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CUBAN BOY
June 26, 2000

CONTEXT: Last Friday, the 11th Circuit Court of Appeals in Atlanta unanimously denied a request filed by Elian Gonzalez's Miami relatives for rehearing of its June 1 ruling in this case. The appeals court's June 1 decision therefore stands. In that decision, the court dismissed the challenge to the INS decision filed by Elian's Miami relatives. The court found that the INS had acted within the bounds of its discretion in determining that Elian's father has sole legal authority to speak for his son in immigration matters. In its decision, the appeals court stated that all injunctions in the case will dissolve Wednesday, June 28, at 4:00pm. Elian's Miami relatives have asked the Supreme Court to accept the case, and to issue an injunction to prevent Elian from leaving the United States while they consider the matter. If the Supreme Court does not issue such an injunction, Elian Gonzalez will be free to return home to Cuba as of 4:00pm tomorrow.

When will injunction on Elian's family returning to Cuba be lifted?

- We understand that the injunction will end at 4:00 tomorrow. At that time Elian's family would be free to return home unless the Supreme Court grants the Miami relatives' request for an injunction.
- We refer you to the Justice Department for more details.

What assurances are you seeking from the Cuban government -- should Elian return to Cuba next week -- that he would not be used as propaganda, would not be placed in a special school, and would return to his "normal" life?

FOR WH PRESS

- I would refer you to the State Department.

FOR NSC PRESS:

- From the beginning, we have tried to de-politicize this case, and we have spoken to Cuban officials in Havana, Geneva, and Washington about the need to do so.
- Officials from the State Department have met with representatives of the Cuban Interests Section in Washington and voiced concern on how Elian would be treated in the event he returns to Cuba. These conversations have been constructive. We will continue to discuss with Cuban officials Elian's treatment should he return to Cuba.

[IF ASKED] Isn't it time for the Miami relatives to drop their appeal and let Elian and his family to go to home to Cuba?

- We hope that this matter will reach final resolution soon so that Elian and his family can resume their normal lives.

[IF ASKED] In retrospect, do you think this went on too long? Should your Administration have stepped in more decisively in November?

- As I have said before, I support completely the Justice Department's handling of this matter. The Justice Department followed a deliberate and careful process in order to reunite this child with his father safely and with as little disruption as possible. This was a matter in litigation and it was important to let the judicial process run its course.
- I hope now the matter will reach final resolution. It is important that Elian and his family be able to resume a normal life.

CUBAN BOY
February 11, 2000

CONTEXT: On February 3, 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. On January 26, under INS instructions, Elian met with his grandmothers 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.

What's your reaction to the great uncle's drunk driving record and the criminal convictions of Elian's Miami cousins?

- We have no comment. This a matter for INS and the Justice Department, and we refer you to them.

[IF ASKED] Are there secret negotiations going on with Cuban government?

- There are no secret negotiations. We have continued to talk to Cuban authorities about this matter, but there are no secret negotiations.

Will the Justice Department grant Elian's father's request to transfer custody of the child from the current Miami relatives 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?

- As you know, the Justice Department is handling this matter. We understand, though, that 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 in 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.

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 the INS 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.

CUBAN BOY
February 9, 2000

CONTEXT: On February 3, 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. On January 26, under INS instructions, Elian met with his grandmothers 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.

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- INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner and we support their decision.

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CUBA SANCTIONS

June 27, 2000

The Hill is moving to lift food and medicine sanctions, hasn't the time come for the Administration to end the embargo after all you are opening to China?

- Our Cuba policy, including the embargo, is based on a bipartisan consensus spanning more than three decades. The Cuban Liberty and Democratic Solidarity Act, or Helms-Burton Act, which became law in the wake of Cuba's shootdown of two U.S. civilian aircraft in international airspace in February 1996, codified the economic embargo. To lift the embargo would require action by Congress.
- Helms Burton was intended to increase pressure on the Castro government to undertake reforms and to better protect the rights of U.S. citizens whose property in Cuba was illegally confiscated and later used by foreign investors.
- While the embargo receives the most media and international attention, support for the Cuban people is the central theme of our policy. For example, we support cultural exchanges between the U.S. and Cuban people and permit sales of food to independent, non-governmental entities in Cuba. We also permit sales of medicine and medical supplies, if it can be verified that they will be used for the intended purpose and only for the use and benefit of the Cuban people.

If pressed – Will the President veto the agriculture sanctions proposals in Congress, like the Nethercutt bill?

- We believe that commercial exports of food and medicine should not be used as a tool of foreign policy, except under compelling circumstances. The President has taken executive measures to exempt those products from most unilateral sanctions.
- We would support legislation that reflects this policy, provided it retains the President's flexibility to act in the national interest.
- However, we are concerned about legislative proposals on sanctions that would seriously limit the President's ability to implement foreign policy and would have grave implications for our non proliferation, counter terrorism and counter narcotics initiatives.

China Cuba distinctions – Now that you have PNTR with China why can't you change the way we trade with Cuba?

- There is a big difference between Cuba and China. China has reformed its economy allowing for the development of a private sector. Cuba has not. China has an open labor market, it permits foreign firms to directly contract and hire individuals. Cuba does not. In China one can do business without directly empowering and enriching the government. In Cuba one cannot.

CUBAN DOCTORS IN ZIMBABWE
June 14, 2000

CONTEXT: *Last week, the Government of Zimbabwe attempted to force two Cuban asylum seekers to return to Cuba before their requests for asylum had been heard either by Zimbabwean authorities or the United Nations High Commissioner for Refugees (UNHCR). The GOZ flew the two Cubans, both doctors in Zimbabwe as part of an official Cuban medical mission, to Johannesburg, where security guards attempted to force them to board an Air France flight to Havana via Paris. After Air France refused to board them, they were taken into custody by Zimbabwean police and returned to Harare. UNHCR made repeated requests for access to the asylum seekers, which the GOZ finally granted on June 7. The doctors, however, remain in detention.*

The State Department demarched the GOZ last week to express our concerns regarding the need for UNHCR access to the two Cubans and the need for the GOZ to uphold its commitment under international law to afford asylum seekers an opportunity to have their claim heard before being returned. After UNHCR was granted access, an INS officer interviewed the two on June 9 and gave them conditional approval as refugees. We are working through UNHCR to secure the release of the two Cubans and to ensure that they are resettled in a third country (the U.S. or another appropriate country) where they will not be in danger of forced return to Cuba.

N.B. We cannot comment on specific refugee cases – either identity or outcome.

What is happening with the two Cuban doctors who sought to defect in Zimbabwe and are in detention? What is the US doing?

- The United States has urged and will continue to urge the Government of Zimbabwe to honor its commitments under international law and immediately release the doctors to the United Nations High Commissioner for Refugees.

Are you trying to bring the two Cuban doctors to the US?

- Our focus is on the release of the Cubans to the UN High Commissioner for Human Rights, not on possible countries of resettlement.
- [IF PRESSED] As a matter of policy, we do not comment on cases that may fall under the US refugee program. I would refer you to the State Department for more information.

CUBAN BOY
June 23, 2000

CONTEXT: Today, the 11th Circuit Court of Appeals in Atlanta unanimously denied a request filed by Elian Gonzalez's Miami relatives for rehearing of its June 1 ruling in this case. The appeals court's June 1 decision therefore stands. In that decision, the court dismissed the challenge to the INS decision filed by Elian's Miami relatives. The court found that the INS had acted within the bounds of its discretion in determining that Elian's father has sole legal authority to speak for his son in immigration matters. In its decision today, the appeals court stated that all injunctions in the case will dissolve next Wednesday, June 28, at 4:00pm. Any further requests for stays or injunctions must be filed with the Supreme Court. The ruling means that, unless Elian's relatives seek and the Supreme Court grants an injunction prohibiting his departure from the US, Elian Gonzalez will be free to return home to Cuba as of 4:00pm next Wednesday.

What's your reaction to today's decision by the 11th Circuit Court of Appeals, dismissing the appeal by Elian's Miami relatives?

- We are pleased with the decision. It underscores the importance of family and the bond between a parent and child.

When will injunction on Elian's family returning to Cuba be lifted?

- We understand that they will be here for 5 more days, but then would be free to return home unless the Miami relatives sought and were granted an injunction by the Supreme Court.
- We refer you to the Justice Department for more details.

What assurances are you seeking from the Cuban government -- should Elian return to Cuba next week -- that he would not be used as propaganda, would not be placed in a special school, and would return to his "normal" life?

FOR WH PRESS

- I would refer you to the State Department.

FOR NSC PRESS:

- From the beginning, we have tried to de-politicize this case, and we have spoken to Cuban officials in Havana, Geneva, and Washington about the need to do so.
- Officials from the State Department have met with representatives of the Cuban Interests Section in Washington and voiced concern on how Elian would be treated in the event he

returns to Cuba. These conversations have been constructive. We will continue to discuss with Cuban officials Elian's treatment should he return to Cuba.

[IF ASKED] Isn't it time for the Miami relatives to drop their appeal and let Elian and his family to go to home to Cuba?

- We hope that this matter will reach final resolution soon so that Elian and his family can resume their normal lives.

CUBA/AGRICULTURE APPROPRIATIONS

September 28, 2000

Members of Congress say that they have reached agreement on the sale of food to Cuba as part of the Agriculture Appropriations Bill? You've had concerns in the past. Will you support this compromise?

- I understand that members of Congress have reached some kind of agreement. We are just now reviewing the details of this proposal, so it's hard for me to comment directly. I've had concerns about some of the proposals that have been put forward in the past. I have also indicated support for legislation such as Senator Lugar's "Agricultural Trade Freedom Act."

◀• I believe that commercial exports of food and medicine should not be used as a tool of foreign policy, except under compelling circumstances. I have taken executive measures to exempt those products from most unilateral sanctions. ➤

- Our Cuba policy, which has enjoyed broad bipartisan support, is to provide support for the Cuban people without strengthening the Cuban government. While the embargo receives the most media and international attention, support for the Cuban people is the central theme of our policy. For example, we support cultural exchanges between the U.S. and Cuban people, and permit sales of food to independent, non-governmental entities in Cuba.

COAST GUARD INTERDICTION VIDEO
May 31, 2000

Any reaction to video of Coast Guard spraying hoses on migrants who were violently resisting interdiction?

- The Coast Guard does an excellent job of handling what can often be a very difficult task. Their first goal is always to save lives and ensure the safety of persons at sea.

Did the Administration release this file in order to lay the foundation for changing its Cuban migration policy, specifically the Cuban Adjustment Act?

- No.

Do you have any comments on the conviction of the INS Official for disclosing government secrets?

- This is a legal matter that was handled by the Department of Justice and the courts. Any questions you have should be directed to the Department of Justice.

Any comments on Representative McGovern's op-ed that called for the President to travel to Cuba?

- The President has no plans to travel to Cuba.
- **If pressed:** We do not believe that such a trip would enhance the prospects for democratic governance in Cuba which is the fundamental goal of the administration.

CUBA: McGOVERN OP-ED
June 1, 2000

Any comments on Representative McGovern's op-ed that called for the President to travel to Cuba?

- The President has no plans to travel to Cuba.
- **If pressed:** We do not believe that such a trip would enhance the prospects for democratic governance in Cuba which is the fundamental goal of the administration.

CUBAN BOY**June 1, 2000**

BACKGROUND: US Court of Appeals for the 11th Circuit has affirmed the District Court's decision, holding that Elian Gonzalez is not entitled to an asylum hearing. the Justice Department is reviewing the decision to determine whether Elian must remain in the U.S. pending the time for filing an appeal.

What's your reaction to the court of appeals' decision?

- The Justice Department is still reviewing the decision, which is quite lengthy.

THE WHITE HOUSE

Office of the Press Secretary
(Berlin, Germany)

For Immediate Release

June 1, 2000

STATEMENT BY THE PRESIDENT

I am pleased with the decision today of the 11th Circuit Court of Appeals. As I have said before, this is a case about the importance of family and the bond between a father and son. I have supported the Justice Department's conclusion that Elian's father, Juan Miguel Gonzalez, is the one best suited to speak for his child, and I am pleased that the court has upheld the Justice Department's determination.

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CUBAN BOY
June 2, 2000

CONTEXT: Yesterday, a three-judge panel of the 11th Circuit Court of Appeals in Atlanta upheld the decision of the federal district court, dismissing the challenge to the INS decision filed by the Miami relatives of Elian Gonzalez. The court found that the INS had acted within the bounds of its discretion in determining that Elian's father has sole legal authority to speak for his son in immigration matters. The court set a deadline of 14 days for appeal or rehearing, and will issue its mandate 7 days thereafter if no action is taken by the Miami relatives. Once the mandate is issued, the injunction barring Elian's removal from the United States will dissolve.

What's your reaction to yesterday's decision by the 11th Circuit Court of Appeals, dismissing the appeal by Elian's Miami relatives?

- We are pleased with the decision. It underscores the importance of family and the bond between a parent and child.

When will injunction on Elian's family returning to Cuba be lifted?

- We understand that they will be here for at least 21 more days, but we refer you to the Justice Department for more details.

[IF ASKED] Isn't it time for Elian and his family to go to home to Cuba?

- With the injunction still in place, it would be premature to discuss this issue.

THE WHITE HOUSE

Office of the Press Secretary
(Berlin, Germany)

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June 1, 2000

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I am pleased with the decision today of the 11th Circuit Court of Appeals. As I have said before, this is a case about the importance of family and the bond between a father and son. I have supported the Justice Department's conclusion that Elian's father, Juan Miguel Gonzalez, is the one best suited to speak for his child, and I am pleased that the court has upheld the Justice Department's determination.

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CONTEXT: *On January 13, the INS rejected for the second time an asylum claim filed on behalf of Elian Gonzalez by his Miami relatives, again on the grounds that only the boy's father may speak for him in immigration matters. The press reports that Elian's relatives plan to file suit in federal court tomorrow to challenge the INS ruling. In an interview on Nightline last week, Elian's father stated that he has not come to Miami to retrieve his child because the U.S. government has not guaranteed him that he could pick up the boy and immediately board a plane to return home. He also made plain his frustration with the situation, stating that he "feels like breaking the necks of those SOB's in Miami, and that sometimes he would like to go to Miami with a rifle. His concern for his son was evident, as was his desire for INS to enforce its decision as soon as possible.*

On January 12, the Attorney General sent a letter to the attorneys for Elian Gonzalez's relatives in Miami, informing them that the INS decision regarding who speaks for the child in immigration matters stands. The letter states that the question of who speaks for a child on immigration issues is a matter of federal law, and that, in its view, the Florida court's order has no force or effect on the INS' administration of immigration laws. The INS Commissioner extended the January 14 date for the child's return to his father in order to accommodate any federal court proceedings that might be commenced. On January 10, the Miami Dade Circuit Court awarded emergency temporary custody of Elian Gonzalez to his great uncle, Lazaro Gonzalez, pending a full hearing on the great uncle's petition for temporary custody on March 6. The court also ruled that Elian may not be removed from the jurisdiction. Late January 7, Representative Dan Burton (R-IN) issued a subpoena for Elian to appear before the House Government Reform Committee on 10 February.

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.

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.

IF ASKED: Is the U.S. government involved negotiations in the Cuban government?

- We have been talking with the Cuban government about this extraordinary case, and will continue to do so.
- **IF PRESSED on grandmothers:** Yesterday, we did discuss the question of the grandmothers coming to the U.S. with senior Cuban officials

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 then end the INS's 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, and the family's application for asylum on behalf of the boy. Do you have a view of either of those developments?

- There is a legal process governing matters such as this. That process should be followed, and the 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.

What's your reaction to Juan Gonzalez's comments last week and his reluctance to come to Miami?

- Since the beginning of this matter, the State Department has offered to facilitate the issuance of a visa for him should he wish to travel here, and we have said that we thought it would be helpful, but I want to emphasize that ultimately it has to be his decision.

CUBA/ELIAN/ SANCTIONS
July 3, 2000

What do you think about the statements by Castro and others that the weekly demonstrations will continue despite Elian's return and that they will now focus on the Cuban Adjustment Act and the economic embargo?

- That really is a question for the Cuban government. The demonstrations will have little impact on our policy. We support safe, orderly and legal migration to the United States.

Did you end up getting any assurances from the Cuban government that they would not exploit Elian for propaganda purposes?

- We did express our concerns to Cuban officials about how Elian would be treated if and when he returned to Cuba. Our actions have always been guided by what was best for Elian. We hope the Cuban government will do the same.

The father appeared to be very conciliatory in his remarks at the airport about a desire to build better relations between the two countries. Do you think that is the legacy of this case, that it could provide an opportunity for a shift in policy?

- As the President said, we will continue to do everything we can to promote stronger people-to-people contacts between our two countries. At the same time, he doubted that there would be any bipartisan consensus to change our policy without fundamental change within the Castro regime.
- The legacy here is that the United States government acted to uphold the rule of law, and acted based on the belief that reuniting father and son was in the boy's best interest.

The Hill is moving to lift food and medicine sanctions against Cuba. Isn't it time for the Administration to end the embargo against Cuba, especially since you are working to open trade with China and North Korea?

- Our Cuba policy, including the embargo, is based on a bipartisan consensus spanning more than three decades. The Cuban Liberty and Democratic Solidarity Act, or Helms-Burton Act, became law in the wake of Cuba's shootdown of two U.S. civilian aircraft in international airspace in February 1996.
- Helms Burton was intended to increase pressure on the Castro government to undertake reforms and to better protect the rights of U.S. citizens whose property in Cuba was illegally confiscated and later used by foreign investors.
- Our policy is to provide support for the Cuban people without strengthening the Cuban government. While the embargo receives the most media and international attention, support for the Cuban people is the central theme of our policy. For example, we support cultural

exchanges between the U.S. and Cuban people, and permit sales of food to independent, non-governmental entities in Cuba.

- We are prepared to consider alterations in our policy in response to clear and unequivocal steps toward democracy in Cuba. So far we have seen little indication that the Cuban government is prepared to make such moves.

Will the President veto the agriculture sanctions proposals in Congress, like the Nethercutt bill?

- The President believes that commercial exports of food and medicine should not be used as a tool of foreign policy, except under compelling circumstances. He has taken executive measures to exempt those products from most unilateral sanctions.
- [Background - Administration announced on April 28, 1999 that the U.S. would exempt commercial sales of agricultural commodities and products for humanitarian purposes, as well as medicine and medicinal equipment, from future unilateral Executive Branch economic sanctions regimes – unless the President determines our national interest requires otherwise.]
- The President supports legislation such as Senator Lugar's "Agricultural Trade Freedom Act." It reflects this policy: the bill carries a presumption that food and medicine sales are permitted without distinction as to country, but includes a national interest waiver for use in compelling circumstances.
- The President is concerned, however, about legislative proposals on sanctions that would seriously limit any President's ability to implement foreign policy and would have grave implications for our non proliferation, counter terrorism and counter narcotics initiatives.

Doesn't the Nethercutt bill provide new openings on U.S.-Cuba policy?

- It's not clear what the latest version of this bill does. Our understanding is that it actually now further restricts travel to Cuba, which is counter to our people-to-people effort. The President thinks that's unfortunate.
- Again, the President thinks Senator Lugar's agriculture trade bill reflects the best legislative approach across the board on this issue.

CUBA/ELIAN/ SANCTIONS
July 3, 2000

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- [Background - Administration announced on April 28, 1999 that the U.S. would exempt commercial sales of agricultural commodities and products for humanitarian purposes, as well as medicine and medicinal equipment, from future unilateral Executive Branch economic sanctions regimes – unless the President determines our national interest requires otherwise.]
- The President supports legislation such as Senator Lugar's "Agricultural Trade Freedom Act." It reflects this policy: the bill carries a presumption that food and medicine sales are permitted without distinction as to country, but includes a national interest waiver for use in compelling circumstances.
- The President is concerned, however, about legislative proposals on sanctions that would seriously limit any President's ability to implement foreign policy and would have grave implications for our non proliferation, counter terrorism and counter narcotics initiatives.

Doesn't the Nethercutt bill provide new openings on U.S.-Cuba policy?

- It's not clear what the latest version of this bill does. Our understanding is that it actually now further restricts travel to Cuba, which is counter to our people-to-people effort. The President thinks that's unfortunate.
- Again, the President thinks Senator Lugar's agriculture trade bill reflects the best legislative approach across the board on this issue.

CUBA/ELIAN/ SANCTIONS
June 29, 2000

What do you make of the fact that Castro was not at the airport to greet Elian last night? Did you end up getting any assurances from the Cuban government that they would not exploit Elian for propaganda purposes?

- That really is a question to ask the Cuban government. We did express our concerns to Cuban officials about how he would be treated if and when he returned to Cuba. Our actions have always been guided by what was best for Elian. We hope the Cuban government will do the same.

The father appeared to be very conciliatory in his remarks at the airport about a desire to build better relations between the two countries. Do you think that is the legacy of this case, that it could provide an opportunity for a shift in policy?

- As the President said yesterday, we will continue to do everything we can to promote stronger people-to-people contacts between our two countries. At the same time, he doubted that there would be any bipartisan consensus to change our policy without fundamental change within the Castro regime.
- The legacy here is that the United States government acted to uphold the rule of law, and acted based on the belief that reuniting father and son was in the boy's best interest.

The Hill is moving to lift food and medicine sanctions against Cuba. Isn't it time for the Administration to end the embargo against Cuba, especially since you are working to open trade with China and North Korea?

- Our Cuba policy, including the embargo, is based on a bipartisan consensus spanning more than three decades. The Cuban Liberty and Democratic Solidarity Act, or Helms-Burton Act, became law in the wake of Cuba's shootdown of two U.S. civilian aircraft in international airspace in February 1996.
- Helms Burton was intended to increase pressure on the Castro government to undertake reforms and to better protect the rights of U.S. citizens whose property in Cuba was illegally confiscated and later used by foreign investors.
- Our policy is to provide support for the Cuban people without strengthening the Cuban government. While the embargo receives the most media and international attention, support for the Cuban people is the central theme of our policy. For example, we support cultural exchanges between the U.S. and Cuban people, and permit sales of food to independent, non-governmental entities in Cuba.

- We are prepared to consider alterations in our policy in response to clear and unequivocal steps toward democracy in Cuba. So far we have seen little indication that the Cuban government is prepared to make such moves.

Will the President veto the agriculture sanctions proposals in Congress, like the Nethercutt bill?

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 - [Background - Administration announced on April 28, 1999 that the U.S. would exempt commercial sales of agricultural commodities and products for humanitarian purposes, as well as medicine and medicinal equipment, from future unilateral Executive Branch economic sanctions regimes – unless the President determines our national interest requires otherwise.]
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- Again, the President thinks Senator Lugar's agriculture trade bill reflects the best legislative approach across the board on this issue.

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. They met with the Attorney General and INS Commissioner to express their concerns, and asked for assistance in arranging to see their grandson. 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 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.

What's your reaction to Sister Jean O'Laughlin's op-ed in yesterday's 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 in 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 this 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.

CONTEXT: On February 3, 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. On January 26, under INS instructions, Elian met with his grandmothers 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.

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- INS very carefully assessed the law and the facts. We believe they handled this case in the appropriate manner and we support their decision.

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?

- As you know, the Justice Department is handling this matter. We understand, though, that 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.

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- The President has made clear from the beginning that he does not want to inject politics into this 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? [IF ASKED: Will the Attorney General meet with the Miami relatives to hear from them about new evidence, as per Senator Bob Smith's request?]

- 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.

CUBAN BOY
February 4, 2000

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 in 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 this 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.

CUBAN BOY
February 15, 2000

CONTEXT: *Last night, the Justice Department received two letters from Juan Gonzalez, Elian's father. One letter expresses concern over the great uncles' alcohol consumption and the cousins' criminal records, and requests a rapid response to his earlier letter of February 3, in which he asked INS to 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, to stop the manipulation and harassment of his son, and to provide detailed information on all persons visiting the home where the child presently resides. The other letter argues that the U.S. has not complied with international law and practice, rejects the jurisdiction of the Florida court, criticizes dilatory tactics by the Miami relatives, and demands the child's immediate return. This last letter was published in Cuba's official newspaper this morning, but American press has yet to report the delivery of the new letters.*

Legislation to confer citizenship on the boy is pending in both houses of Congress. 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.

What's your reaction to the great uncle's drunk driving record and the criminal convictions of Elian's Miami cousins?

- We have no comment. This a matter for INS and the Justice Department, and we refer you to them.

Will the Justice Department grant Elian's father's request to transfer custody of the child from the current Miami relatives 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 hope to respond soon. I would direct you to them for further information.

[IF ASKED] What's your reaction to the two new letters from Elian's father to the Attorney General and INS Commissioner?

- The Justice Department has received the letters, and is reviewing them. Any further questions should be directed to them.

[IF ASKED] What about Elian's father's contention that the U.S. has failed to comply with international law and practice by not returning the child to his father?

- The Justice Department is working hard to defend its decision to reunite the child with his father in federal court. Since litigation is pending, I cannot comment further.

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.

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

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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. They met with the Attorney General and INS Commissioner to express their concerns, and asked for assistance in arranging to see their grandson. 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 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.*

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What about Dan Burton's subpoena?

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

CONTEXT: *Two U.S. officials – an INS officer and an officer at our Interests Section in Havana – met with the father of Elian Gonzalez on Monday in Cardenas – the father's hometown.*

Andrea Mitchell of NBC conducted a four-hour interview with Fidel Castro last night, in which, among other things, Fidel criticized the U.S. for its slowness of resolving Elian's case and the way in which we have permitted contact between Elian and the anti-Castro elements in the U.S.

Any reaction to Fidel's criticism (in his interview with NBC news last night) of the slowness with which the U.S. Government is processing the case of Elian Gonzalez?

- The INS is processing this case as quickly as possible.
- As the President has said, this case should not be resolved through politics, but through the legal rules and procedures that apply to a case of this sort.

Is it true, as the father has claimed, that the INS assured him that his son would be returned to him?

- No. The purpose of the interview was to receive documentation from Mr. Gonzalez certifying that he is the boy's father, that he has parental authority over Elian, and to find out directly from the father his wishes for Elian.
- The interview is an important first step but by no means completes the decision-making process.

What was discussed during the interview?

- We cannot comment on the substance of the interview. This is confidential information that is part of an INS case file.

[If asked] Has the USG agreed to issue the father a visa to come to the U.S.?

- The father has not requested a visa to come to the U.S.

By moving forward with this decision rather than leaving it for the courts to decide, are you giving in to political pressure from Fidel Castro as has been charged in the press?

- No. As the President has said, this case will be decided according to the applicable legal rules and procedures, not politics. This child should not be a political football.

CONTEXT: On January 12, the Attorney General sent a letter to the attorneys for Elian Gonzalez's relatives in Miami, informing them that the INS decision regarding who speaks for the child in immigration matters stands. The letter states that the question of who speaks for a child on immigration issues is a matter of federal law, and that, in its view, the Florida court's order has no force or effect on the INS' administration of immigration laws. The INS Commissioner has decided to extend the January 14 date for the child's return to his father in order to accommodate any federal court proceedings that might be commenced. In response to questions regarding how INS plans to effectuate the transfer of the child, the Attorney General said this morning that court processes should take their course and all parties should respect the legal process.

On January 10, the Miami Dade Circuit Court awarded emergency temporary custody of Elian Gonzalez to his great uncle, Lazaro Gonzalez, pending a full hearing on the great uncle's petition for temporary custody on March 6. The court also ruled that Elian may not be removed from the jurisdiction. Late January 7, Representative Dan Burton (R-IN) issued a subpoena for Elian to appear before the House Government Reform Committee on 10 February.

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.

Has the Justice Department decided today that a Florida court ruling awarding temporary custody to Elian's great uncle has no impact on the INS decision? How does INS plan to carry out its decision?

- The Justice Department has decided that the INS decision regarding who speaks for the child in immigration matters stands. In the view of the Justice Department, the Florida court's order has no bearing on the INS' administration of federal immigration laws.
- I would refer you to the Justice Department for further information.

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.

What about Dan Burton's subpoena, and the family's application for asylum on behalf of the boy. Do you have a view of either of those developments?

- Again, there is a legal process governing matters such as this. That process should be followed, and the 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.

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.

It has been reported that the Miami Dade judge has ties to an advisor to Elian's Miami relatives. Do you believe that this is a conflict of interest?

- It would not be appropriate for me to comment on this issue.

Do you expect that the father will come to the United States?

- We hope that he will, but that decision is up to the father, Mr. Gonzalez. The State Department has offered to facilitate the issuance of a visa for the child's father should he wish to travel here, and we continue to believe that it would be helpful in resolving this matter expeditiously.

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 has said. 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.

CONTEXT: *On January 13, the INS rejected for the second time an asylum claim filed on behalf of Elian Gonzalez by his Miami relatives, again on the grounds that only the boy's father may speak for him in immigration matters. The press reports that Elian's relatives plan to file suit in federal court early next week to challenge the INS ruling. In an interview on Nightline last night, Elian's father stated that he has not come to Miami to retrieve his child because the U.S. government has not guaranteed him that he could pick up the boy and immediately board a plane to return home. He also made plain his frustration with the situation, stating that he "feels like breaking the necks of those SOB's in Miami, and that sometimes he would like to go to Miami with a rifle. His concern for his son was evident, as was his desire for INS to enforce its decision as soon as possible.*

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

What about Dan Burton's subpoena, and the family's application for asylum on behalf of the boy. Do you have a view of either of those developments?

- Again, there is a legal process governing matters such as this. That process should be followed, and the 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.

What's your reaction to Juan Gonzalez's comments last night and his reluctance to come to Miami?

- Since the beginning of this matter, the State Department has offered to facilitate the issuance of a visa for him should he wish to travel here, and Justice has said that we thought it would be helpful, but I want to emphasize that ultimately it has to be his decision.

IF PRESSED: What is your reaction to the father's rather inflammatory remarks, saying that he sometimes wishes to come and bring a rifle?

- While his frustration over the situation is understandable, these are clearly not helpful remarks. We have done all we can to ensure that this is an orderly and lawful process and will continue to do so.

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.

It has been reported that the Miami Dade judge has ties to an advisor to Elian's Miami relatives. Do you believe that this is a conflict of interest?

- It would not be appropriate for me to comment on this issue.

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 has said. 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.

HELMS-BURTON TITLE III SUSPENSION

January 14, 2000

CONTEXT: *The Cuba Liberty and Democratic Solidarity Act (Libertad) or the so-called Helms Burton Act creates a private right of action allowing U.S. nationals with claims to expropriated property in Cuba to sue an individual or entity that "traffics" in that property under Title III. "Trafficking" is broadly defined in the Act to include most kinds of commercial involvement. The President allowed Title III to enter into force on August 1, 1996, but suspended for six months the provision that would permit U.S. nationals to file suit against persons or entities trafficking in confiscated properties. In January 1997, the President cited significant progress and renewed the suspension for another six months. At that time he said he would expect to continue to suspend the Title III lawsuit provision, and in July 1997, January 1998, July 1998, January 1999, and July 1999 the President announced additional six month suspensions. When the President announced the suspensions he noted additional concrete steps to promote democracy and human rights.*

Has the President decided to renew the suspension of the Cuba Liberty and Democratic Solidarity Act (Libertad) or the so-called Helms Burton Act?

- The decision is with the President. As you know the President allowed Title III to go into effect on August 1, 1996, but has used his authority under the Act to suspend for six month periods claimants' right to file suit.

CUBAN BOY
January 31, 2000

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 in 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 this 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.

~~process~~

INS regulations

CUBAN BOY AND MIGRATION INCIDENT
December 7, 1999

CONTEXT: *On Saturday night, Fidel Castro demanded that the U.S. return to Cuba within 72 hours the 5-year-old Cuban boy, Elian Hernandez, who was rescued at sea last week or else the Cuban people would take to the streets to insist on his return. Castro has also beefed up Cuban security outside the U.S. Interests Section in Havana. The boy currently resides in Miami with his great uncle and aunt. It appears that the boy's biological father is in Cuba.*

There have been ongoing demonstrations outside the U.S. Interests Section relating to this case. The Cuban government has called for another massive demonstration there at 5 p.m. this evening.

Separately, the U.S. Coast Guard yesterday interdicted a private Cuban vessel yesterday holding 8 Cuban nationals as it entered U.S. waters. The U.S. Coast Guard was notified of the incident by the Cuban border guard. Two of the Cubans aboard the vessel are members of the Cuban navy. It appears that six of the individuals took the two Cuban officials hostage and took control of the boat. The Cuban individuals are currently aboard a Coast Guard cutter and the vessel is in tow. The disposition of the individuals and the vessel will be determined in accordance with standard operating procedures and should be finalized in the very near future. The incident is an indication of the virtue of the migration accords and our commitment to continue our compliance with those accords.

What will happen to the Cuban vessel and the eight Cuban nationals interdicted yesterday?

- The eight individuals are currently aboard a Coast Guard cutter. The vessel is in tow.
- The individuals will be handled according to standard operating procedures. INS is interviewing the individuals to get a fuller understanding of what happened aboard the vessel and to ensure that any person who might have a fear of persecution is able to have their claim heard.
- Final disposition of the individuals and the vessel will be determined in the next few days.
- We are strongly committed to ensuring that any violations of law are dealt with appropriately.
- This case illustrates the virtue of our collaboration with the Government of Cuba on such cases and our continued commitment to implementation of the migration accords.

What is the USG reaction to Castro's latest statements about return of the 5-year-old Cuban boy?

- As in the case of any unaccompanied minor who arrives on U.S. shores, our primary concern is for the child.
- We do not accept the ultimatum issued through the press by Fidel Castro on Saturday night. This is not conducive to resolving this case in the appropriate way.
- We expect the Government of Cuba to fulfill its obligation to protect international diplomatic missions and their personnel. We would hold the Cuban government responsible for any harm to U.S. citizens or to our Interests Section that may come from the public protests called for by the Cuban government.
- We are committed to working with the family of the boy, including the father, and all relevant officials to achieve an appropriate resolution to this case.

REPORT:

6-6423 ATTN: SENATOR
MARK/JOE

Cuban Alien Smuggling Incident

October 22, 1999

Context: Last night, a alien smuggling vessel carrying 8 Cuban migrants capsized reportedly in Cuban territorial waters approximately 15 miles outside Havana. Two of the migrants drowned, the others were rescued by the Cuban Coast Guard. Two of the survivors appear to be the crewmembers of the smuggling vessel and are reportedly U.S. citizens based in Miami. They have been allegedly charged with alien smuggling by Cuban authorities.

The incident is receiving more attention than normal because the two victims appear to be relatives of a Cuban radio announcer based in Miami.

What can you tell us about the Florida registered vessel that capsized near Cuba yesterday?

- Yesterday, the U.S. Coast Guard received information from the Cuban border guard that a Florida-registered vessel headed from Cuba to the United States capsized north of Havana, reportedly in Cuban territorial waters. Two of the Cubans aboard the vessel perished; eight survivors were rescued.
- Two of the survivors appear to be U.S. citizens who were the crewmembers aboard the vessel. They have reportedly been arrested by Cuban authorities.
- Our Interests Section in Cuba is seeking to confirm the status of the two individuals arrested and, if U.S. citizens, will seek consular access to them.
- This incident is another example of the dangers involved in alien smuggling. Our policy is aimed at discouraging such unsafe migration by boat and encouraging safe, legal and orderly migration opportunities. We provide at least 20,000 visas a year for Cubans to immigrate to the United States.

Do you have any information to suggest that there was a violent confrontation between the Cuban coast guard vessel and the alien smuggling vessel?

- We have no such information at this time.

CONTEXT: *Two U.S. officials – an INS officer and an officer at our Interests Section in Havana – met with the father of Elian Gonzalez Monday in Cardenas – the father’s hometown.*

Andrea Mitchell of NBC conducted a four-hour interview with Fidel Castro last night, in which, among other things, Fidel criticized the U.S. for its slowness of resolving Elian’s case and the way in which we have permitted contact between Elian and the anti-Castro elements in the U.S.

Any reaction to Fidel’s criticism (in his interview with NBC news last night) of the slowness with which the U.S. Government is processing the case of Elian Gonzalez?

- The INS is processing this case as quickly as possible.
- As the President has said, this case should not be resolved through politics, but through the legal rules and procedures that apply to a case of this sort.

Is it true, as the father has claimed , that the INS assured him that his son would be returned to him?

- No. The purpose of the interview was to receive documentation from Mr. Gonzalez certifying that he is the boy’s father, that he has parental authority over Elian, and to find out directly from the father his wishes for Elian.
- The interview is an important first step but by no means completes the decision-making process.

What was discussed during the interview?

- We cannot comment on the substance of the interview. This is confidential information that is part of an INS case file.

[If asked] Has the USG agreed to issue the father a visa to come to the U.S.?

- The father has not requested a visa to come to the U.S.

By moving forward with this decision rather than leaving it for the courts to decide, are you giving in to political pressure from Fidel Castro as has been charged in the press?

- No. As the President has said, this case will be decided according to the applicable legal rules and procedures, not politics. This child should not be a political football.

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. They met with the Attorney General and INS Commissioner to express their concerns, and asked for assistance in arranging to see their grandson. 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 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.

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What's your reaction to Sister Jean O'Laughlin's op-ed in yesterday's 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.

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INS Regulations

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Department of Justice

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STATEMENT BY ATTORNEY GENERAL JANET RENO
ON TODAY'S RULING IN THE ELIAN GONZALEZ CASE

WASHINGTON, D.C. – Attorney General Janet Reno issued the following statement on the ruling by the 11th Circuit Court of Appeals in the Elian Gonzalez case.

"I am pleased that the Court of Appeals has upheld the decision of the INS. We have said all along that Elian belongs with his father, Juan Miguel Gonzalez. Today's ruling affirms that view."

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00-309

CUBAN FIVE YEAR-OLD SURVIVOR
November 29, 1999

BACKGROUND: Cuba has requested that the United States return a five-year old who survived when the boat he and 12 others were in capsized last Thursday just off the coast of Florida. The five-year old, Elian Gonzalez, was found clinging to an inner tube and was taken to the hospital to be treated for exposure. The child was later released into the custody of his relatives in Miami. On Sunday the Cuban Foreign Ministry delivered a diplomatic to USINT requesting that Elian be returned to Cuba and to his father's custody. The child's mother and step-father were on the boat and are believed to have drowned. In their public statement the Cubans criticized U.S. policy toward migrants saying that the U.S. is entirely responsible for these new and painful deaths of Cuban citizens because of the insensitive way in which illegal migration is promoted, encouraged, and rewarded from that country."

Is the US going to honor the request by the Cuban Foreign Ministry to return Elian Gonzales to Cuba?

- The child has been paroled into the custody of his relative in Miami by INS. The child situation raises a variety of issues that will need to be addressed and resolved as soon as possible.

Do you have a response to the allegations by the Cuban Foreign Ministry that the U.S. is responsible for the tragic death of these individuals?

- The U.S. does not in any way condone, promote or encourage illegal migration. It is reprehensible that anyone would suggest that the U.S. is in any way responsible for these tragic deaths. We stand strong in our commitment to encouraging safe, legal, and orderly migration and urge individuals in Cuba to refrain from attempting to migrate illegally. Finally, our condolences go out to the families that have been affected by this tragedy.

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December 6, 1999

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What is the USG reaction to Castro's latest statements about return of the 5-year-old Cuban boy?

- As in the case of any unaccompanied minor who arrives on U.S. shores, our concern is for the welfare of the child and we would like to see a decision on the case consistent with that goal.
- We do not approve of the ultimatum issued by Fidel Castro on Saturday night. This is not conducive to resolving this case in the appropriate way.
- We expect the Government of Cuba to fulfill its obligation to protect international diplomatic missions and their personnel. We would hold the Cuban government responsible for any harm to U.S. citizens or to our Interests Section that may come from the public protests called for by the Cuban government.
- We are committed to working with the family of the boy, including the father, and all appropriate officials to achieve an appropriate resolution to this case.