, not an immigration issue. It would not allow the administration to blow back and forth depending on what [Cuban President Fidel] Castro says, but it would allow the courts to determine custody," the Republican leader said.

The grandmothers of the shipwrecked Cuban boy rested in New York yesterday after their emotional meeting Saturday with Attorney General Janet Reno. The grandmothers, Raquel Rodriguez and Mariela Quintana, are expected to return to Cuba today without seeing Elian. When they met with Miss Reno, they gave her a letter saying they wanted to return to their homeland with their grandson.

The attorney general later issued a statement noting that the matter is before a court.

Yesterday the two grandmothers prayed for Elian's return at the interdenominational Riverside Church in New York, where worshipers gave them a standing ovation.

The National Council of Churches, which is trying to reunite Elian with his father, Juan Miguel Gonzalez, and other relatives in Cuba, issued a statement yesterday saying the two women were awaiting some further response from Miss Reno.

The Cuban American National Foundation, a powerful anti-Castro lobbying group based in Miami, offered yesterday to fly the grandmothers to Miami to meet with Elian.

But Mrs. Quintana, Elian's paternal grandmother, said in an interview on MSNBC late Saturday the women would not go to Miami because they did not trust the Cuban-exile community.

Elian Gonzalez has been staying with other relatives in Miami since he was found clinging to an inner tube off the coast of Florida Nov. 25. His mother and stepfather died when a 17-foot powerboat in which they were fleeing Cuba capsized during a storm.

Elian's grandmothers; his father, who was divorced from his mother; and Mr. Castro have all demanded that the boy be sent back to Cuba. The U.S. Immigration and Naturalization Service has ordered Elian's return to Cuba, and Miss Reno and President Clinton both support the INS ruling.

But the boy's great-uncle, Lazaro Gonzalez, with whom he has been living in Miami, is fighting the order in federal court. He's asking that the court prevent Elian's return before he has an asylum hearing.

Yesterday, Jorge Rodriguez, a Cuban-American radio station owner in Miami, offered Lazaro Gonzalez his services as a middle man to try to arrange a meeting with the grandmothers, CNN reported. The network said Elian's great-uncle welcomed the help. Lazaro Gonzalez repeatedly has said the grandmothers may meet with Elian, but they have to come to Miami.

In the television interview yesterday, Mr. McLaughlin asked Mr. Lott if Congress' involvement in this case "won't magnify it as a political football."

"We don't want it to be a political football. We want to have a determination made about what is best for the young boy," said Mr. Lott.

He denied Mr. McLaughlin's assertions that freedom and opportunity are just "abstract concepts" to a young boy who has just lost his

mother. "Where you grow up and how you grow up, and freedom, is not just an abstract concept; it's a real thing. In this case, it's particularly real because of the way he came here and the sacrifice his mother and stepfather made to get him here," Mr. Lott said.

He stressed that he believes the "father's rights and interests are important."

But Mr. Lott added: "We need to make sure we know what they are. I mean, was the father involved with the boy when they were in Cuba? Did he provide support for the boy?"

The bill to make Elian a U.S. citizen is being introduced by Sen. Connie Mack, Florida Republican, and has the support of many Republicans, as well as some Democrats.

Texas Gov. George W. Bush, interviewed yesterday on ABC's "This Week," said he would vote "aye" for the Mack bill if he were in the Senate.

From: Lisa J. Macecevic on 01/24/2000 08:43:41 AM

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CQ MONITOR NEWS

CITIZENSHIP BILLS FOR CUBAN BOY MAY SEE FLOOR ACTION
THIS WEEK

By Amy Fagan, CQ Staff Writer

Jan. 21, 2000 - Republican aides say both chambers could see floor action on legislation to grant U.S. citizenship to shipwrecked 6-year-old Cuban refugee Elian Gonzalez as early as this week.

Senate Majority Leader Trent Lott, Miss., signaled his chamber may take up the measure by mid-week, according to an Associated Press report Friday.

If successful, the move would negate a decision by the Immigration and Naturalization Service (INS) to send him back to his father in Cuba.

Majority Whip Tom DeLay, Texas, and a group of Florida Republicans, have vowed to introduce their bill in the House today, while Connie Mack, R-Fla., plans to introduce the companion measure in the Senate.

The boy was rescued off the coast of Florida in November, surviving a shipwreck that killed his mother and several other Cubans fleeing their homeland. His case has become a political and custodial tug-of-war between those who say he should be returned to his father in Cuba and those who want him to remain with relatives in the United States.

Lawmakers fighting to prevent the child from being sent back to Cuba -- including Florida Republicans Ileana Ros-Lehtinen and Lincoln Diaz-Balart -- are urging House leaders to move quickly on the bill. They may try to circumvent the committee process and bring the measure straight to the House floor, sources say.

"Timing is key with this bill," Ros-Lehtinen said.

Discussions about the path of the House measure are still under way, since speeding it to the floor would set a new precedent for private relief bills.

Under House rules, such bills are not considered under suspension of the rules or by unanimous consent. They are reported out of committee and considered under the private calendar, where they are subject to review by opponents.

"If the bill is going anywhere, it is going straight to the floor," a House GOP aide said.

House Judiciary Committee spokesman Sam Stratman said Chairman Henry Hyde, R-Ill., has "already indicated his willingness to move the bill in an expedited manner." Hyde's panel has jurisdiction over immigration matters.

But Judiciary panel Democrats are expected to object to the expedited plan.

"All private bills must go through the Subcommittee on Immigration," said a Democratic aide on the subcommittee. "And even before the bill is considered by us, there are certain procedures that they must go through. ... All of these are being circumvented."

The aide said Sheila Jackson-Lee, D-Texas, and other Democrats would likely raise objections before the Rules Committee if the bill is sent directly to the floor.

The time frame for action on the measure remained unclear. A House Republican aide said Friday both chambers would likely take up the bills this week, but cautioned that plans were evolving and subject to change at any time.

Nancy Segerdahl, an aide for Mack, said he "intends to introduce it as soon as possible and [Senate leadership] wants to bring it up soon, but I do not know specific days at this point."

Relatives in Miami who have been granted temporary custody of the child have filed a suit in federal court Wednesday, hoping to overturn the INS decision.

Meantime, Rep. Robert Menendez, D-N.J., intends to introduce a separate bill today that would grant the boy permanent resident status, which would allow him to decide later whether he wants to be a U.S. citizen. If he was sent back to Cuba, the permanent resident status would expire after six months.

"I think it's vitally important to honor Elian's mother's wishes and give Elian citizenship," DeLay said Thursday.

Source: CQ Monitor News

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