

Spare the Child

Hillary Clinton's initial response to Elian Gonzalez was cautious until the evidence came in.

"Once it was concluded this was a fit father and a loving relationship, there isn't much more to discuss," the first lady and New York senate candidate said in an interview this week. "We don't want to be in the business of breaking up families for political reasons."

Ms. Clinton's comments will infuriate the political right, who despise her as

Politics & People

By Albert R. Hunt

much as they do Fidel Castro, the real centerpiece of their furor over the return of the six-year-old child to his Cuban father last weekend. But Ms. Clinton has been concerned about children's rights and parental responsibilities for more than a quarter century.

Ironically, eight years ago conservatives and Republicans vilified her when she suggested that under certain circumstances—such as abuse—children had rights that might supercede parental claims. She was viciously attacked by President Bush's party chairman and others who distorted her position. The GOP platform took a slap at her views on children's rights.

Contrast this with the rights some of these conservatives today would assign to a small child as they try to capitalize on the tragedy of Elian. Or the outrage they express over the lawful seizure of Elian by government agents last weekend. How many of these born-again civil libertarians ever expressed outrage over police brutality of African-Americans or Hispanics?

The hysteria and the hypocrisy of these

critics is breathtaking.

There are occasions, as Ms. Clinton suggested, when it's not in the best interests of a child to remain with a parent. It was liberal-spawned federal legislation mandating that all "reasonable efforts" be made to keep families intact that caused great harm to children before it was modified.

A classic case, which occurred in Washington, D.C., involved Cornilous Pixley, an infant whose drug- and crime-plagued mother murdered another of her children. The little boy was taken into custody by police officer Laura Blankman. Ms. Blankman is white and Cornilous is African-American.

Originally, a judge gave custody of the child back to his mother. Fortunately, this was reversed. He is now with Ms. Blankman and, based on recent observations, is a happy little boy. Similarly, O.J. Simpson never should have been given custody of his kids.

But the criteria in these cases were not Ms. Pixley's profession or Mr. Simpson's political posture. The criteria were that both parents were unfit.

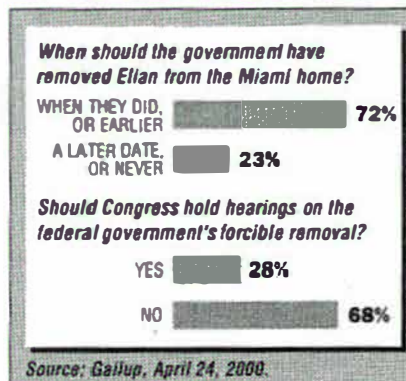
There are two legitimate tests in Elian's case. One is the immigration standard for asylum, or whether there is a "well-grounded fear of persecution" if he is returned to Cuba. The other is whether the child would be returned to a fit parent.

Today's Cuba is a miserably governed country, which is why Castrolism won't survive the 72-year-old dictator. If he goes back, Elian won't spend most of his life growing up under Castro. In the short term, the little kid will be a returning hero, a slap in the face of the Cuban-American community.

Every independent analysis—the New York Times, Washington Post and Miami Herald, among others—reports that Juan

Miguel Gonzalez is a dutiful father. Whatever his shortcomings as a husband, he spent considerable time with Elian and enjoyed a close relationship with the boy. They clearly met the test articulated last week by Cardinal Bernard Law of Boston, that the "natural bond between a father is of far greater value than . . . the superiority of a system of government."

Politically, the American public has been remarkably measured in rejecting



the emotions some have tried to arouse. Conservatives hoped that the weekend pictures of law-enforcement officials forcibly taking the child away from the Miami relatives would create a political backlash. It hasn't. Surveys over the past few days reveal that most people think the child should be united with his father and that Attorney General Janet Reno, who ordered the remarkably successful rescue mission, behaved responsibly.

One Democrat who has suffered is Vice President Al Gore, whose break with the administration is seen as pandering. But there is a way to rescue Mr. Gore from his own missteps: a Republican witch hunt—led by Trent Lott and Tom DeLay—of this episode.

A congressional inquiry seven years ago into the Waco fiasco, where 80 people

died, backfired. Imagine what these craven opportunists will do in assailing a mission that took three minutes, where no one was really injured and a little boy was lawfully returned to his father.

By this summer Elian Gonzalez will be a nonissue. Columnist Mark Shields predicts that Elian Gonzalez will not even be mentioned in Republican acceptance speeches in Philadelphia.

Top GOP leaders will be embarrassed, as they should be, by the irresponsible vitriol of Mr. DeLay, Rep. Lincoln Diaz-Balart, Sen. Bob Smith and other Clinton and Castro haters. The charges have been stunningly reckless: the little boy was "hooded and dragged" from his home with a gun to his head; the rescue mission was unlawful, conducted by "storm troopers" without a search warrant; Elian was drugged by U.S. government agents and subjected to Cuban psychiatrists; and the whole thing was orchestrated by Washington lawyer Greg Craig, a Castro tool.

The facts: There was a warrant issued for the predawn raid which enforced the rule of law, a decision by the attorney general that the boy belonged with his father. For nine days the Miami relatives disobeyed the law by refusing to turn the boy over. The agents were armed, as they should have been, but no one was hurt and little Elian was not "hooded" and didn't have a gun at his head. There have been no Cuban psychiatrists, and the American psychiatrist who flew to Washington with the child said Elian was given "absolutely no medication." Mr. Craig is the father's lawyer, not Castro's, and learned of the raid when he turned on the television.

The reason the political demagoguery of the critics hasn't worked is simple: Unlike them, the American public is less interested in any political agenda and more in what's best for a six-year-old child.



Karen Finney <kfinney@hillary2000.org>
04/24/2000 03:29:34 PM

Record Type: Record

To: Lissa Muscatine/WHO/EOP

cc:

Subject: FW: HRC Statement on Elian Gonzalez

> -----Original Message-----

> From: Karen Dunn

> Sent: Monday, April 24, 2000 11:34 AM

> Subject: HRC Statement on Elian Gonzalez

>

> For Immediate Release

Contact: Howard

> Wolfson

> April 24, 2000

> Karen Finney

> (212) 239-2000

Karen

> Dunn

>

>

> Statement of Hillary Rodham Clinton on Elian Gonzalez

>

> Hillary Rodham Clinton issued the following statement today about the case
> of Elian Gonzalez:

>

> "I am relieved that Elian has been reunited with his father. As I have
> said, this little boy should not be exploited for political purposes. As
> a mother and as a child advocate for more than thirty years, I believe it
> is in Elian's best interest to be with his father.

>

> "Saturday's action was accomplished rapidly and without injury, and I hope
> that the appropriate, ongoing legal process will now conclude as quickly
> as possible.

>

> "At a time that cried out for healing, the Mayor chose to exploit this
> situation by making divisive attacks on the United States law enforcement
> officers. Calling U.S. law enforcement 'storm troopers' is extreme and
> unwarranted. It is time for all of us to take a deep breath and allow
> Elian and his father to spend time together outside of the media and
> political spotlight."

>

> ###

>

>

>

TO: HRC
FROM: Lissa
DATE: April 25, 2000
RE: Talking points for Al Hunt interview

Al Hunt is doing a column on the hypocrisy of the right-wing when it comes to the issue of children's rights. He believes that you were unfairly hounded by the GOP in 1992 and that, while your position has been consistent and common-sensical, their motives are less about the interests of children than about scoring political points. In this interview we want to emphasize that you are the one who has consistently championed the unity of families – except in the most extreme cases.

He would like to speak to you for 4-5 minutes about the larger issue of children's rights – not the specifics of the Elian Gonzales case. Enclosed is a fabulous piece in today's Washington Post by Michael Kinsley, which I believe is similar to what Al wants to write. Also, David Von Drehle's piece from yesterday about the legal issue of asylum/custody, which is okay but pretty thin. And finally, a piece that Al Hunt did in 1997 about your beliefs on the subject.

Suggested talking points:

- 1) I have worked on foster care and abuse issues for 30 years – as a lawyer and as a children's advocate. And I have always maintained that, except in extreme cases of abuse and neglect, children should remain with their parents.
- 2) However, a child has certain rights if the parent is unable, unwilling or unfit to take care of the child. No child should be asked to remain in a family setting that is abusive, neglectful or harmful to that child's safety and well-being.
- 3) These are family issues and they should never be politicized. It doesn't help children when politicians use these issues simply to score political points. There has been a tremendous amount of political grandstanding in recent weeks – just as there was back in 1992.

Michael Kinsley

Republicans for Hillary

4/25/00

"Republicans trust parents and believe that they, not courts and lawyers, know what is best for their children."

So declares the 1992 Republican platform. This ancient document works itself up into quite a froth over what it calls "parental authority." Republicans in those days were specifically alarmed over the notion that children have legal rights independent of their parents—and might even be allowed to bring lawsuits that would break up the nuclear family. "For more than three decades," we learn, "the liberal philosophy has assaulted the family on every side. Today, its more vocal advocates . . . deny parental authority and responsibility, fracturing the family into isolated individuals, each of them dependent upon—and helpless before—government. This is the ultimate agenda of contemporary socialism under all its masks," no less.

Even in a generally hysterical tract, this emphasis on the less-than-pressing issue of lawsuits by children stands out as a bit odd.

The explanation is that it was part of an effort to make Hillary Clinton that year's Willie Horton: a symbol of wretched liberal excess. As a law student, Hillary Rodham had published an article arguing that children have legal rights and in some circumstances they should indeed be allowed to sue for separation from their parents. Speaker after speaker at the convention that renominated George H. W. Bush warned that if Hillary's husband was elected president, children would soon be suing their parents for making them do their homework or take out the trash. The Clintons and other Democrats responded that the article was being grotesquely misrepresented (which it was). They weren't about to be trapped defending an idea as un-American as children's independent legal rights.

You see where this is going, of course. But wait: It gets better. The Republicans tried to use a specific case to illustrate the depraved, socialistic road the Hillaryites

were leading the country down. It involved a 12-year-old Florida boy who was suing for the right to remain with a foster family rather than return to his natural parents (or suing to "divorce" his parents, as the headline and talk-show shorthand had it). His mother had repeatedly abandoned him and was living with a man with a criminal record who had recently been arrested for allegedly beating her.

His father, the suit alleged, was an alcoholic who had abandoned the family.

But the GOP party line was that a 12-

Suddenly, children's rights are in fashion.

year-old was far too young to decide he'd rather not live with such people, and that anyone who wanted lawyers and government to keep these parents apart from their child was a liberal sociopath.

Autres temps, autres mœurs. The harvest of ironic counterpoint from this past Sunday's news and talk shows alone is almost too rich to bear. Republican critics needed a reason why, after five months of fruitless negotiation and brazen defiance of the law by the Miami contingent, Juan Miguel Gonzalez's obviously loving "parental authority" should not be honored. Most of them grasped onto the circuit court ruling that 6-year-old Elian may have an independent legal right to live in the United States, against his father's wish.

There was Rudy Giuliani, of all people, emoting about the "traumatic damage" that can be caused by forceful police action. (Besides the rule of law and "family values," the whole realm of psychobabble is a subject on which Republicans are sounding distinctly un-Republican these days.) Hillary Clinton's Senate-race opponent declared that Elian's "rights" had been "trampled." He stated flatly that "this boy is entitled to an asylum ap-

plication in the United States."

Kate O'Beirne, professional Hillary hater and possibly the most reliable right-wing apparatchik on television: "The child has rights separately distinct from his father."

House Republican Whip Tom DeLay, endorsing the court ruling, declared the Elian case to be a custody battle just like "what I have been involved in with my wife." That '92 platform failed to explain that a great uncle has the same "parental authority" as a mother or father.

Perhaps most sublimely, there was Newt Gingrich, reduced to sipping for some Fox News host who wouldn't have been allowed to carry Newt's ego around behind him in a wheelbarrow back in 1992. After Rep. Ileana Ros-Lehtinen (R-Miami) stated that the courts had given "little Elian" the right to asylum, Gingrich forgot to remind her that "Republicans trust parents and believe that they, not courts and lawyers, know what is best for their children."

Instead, he criticized Janet Reno's timing on the adorable grounds that "this is a time for Easter egg hunts. This is a time for the Easter bunny."

All these critics of the operation that reunited father and son seemed more than open to the possibility that the government, or a 6-year-old child, or strangers such as themselves, might all be better judges of the child's welfare than the child's one surviving parent. And they may even be right about that. No one ever thought of this particular scenario back in '92.

Maybe it's an exception. But then maybe there are other exceptions, too. In fact, maybe if you've been self-righteously indignant on both sides of an issue, you should conclude that it's not an issue about which self-righteous indignation is called for.

And maybe you should apologize to Hillary.

Michael Kinsley, editor of *Slate* (www.slate.com), writes a weekly column for *The Post*.

George F. Will

The Raid in Little Havana

Some will rush to judgment. They will say that Sen. Bob Graham, the Florida Democrat, was lied to. Recently, he made a plea, in the Oval Office, that if the government went to Elian's home to seize him, it should not do so at night. "The president of the United States," says Graham, "made that commitment to me that there would be no taking of this child at night." But whether the president lied depends on what the definition of "night" is.

Anyway, Eric Holder, deputy attorney general, says the paramilitary operation was "done professionally." So are a lot of burglaries, but Holder is right about the INS agents' professionalism—why, the one agent's finger was at least half an inch from the trigger.

One bit of intelligence that supposedly justified the assault—"dynamic entry" is the term of art—on the house was the possibility that there might be weapons inside. Considering that 40 percent of American households have guns, it is notable that the assaulters managed to hit a house that did not have any.

However, here are a few questions that

What was it about the behavior of the Gonzalez family over the past five months that justified the government's conclusion that the family lives by the Clinton standard? (Remember the defense a Clinton aide once made of him: "He has kept the promises he meant to keep.") That is, what justified the judgment that the family would not honor its pledge to open the door to INS agents if they came like civilians, in daylight, and asked for Elian?

Granted, in such an event there might have been crowd control work for the Miami police outside the house. But is one part of government justified in making nighttime assaults on homes in order to spare another part of government work?

Government and media did much to vilify the family before the paramilitary assault on it. A subtext of the Elian affair has been a tendency of many political and media people to render harsher judgments about Cuban Americans than about the dictator who drove them to America. However, Castro has always had fans.

When Jean-Paul Sartre, French philosopher and Stalinist, made a pilgrimage to

was the first time I understood—still quite vaguely—what I called 'direct democracy.' Between the waitress and Castro, an immediate secret understanding was established. She let it be seen by her tone, by her smiles, by a shrug of her shoulders, that she was without illusion."

Cuba still has "direct democracy": Cubans have no real elections (although on Sunday, during a pause in celebrating what he called the "shared victory" of the United States and Cuba, Castro "voted"), but they still can shrug their shoulders. And Castro still usefully causes some people to reveal their strange political views.

The farcical National Council of Churches has played its familiar role as friend of leftist tyrannies. And now the nation knows that there are people in public life and the media not unlike the man whom voters in the South Bronx have put into Congress. When Rep. Jose Serrano was asked three times on television "Is Cuba a free country?" his three answers were: "It's a sovereign country," "It's a country with a different system than ours," "I don't know."

The Washington Post

TUESDAY, APRIL 25, 2000

Charles Krauthammer

The Picture

The picture will take a long time to forget: a commando pointing an MP-5 submachine gun at a 6-year-old boy and the fisherman who had plucked him from the sea. (An Italian American, by the way, hardly the anti-Castro urban so caricatured by the press.)

For its drama, immediacy and truth, that picture has undoubtedly already won next year's Pulitzer Prize. But it could not earn a place on the front page of the New York Times. Then again, the New York Times has a long history with Castro going back to the 1950s, when its Cuba correspondent, Herbert Matthews, assured the world that Castro was not a communist (occasioning the famous 1959 National Review cartoon of Castro saying, "I got my job through the New York Times").

The Times chose to highlight instead the other, carefully composed photo of Elian with his dad and stepfamily.

The picture credit reads "Juan Miguel Gonzalez," the father. What kind of journalistic judgment accords precedence to such a picture—provided without context and in isolation by a fiercely partisan protagonist in its custody battle—over the obviously unhearsed seizure picture taken by Alan Diaz the Associated Press?

In the coming days, we are sure to see more and more of this kind of picture, the content: Elian back with father—the man who took care of him for four months to come to see his shipwrecked son. (How long would it have taken you to retrieve your shipwrecked son?)

We know that a screaming, terrified and distraught Elian was seized at gunpoint from those who had saved his life and cared for him for five months.

A few hours later, isolated and out of view, he is nicely subdued. I'm a psychiatrist. Give me a 6-year-old and a few hours alone, and I'll have him smiling for the cameras too, with or without pharmacology.

Why did Reno do it? Her argument is always shifting. First, it is "the law."

Now, the INS certainly is duly constituted authority. But it is no more "the law" than is the street crimes unit of the New York City police. In a democracy, the law is determined by the courts. And the 11th Circuit Court of Appeals had just days before the raid found that the INS had acted with no basis in "statutory, regulatory or guideline provisions" in refusing to consider the claim for asylum made for Elian by his great-uncle Lazaro.

Reno's fall-back, and indeed her mantra throughout the five months, is that she is just acting in "the best interest of the child." But those who had actually seen the child, from Sister Jeanne O'Laughlin (president of Barry University and friend of Janet Reno) to Dr. Gunther Perdigao (a board certified adult and child psychiatrist) had, after initially thinking otherwise, concluded that it would be best for

Elian to remain with his family in Miami.

Just days before the raid, the Justice Department released a letter from a pediatrician. This doctor, who is not a psychiatrist and had never examined Elian, diagnosed him at a distance of 1,100 miles as the equivalent of a "hostage" and "in a state of imminent danger" in "psychologically abusive" and "destructive ambience" who "should be rescued."

Yet Justice never spoke to the one psychiatrist who had spent time with Elian. Dr. Perdigao, Brazilian-born and Spanish-speaking, spent hours with Elian over two days. After which he concluded that "Elian had bonded so strongly to Marisleysis that to pluck him out would be a terrible trauma." His reaction to the Saturday morning raid? "My association was to pictures of German soldiers plucking Jews out of their houses."

And where was Juan Miguel during the months that his cousin Marisleysis was caring



BY ALAN DIAZ—ASSOCIATED PRESS

for—and bonding with—Elian? In Cuba, dining with Fidel, parroting the government line and refusing to come see his son. When he finally received Elian at Andrews Air Force Base, Cuban officials were there.

Elian's reeducation has undoubtedly begun. And if it is not completed by the time he leaves the United States, it will be when he returns to Cuba. Who will really have custody of Elian when he returns? Castro has already made him a "hero of the revolution."

Heroes of the revolution don't get raised by their fathers. They get raised by the state—and by the state-controlled psychiatrists, all of whom are waiting for Elian upon his return to the special apartment, the special education, the special life that awaits him.

That the government of the United States should have collaborated in such an outcome—that it should have so brutally engineered it and so deeply traumatized a child to achieve it—is a disgrace.

R. -29' 99 (THU) 16:39

Dow Jones Interactive Publications Library

To: Katy
Fr: Ruby<http://nratg2s.djnr.com/cgi-bin/DJInterac...&Highlight=un&DocType=TextOnly&View=View1>

THE WALL STREET JOURNAL.

Politics & People:
Abused Kids Get Squeezed by the Ideologues
By Albert R. Hunt

02/27/1997

The Wall Street Journal

Page A17

(Copyright (c) 1997, Dow Jones & Company, Inc.)

Today, like each day, five kids in America will be brutally murdered by their parents. Both the political left and the right are unwittingly aiding this outrage in the guise of promoting family values.

The left's culpability goes back to the Adoption Assistance and Child Welfare Act of 1980, which makes it very difficult to take abused and neglected children away from their biological parents. The political right would make this intolerable situation even worse with one of its newest and hottest priorities: the "parental-rights" movement.

To put it in understandably stark terms, these movements -- which both fail to make any distinction between family rights and protection of innocent children -- are totally in line with a California judge's recent abominable decision to give O.J. Simpson custody of his children.

"The combined effect of the existing child welfare laws and the parental-rights movement is to ensure that people like O.J. Simpson get full custody," says Richard Gelles, director of the Family Violence Research Program at the University of Rhode Island and author of "The Book of David," about a 15-month-old boy who was murdered by his mother, a repeated abuser.

What really infuriates Mr. Gelles is that the jockeying for political advantage on the family values issue distracts from the real need for major reforms to help battered children. These would be expensive at a time when new spending is not in vogue, and controversial -- no matter how the issue is framed, the bottom line is that the states need to play a more active role in deciding the fate of abused children.

4/29/99 4:32

PR. -29' 99 (THU) 16:39

<http://nrtg2a.djnr.com/cgi-bin/DJIntenc...&Highlight=on&DocType=TextOnly&View=View1>

Dow Jones Interactive Publications Library

This can't be done without changing the 1980 legislation, whose well-intended premise is that if families stay together they will flourish together. States were directed to make "reasonable efforts" to keep and reunite **children** with their biological parents.

Carol Bevan, who has written extensively on **adoption** and foster care, says this measure has been a "dismal failure," resulting in longer stays in foster care and fewer adoptions. With more efforts to reunite **kids** with abusive parents, Mr. Gelles and others have documented case after case of repeated abuse ending in permanent injury or death. Rather than viewing these **child** abusers as dangerous or even psychotic, he notes, too often they are treated as merely "being at one end of a continuum of parenting."

This would seem to be an easy target for conservatives -- another government program with unintended dire consequences. Instead, the political right, cheered on by the Christian Coalition, focuses more on pushing state and federal parental-rights initiatives.

The real purpose of these efforts, which are being introduced in more than two dozen states and in Congress, is to advance the right's assault on public schools. Parents would be able to prevent their **kids** from learning everything from sex education to evolution to Shakespeare.

That is bad enough. But the even more ominous effect, a number of family law specialists have warned, would be to make it harder to take action against abusive parents and would therefore set back efforts to increase adoptions out of the foster-care system.

Central to any effort to alleviate the plight of abused **children** in America is to facilitate more adoptions. (My wife and I have three **children**, one of whom is adopted.) Last year there were an estimated half-million **children** in foster care; only 20,000 were adopted. Yet the demand for **adoption** in America is every bit as great as the supply.

Although conservatives are loath to give any credit, Bill and Hillary Clinton deserve high marks on **adoption**. The president was a forceful advocate last year of legislation easing restrictions on transracial **adoption** and enacting an **adoption** tax credit. Mrs. Clinton, whom conservatives derided several years ago for her sensible suggestion that under certain circumstances **children** ought to have greater legal rights to separate from their parents, has been an eloquent champion of more adoptions in America.

This month the administration proposed giving states a bonus for increasing adoptions, especially for special-needs **kids**, and shortening the waiting period for a court hearing after a **child** enters the foster-care system. In the House today, following discussions with the White House, Democratic Rep. Barbara Kennelly and Republican Rep. Dave

4/29/99 4:32

Camp will introduce a similar measure, which also would modify the "reasonable efforts" provision to make it somewhat easier to take kids from abusive parents.

Mr. Gelles, while wholeheartedly supportive of vastly increased emphasis on adoption, thinks more radical steps must be taken, too. Social welfare workers are simply ill-equipped to investigate the thousands of incidents of repeated abuse and neglect; this ought to be done by police. "These are criminal acts and it involves the protection of life," he argues.

Then, starting with the 1980 legislation, laws on both the federal and state levels should be modified to better enhance the rights and protection of **children**; parental responsibilities should be emphasized as much as parental rights. States that protect **children** well ought to get federal rewards. This would make it easier for judges to take kids from unfit parents.

Mr. Gelles also argues that considerably more resources have to be expended. Since no one is confident of all the answers, there could be four or five big experimental efforts to gauge better what might work. One answer for abused kids who can't be adopted may be what used to be called "orphanages" -- now usually referred to as "congregate care facilities." House Speaker Newt Gingrich was assailed two years ago for suggesting this, but he was absolutely right, Mr. Gelles says. Today's orphanages don't bear any resemblance to the Dickensian images of "Oliver Twist."

"Congregate care facilities such as Boys' Town in Nebraska and the Milton Hershey School in Pennsylvania are plausible and cost-effective placements for abused and battered **children**," he says. But they are costly; the average annual per- child cost runs around \$35,000.

Equally important is for the political right and left to stop doing harm under the guise of promoting family values, what Samuel Johnson would today call the "last refuge of scoundrels."

The agenda Mr. Gelles outlines will produce flak from both sides of the ideological spectrum. Conservatives will protest about giving the state too much power. Liberals will complain this is disproportionately aimed at minorities; more than 60% of **children** in foster care are African-American or Hispanic.

Both are right. But the alternative is simply unacceptable: Consider a real case in Washington, D.C., involving a five-year-old boy whose mother four years ago suffocated his younger sister when the infant wouldn't stop crying. The mother, who has had four **children** by four men, had repeatedly violated the law. Yet even today, four years after she murdered her child, the fate of her five-year-old son remains uncertain.

2ND STORY of Level 1 printed in FULL format.

Copyright 2000 The Washington Post
The Washington Post

April 24, 2000, Monday, Final Edition

SECTION: A SECTION; Pg. A17

LENGTH: 1115 words

HEADLINE: The Court Case; Legal Balance Shifts Toward Elian's Father

BYLINE: David Von Drehle , Washington Post Staff Writer

BODY:

Attorneys for the Miami relatives of Elian Gonzalez are worried that their case in federal appeals court will be torpedoed following Saturday's dramatic raid to seize the boy.

Lacking any custody claim, teetering on weakened legal precedents, the Miami lawyers spent yesterday urgently searching for court strategies to keep their hopes of political asylum from slipping away.

Kendall Coffey, a Miami lawyer representing the boy's great-uncle, charged that Cuban agents are now working with Elian's father "to get Elian to renounce his desire to remain in this country."

If the boy changes his mind, the case in federal appeals court is likely to evaporate, independent legal experts said, and Coffey agreed. It is "the way the Justice Department can overcome the ruling of the appeals court, which strongly suggested that [Elian] has legal rights to apply for asylum."

Even without a change of heart from Elian, the fact that the boy no longer lives with the Miami relatives shifts the legal balance toward Juan Miguel Gonzalez, father of the shipwrecked 6-year-old, experts said.

The father is now in a stronger position to ask the appeals court simply to shut down the legal conflict that has riveted the country.

"It seems to me that a strategy the father might employ is for him to simply withdraw the asylum request and moot this whole thing out," said Theodore Klein, a prominent Florida lawyer who was at the center of a case that the Miami relatives have used to support their own cause.

"Now you've got a father who is in custody of his own child," Klein continued. "His father can say 'Elian, my good boy, sign here.' And he signs. How could the court look behind that?"

Last week, a panel of judges on the 11th U.S. Circuit Court of Appeals said there is a strong case to be made that the 6-year-old requires a full hearing on

The Washington Post, April 24, 2000

his application for asylum--a complicated legal document signed painstakingly in a child's uncertain block letters. The court ordered that Elian remain in the United States until this question is decided.

Oral arguments are scheduled for May 11.

The judges relied heavily on two theories in issuing their order:

First, that Elian's best interests are not necessarily represented by his father. The judges seemed disappointed that the government never interviewed Elian to examine this issue. They cited the fact that great-uncle Lazaro Gonzalez was Elian's caretaker as a reason to pay heed to his views.

And second, the judges theorized that the boy is able to file an asylum application--indeed that Congress, when it wrote the law, set no limits on the age of asylum seekers.

Both are heavily contested legal notions--generally, parents have the authority to determine a child's interests, and very young children are not usually allowed to file important legal documents.

In any event, lawyers say, both ideas may be substantially undercut by the fact that Elian is once again in his father's custody, several lawyers say. As long as the boy was living with other relatives, it was easier to argue that his father did not speak for Elian or understand his best interests.

"It doesn't need to be a generalized question now of whether children have rights to apply for asylum," said David Martin, a former general counsel of the Immigration and Naturalization Service. "It's a question of how, exactly, Elian exercises that right. He's 6. He needs a representative, and the one that applies here is his father, who's responsible for his care."

The attorneys for the Miami relatives are preparing to seek a court order allowing great-uncle Lazaro, cousin Marisleysis and a sympathetic doctor to meet with Elian. "We need to minimize the possibility that he will be administered 'therapies' by Cuban psychologists," Coffey said.

Coffey acknowledged that he and his colleagues must hatch new legal theories in an increasingly unorthodox case. He said they are focusing "primarily but not exclusively" on the 11th Circuit, while making plans to rush before other judges if the appeals court turns against them.

The Gonzalez case has always rested on largely uncharted ground. Two existing immigration cases have offered some support to the cause of keeping Elian in the United States, but the change in custody weakens both pylons.

One case, *Polovchak v. Meese*, dealt with a boy who wished to remain in the United States even though his parents returned home to the Soviet Union. The boy in that case, Walter Polovchak, was 12 when his case began. At that age, courts begin giving some weight to the opinions of children--in some child custody disputes, for example.

But it also was significant that Walter did not live with his parents during the dispute.

The other case was the one involving Theodore Klein. In *Johns v. Dept. of Justice*, a Mexican woman was seeking to have her young daughter returned to her after an American couple illegally adopted the girl. Klein was appointed to represent the child after the court decided that all the adults in the case had interests that might compete with hers.

That case, too, is now strikingly different from Elian's situation, Klein said yesterday. In the *Johns* case, the biological mother had never known or cared for the girl. The child "had spent her whole life" with the American couple, Klein said, while Elian was separated from his father for only a matter of months.

Neither of the earlier cases was ever resolved. Walter Polovchak turned 18--old enough to make his own decisions--before his case was decided. Cindy Johns, the little girl, was spirited back to Mexico by her biological mother.

There appears to be no precedent for a child anywhere near as young as Elian applying for or receiving asylum against the wishes of his custodial parent.

If the appeals court abruptly shuts down the Elian drama, the Miami relatives and their supporters won't be the only ones disappointed. Several organizations devoted to the rights of refugees have asked the court to overturn a district judge's decision backing the government's handling of Elian's case.

These groups--including the Lawyers Committee for Human Rights--are worried that U.S. District Judge K. Michael Moore's decision gives future U.S. bureaucrats too much power to refuse to consider asylum applications from children.

Without taking a position on Elian's case, the refugee groups insist that there are times when children need asylum against the wishes of their parents. "For instance, female genital mutilation . . . is generally conducted at the behest of a young girl's parents," the groups argued in a "friend of the court" brief to the 11th Circuit panel.

LANGUAGE: ENGLISH

LOAD-DATE: April 24, 2000

HRC w/ Al Hunt

The question was what kind of father - more ppl
fit father, long relationship -

Don't want to be in business of substituting
our political issues for family relations

Tracy - what if s.o. was here + Reg
decided not to send kid back to Pagan Amer

Al Hunt, 862-9211

- Talk abt A on part 6
- kids & kids' rights -
 - my basic view that kid ought to have
- hypocrisy of right-wingers -
- not interested in her views ~ Ethan -
 - we ought to
- in all but most extreme cases shd be resolved as a family matter.

4/20/00 (2)

Von Melle 334-7407

- Does HRC have any position on whether DNS + Justice have been right in denying -
- I agreed that criticisms of her in 1992 were grossly unfair -
- it's intriguing that many conservatives

she says v. clearly (published 1979) Children's Rights (book/anthology) a legal perspective

Talks abt that there is a range of competence - from newborns who have no competence to 12 yrs at diff. pt - 16 at diff pt - obviously, 6 yr old dev

I prefer interocative cmo as orig family ~~to be~~ be limited to decisions that could have long term + irreparable effects if not resolved.

Lead in / In an ... shld be resolved by families if possible

(shld not be made unilaterally by parents)

(
 sol. asylum -
 Decisions /

is in context to say that she feels there are instances where child's parents are not competent + where his interests -

Interests shld unilaterally - say -

Copyright 2000 The New York Times Company
The New York Times

[View Related Topics](#)

April 4, 2000, Tuesday, Late Edition - Final

SECTION: Section B; Page 4; Column 1; Metropolitan Desk

LENGTH: 348 words

HEADLINE: Mrs. Clinton Says Mayor Is Exploiting Cuban Boy

BYLINE: By WINNIE HU

DATELINE: ALBANY, April 3

BODY:

In her strongest words on the issue so far, **Hillary** Rodham **Clinton** said today that **Elian Gonzalez** belonged with his father, and she roundly criticized Mayor Rudolph W. Giuliani and others, saying they were exploiting the boy's misfortunes.

"I believe personally that this little boy should be with his father," she said at a news conference called by state Democratic officials to endorse legislation that would ratchet up penalties for hate crimes.

"I think that is how I would see his particular interest at this time," Mrs. Clinton said of the 6-year-old boy, "but I also believe that this is not a decision that politicians should be making."

In recent weeks, politicians from Mr. Giuliani to Vice President Al Gore have called for Congressional legislation that would grant permanent resident status to Elian and allow him to remain in the United States while a family court decides whether he should be returned to his father or be allowed to stay with relatives in Miami.

Not surprisingly, Mrs. Clinton made a point of singling out Mr. Giuliani for her harshest remarks.

"I regret that the mayor has tried to politicize this issue in this Senate campaign," Mrs. Clinton said. "I wish everybody would take a deep breath, and a step back, and let's try to get this child into a safe, permanent, loving, unexploited home and family as soon as possible."

When asked whether her criticism also applied to Mr. Gore, Mrs. Clinton said: "You know, the vice president and I are going to disagree from time to time. But on all of the big issues facing our country, we are in absolute agreement."

Mr. Giuliani's office did not respond to several messages seeking comment. His campaign manager, Bruce J. Teitelbaum, has accused Mrs. Clinton of avoiding taking a stand on Elian case.

Howard Wolfson, Mrs. Clinton's campaign spokesman, quoted her comments from a television interview in February in which she had expressed the same opinion about Elian.

On Saturday, Mrs. Clinton also released a written statement opposing any Congressional legislation on behalf of the boy.

<http://www.nytimes.com>

GRAPHIC: Photo: **Hillary** Rodham **Clinton** yesterday in Albany, with State Senator Thomas K. Duane, left, and Assembly Speaker Sheldon Silver. (Will Waldron for The New York Times)

LANGUAGE: ENGLISH

LOAD-DATE: April 4, 2000

The Associated Press State & Local Wire

View Related Topics

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

April 4, 2000, Tuesday, PM cycle

SECTION: Political News

LENGTH: 810 words

HEADLINE: **Hillary Clinton:** Giuliani tapping into right-leaning network

BYLINE: By MARC HUMBERT, AP Political Writer

DATELINE: ALBANY, N.Y.

BODY:

Hillary Rodham **Clinton** says Rudolph Giuliani is piling up a lead over her in fund raising in their Senate race because he is tapping into a network of right-wing non-New Yorkers.

Clinton also said during a campaign trip Monday that **Elian Gonzalez** should be back with his Cuban father and that any decision about a return to Cuba should be left up to the father, if the courts award him custody.

Clinton said the New York City mayor is utilizing a "broad national network of people who are opposed to what I would do in the Senate" to raise what her husband on Saturday predicted would be a "double-ton" of money.

"He is playing on their fears and sending out these direct mail requests and people that are seeing them are responding to it," said Clinton, who is trailing \$19 million to \$12 million in the fund-raising competition against Giuliani. "I don't think it's very complicated."

Giuliani's fund-raising letters are "more in line with the right wing of America than the mainstream of New Yorkers," Clinton said. On Saturday, the president said Giuliani was benefiting from a "right-wing venom machine."

"Mrs. Clinton is obviously disappointed in her campaign and its ability to attract more support, so now she's reverting to that old Clinton ruse of blaming the vast right-wing conspiracy," Giuliani campaign manager Bruce Teitelbaum said.

During her campaign trip Monday, the first lady also said life on the campaign trail is harder than expected, especially for women.

Clinton reiterated Monday that **Elian Gonzalez** should be with his Cuban father, but she stopped short of saying she favored him being sent back to Cuba. She did complain that the boy was being used "for political purposes" and that a "media circus" had developed around him.

"I believe personally, this little boy should be with his father," she said.

Clinton campaign spokesman Howard Wolfson said the first lady felt the father should be granted custody of the child and that any return to Cuba should then be up to the father. She said politicians should stay out of the case.

Both Giuliani and Vice President Al Gore have called on Congress to approve legislation granting Elian, his father and other family members permanent residency in the United States so they can stay here while the court fight goes on and so the family can stay in this country after it is over, if they wish to.

The first lady has said Giuliani has helped turn **Elian Gonzalez** into a "political football." She has refused to say the same of Gore, although she conceded Monday that the two disagree on the case.

GRAPHIC: AP Photos

LANGUAGE: ENGLISH

LOAD-DATE: April 5, 2000

"I'm having a great time, but I'm also seeing how hard it is" to be a candidate, she told an audience of about 100 people at a community forum in the village of Cossack just south of Albany.

"I'm almost embarrassed to think back - all the times that I would say to my husband, 'Well, you could have said this differently, or you could have done that.' Now, I would like to take all those words back because it's very tough for both men and women," the first lady said.

But Clinton said "there are extra burdens that women (candidates) face around the country." She did not elaborate.

"The best advice I've ever seen for women in politics came from one of my favorite predecessors, Eleanor Roosevelt ... She said, 'You must grow skin as tough as a rhinoceros.'

"So if you look carefully at my skin ..." Clinton began before she was drowned out by laughter.

There were serious moments at the forum, such as when one former Democrat and handgun owner told her he had defected to the Republicans because of what he perceived as "no-gun policies" being promoted by Clinton's fellow Democrats.

The first lady said she did not believe in outlawing all guns, but did want to see them licensed, have required background checks for owners and action to make sure children could not get at guns.

And while attacking the National Rifle Association for being stuck on a "theological view" about gun control, Clinton also warned against "people on the other extreme who want to take everybody's guns away."

"I've gone hunting," she said. "I don't have anything against guns if guns are used by responsible people."

That is a message seemingly designed to appeal to more conservative voters in upstate New York, a key battleground in the Senate race.

While Clinton was fielding questions on the campaign trail, Giuliani took time out from his mayoral duties to take in opening day at Shea Stadium where the Mets hosted the San Diego Padres.

Clinton also joined Democrats from the state Legislature at an appearance at the state Capitol in calling on the state Senate's Republican majority to pass hate crimes legislation. For several years, Giuliani has unsuccessfully sought to convince the state Senate GOP to adopt that very legislation.

Copyright 2000 The Washington Post
The Washington Post

[View Related Topics](#)

April 2, 2000, Sunday, Final Edition

SECTION: A SECTION; Pg. A03

LENGTH: 245 words

HEADLINE: **Hillary Clinton** Opposes Move to Grant Residency

DATELINE: SYRACUSE, N.Y., April 1

BODY:

Hillary Rodham Clinton today opposed congressional action to make **Elian Gonzalez** a U.S. resident, putting her at odds with Vice President Gore.

"**Hillary Clinton** knows that we must take politics out of this decision," said Clinton Senate campaign spokesman Howard Wolfson, echoing President Clinton's position. "Elian's future should be determined as quickly as possible through the appropriate, ongoing legal process."

Gore, the presumptive Democratic presidential nominee, urged Congress this week to pass a law that would grant permanent resident status to 6-year-old Elian, his father, stepmother, half-brother, grandmothers and grandfather.

Hillary Clinton, a Democrat, is running for the Senate against New York Mayor Rudolph W. Giuliani, who maintains that the boy should be granted U.S. citizenship and that any custody issues should be handled in family court.

Elian's father, Juan Miguel Gonzalez, will come to the United States as soon as he is assured that he will be given custody of his son, said his lawyer, Gregory B. Craig. Craig said he also will seek permission for the boy's classmates, teacher and doctors to travel to the United States.

Elian was rescued in November after the boat he was on sank. His mother drowned in the attempt to flee Cuba. Elian has been living with Miami relatives who have refused to allow him to leave, although the Immigration and Naturalization Service has ruled that he belongs with his Cuban father.

LANGUAGE: ENGLISH

April 2, 2000, Sunday

SECTION: All Editions; Pg. 007

LENGTH: 340 words

HEADLINE: HILLARY RIPS RUDY AND CITIZENSHIP FOR RAFT BOY

BYLINE: GREGG BIRNBAUM Post Correspondent

BODY:

SYRACUSE - **Hillary** Rodham **Clinton** yesterday came out against federal legislation that would make **Eliau Gonzalez** a U.S. citizen and lashed out at Mayor Giuliani for turning the boy into "a political football."

"Special congressional intervention at this point would only further politicize and delay this situation," her campaign spokesman Howard Wolfson said in a statement.

The Clinton campaign announcement comes the day after Giuliani urged Congress to pass a bill making Eliau and his family U.S. residents - the same position taken by Vice President Al Gore.

The statement did not say whether Clinton believes the 6-year-old boy should stay in the United States or be sent back to his father in Cuba.

It said only that the matter should be handled by the "appropriate ongoing legal process."

Clinton took no questions from reporters during a campaign stop in Syracuse, where she picked up the endorsement of the Civil Service Employees Association.

In his statement, Wolfson tore into Giuliani.

"Unfortunately, Rudy Giuliani has been trying to exploit this situation since he attempted to invite Eliau to Times Square to drop the ball on New Year's Eve," the statement said.

"It's time for Rudy Giuliani to stop turning this boy into a political football."

Giuliani campaign manager Bruce Teitelbaum responded that Clinton still has not told New Yorkers whether she wants Eliau to stay or go back to Cuba.

"A diverse spectrum of Americans - from President Clinton to Congressman [Charles] Rangel to Al Gore - have rendered their opinions on this important case," Teitelbaum

said.

"Only Mrs. Clinton hasn't," he added. "We still don't know where she stands."

During the last four months, the first lady has made differing statements about Elian.

She initially pleased the boy's Miami relatives with remarks hinting that she thought Elian should remain in Miami.

But several weeks later, Clinton changed direction and said she thought it would be best if the boy were reunited with his father.

LANGUAGE: ENGLISH

LOAD-DATE: April 3, 2000

View Related Topics

April 2, 2000, Sunday, Late Edition - Final

SECTION: Section 1; Page 31; Column 1; Metropolitan Desk

LENGTH: 383 words

HEADLINE: Mrs. Clinton Opposes Bill Giving Residency to Cuban Boy

BYLINE: By ADAM NAGOURNEY

BODY:

Hillary Rodham **Clinton** said yesterday that she opposed legislation -- backed by Vice President Al Gore and Mayor Rudolph W. Giuliani -- that would grant **Elian Gonzalez** permanent resident status, and prevent the United States from returning the boy to his father in Cuba.

Mrs. Clinton disclosed her position a day after Mr. Giuliani said he strongly opposed returning the 6-year-old boy to Cuba.

Mr. Giuliani, who is running against Mrs. Clinton for senator from New York, said he supported Congressional legislation that would grant Elian permanent resident status, allowing him to remain in the United States while a family court, rather than immigration officials, determines whether he should be returned to his father or allowed to remain with relatives in Miami.

Elian's mother died at sea while bringing her son from Cuba to Miami.

Mr. Giuliani made his remarks a day after Mr. Gore broke with the Clinton administration and backed the bill. The mayor was attempting to put Mrs. Clinton in a position of either siding with her husband or with Mr. Gore on the issue.

After a day of consideration, Mrs. Clinton sided with President Clinton on the legislation.

"Special Congressional intervention at this point would only further politicize and delay this situation," Mrs. Clinton's spokesman, Howard Wolfson, said in a statement issued yesterday afternoon.

"In the interest of Elian's well being, we should all be working together to resolve this case as quickly as possible."

Even as she opposed the bill, Mrs. Clinton did not specifically say whether she agreed

that Elian should be returned home.

Mr. Wolfson said that Mrs. Clinton wanted to see the case proceed through normal immigration channels, which would in all likelihood result in the boy's being returned to his father in Cuba.

Mr. Wolfson accused Mr. Giuliani of trying to exploit the situation for his political campaign.

"It is time for Rudy Giuliani to stop turning this young boy into a political football," he said.

Bruce J. Teitelbaum, Mr. Giuliani's campaign manager, responded: "Give me a break. It seems that everyone has taken a clear position on Elian, from President Clinton to Rudy Giuliani, to the entire New York City Congressional delegation. Only Mrs. Clinton is ducking the issue."

<http://www.nytimes.com>

LANGUAGE: ENGLISH

LOAD-DATE: April 2, 2000

April 2, 2000, Sunday SPORTS FINAL EDITION

SECTION: NEWS; Pg. 3

LENGTH: 292 words

HEADLINE: BILL, HILL FIRE 1-2 JABS AT RUDY Foes clash over Elian

BYLINE: By DAVE GOLDINER DAILY NEWS STAFF WRITER With Joe Mahoney

BODY:

The **Elian Gonzalez** case came home to New York yesterday as **Hillary** Rodham **Clinton** lashed out at Mayor Giuliani for supporting citizenship for the boy and making him a political football.

But she was careful not to take a swipe at Vice President Gore for taking a similar position. "Rudy Giuliani has been trying to exploit this situation," said spokesman Howard Wolfson. "It is time for Rudy Giuliani to stop turning this young boy into a political football."

The First Lady's position against citizenship is in line with a majority of Americans, who polls say favor returning the boy to his father. But it puts her squarely at odds with Gore, who broke ranks with the administration Thursday to support granting residency to the boy.

Clinton bristled last night when asked further about the case. "That's all I'm going to say about it," she said.

"Elian should . . . be allowed to live in freedom in the United States," Giuliani told a fund-raiser in Arizona on Friday.

Giuliani spokesman Bruce Teitelbaum said Clinton's effort to sidestep whether Elian should return to Cuba "goes to the very heart of who this person is as a candidate." She and her campaign are good "at parsing," he said.

The 6-year-old boy's relatives will meet again tomorrow with Immigration and Naturalization Service officials, who say the relatives must agree by Tuesday to quickly hand over the boy if a federal appeals court rules against them. The relatives yesterday invited Elian's father, Juan Miguel Gonzalez, to visit his son at their home but said they are unwilling to hand the boy over.

Great-uncle Lazaro Gonzalez said the boy's father should come to Miami and interact with Elian in a family setting under circumstances that are best for the child.

April 2, 2000, Sunday METRO EDITION

SECTION: NEWS; Pg. 3

LENGTH: 517 words

HEADLINE: HIL BLASTS RUDY OVER ELIAN STAND Says he's using boy as 'political football'

BYLINE: By DAVE GOLDINER DAILY NEWS STAFF WRITER With Joe Mahoney

BODY:

Hillary Clinton lashed out at Mayor Giuliani yesterday for supporting citizenship for **Elian Gonzalez**, calling it another effort to politicize the tangled feud over the Cuban boy.

A spokesman for Clinton's Senate campaign yesterday accused Giuliani of using the 6-year-old boy as a "political football" as the high-stakes battle for his future rages on.

"Rudy Giuliani has been trying to exploit this situation," said spokesman Howard Wolfson. "It is time for Rudy Giuliani to stop turning this young boy into a political football."

The First Lady's position is in line with a broad majority of Americans who polls say favor returning the boy to his father.

But it puts her squarely at odds with Vice President Gore, who broke ranks with the administration Thursday and supports granting permanent residency to the boy.

The Big Apple mudslinging occurred as the boy's Miami relatives prepare to meet again tomorrow with Immigration and Naturalization Service officials, who have threatened to revoke their custody of the shipwrecked boy.

The INS, which has backed down from several previous deadlines, now says the relatives must agree by Tuesday morning to quickly hand over the boy if a federal appeals court rules against them.

Giuliani, who issued a short-lived invitation to the boy to help drop the ball in Times Square on New Year's Eve, abruptly weighed in on Elian again Friday night.

He called on Congress to grant U.S. citizenship to the boy - a move Elian's father bitterly opposes - and echoed demands for a Florida family court to take over his case.

"Eliau should . . . be allowed to live in freedom in the United States," Giuliani told a campaign fund-raiser in Arizona.

Clinton's campaign shot back yesterday, with Wolfson calling the citizenship proposal an effort to "further politicize and delay this situation."

But Giuliani campaign spokesman Bruce Teitelbaum accused Clinton of refusing to take a stand on whether Eliau should be forced back to Cuba.

"The only person who is ducking this is **Hillary Clinton**," Teitelbaum said. "New Yorkers want straightforward answers to straightforward questions."

Meanwhile, President Clinton lent his backing to his wife yesterday, calling Giuliani part of a "right-wing venom machine" at a union fund-raiser in Washington.

Attorney General Janet Reno yesterday reiterated her support for the father's right to take custody of his son.

"I think it is so important for all Americans to make sure we don't politicize the issue," Reno said in a speech to a group of Virginia law students.

In Miami, the boy's relatives again hardened their position as his father, Juan Miguel Gonzalez, prepares for a possible trip to the U.S.

After saying for months that they would hand Eliau over if Juan Miguel Gonzalez came to the U.S., the Miami family has suddenly raised new questions about his fitness to care for the boy, whose mother died when their raft capsized in November.

A lawyer for the family also said yesterday it will not allow any members of a delegation that may accompany Juan Miguel Gonzalez to see the boy.

GRAPHIC: Caption not available electronically

The leader of the Miami-based anti-Castro group Democracy Movement said it is poised to react if the government attempts to take Elian.

"We have called for people to get ready in the event Elian is deported," said Ramon Saul Sanchez. He warned that the group could quickly mobilize a massive civil disobedience campaign that would slow commerce at Miami's port, airport and highways.

"We are not willing to harm anyone, but we are willing to die to defend the Constitutional rights of **Elian Gonzalez**," he said.

Reno, who favors returning Elian to his family, spoke to students at the University of Virginia Law School on Saturday and reiterated her position that the boy's father should have the right to speak for him.

Two days earlier, Vice President Al Gore broke with the Clinton administration and called for keeping the boy in America.

Meanwhile, on the Senate campaign trail Saturday in New York, first lady **Hillary Rodham Clinton** came out against the call for Congressional action to make Elian a U.S. resident.

Elian's father, Juan Miguel Gonzalez, has requested a visa to come to the United States. He wants custody of the boy while the Miami relatives appeal a federal court ruling that backs an Immigration and Naturalization Service decision to return Elian.

The Miami relatives say Elian's father can visit his son at their home, but they are unwilling to hand the boy over.

Elian's Miami great uncle, Lazaro Gonzalez, has refused to sign a promise to INS officials that he will surrender Elian if he and his family lose their court battle.

GRAPHIC: PHOTO: SANCHA SANCHEZ of Miami uses a bullhorn to express her support for **Elian Gonzalez** outside his relatives' home on Saturday. CREDIT: TONY GUTIERREZ/ASSOCIATED PRESS

LOAD-DATE: April 4, 2000

The Associated Press State & Local Wire

View Related Topics

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

April 2, 2000, Sunday, BC cycle

SECTION: International News

LENGTH: 632 words

HEADLINE: Lawyers, government quiet during break in custody battle

BYLINE: By ALEX VEIGA, Associated Press Writer

DATELINE: MIAMI, Florida

BODY:

Even as U.S. Attorney General Janet Reno appealed to Americans not to further politicize the **Elian Gonzalez** case, protesters and politicians scrambled for the bullhorn.

The nonprofit group Cuban Information Committee ran a full-page ad Saturday in The Miami Herald touting reasons why Elian should stay in America, including claims that the boy, if returned, would become a "pawn in Castro's hands, a trophy he will display in his latest victory over imperialism."

"If he is sent back to Cuba he will have no future," said German Miret, a Miami businessman and member of the group. "He will become a son of the revolution. He will no longer be a son of his father."

The few hours of quiet outside the boy's Miami relatives' house Saturday morning while Elian played with a pet rabbit didn't last. By afternoon, about 100 Cuban-Americans protesting the U.S. Immigration and Naturalization Service order to return the boy to his father in Cuba were gathering again.

"I will stay here in case immigration comes to take him away," said Sacha Sanchez, who blasted a scratchy recording of the Cuban national anthem over a bullhorn between lengthy speeches.

Lawyers fighting over the little boy's future spent the day preparing to take up the battle once again.

The INS has threatened to revoke the boy's residency status, but twice last week pushed back a deadline for the relatives to agree, now set for Tuesday.

The leader of the Miami-based anti-Castro group Democracy Movement said it is poised to react if the government attempts to take Elian.

"We have called for people to get ready in the event Elian is deported," said Ramon Saul Sanchez. He warned that the group could quickly mobilize a massive civil disobedience campaign that would slow commerce at Miami's port, airport and highways.

"We are not willing to harm anyone, but we are willing to die to defend the Constitutional rights of **Elian Gonzalez**," he said.

Reno, who favors returning Elian to his family, spoke to students at the University of Virginia Law School on Saturday and reiterated her position that the boy's father should have the right to speak for him.

Two days earlier, Vice President Al Gore broke with the Clinton administration and called for keeping the boy in America.

Meanwhile, on the Senate campaign trail Saturday in New York, first lady **Hillary Rodham Clinton** came out against the call for Congressional action to make Elian a U.S. resident.

"**Hillary Clinton** knows that we must take politics out of this decision," said campaign spokesman Howard Wolfson. "Elian's future should be determined as quickly as possible through the appropriate, ongoing legal process."

Elian's father, Juan Miguel Gonzalez, has requested a visa to come to the United States. He wants custody of the boy while the Miami relatives appeal a federal court ruling that backs an Immigration and Naturalization Service decision to return Elian.

The Miami relatives say Elian's father can visit his son at their home, but they are unwilling to hand the boy over.

Elian's Miami great uncle, Lazaro Gonzalez, has refused to sign a promise to INS officials that he will surrender Elian if he and his family lose their court battle.

In a statement Saturday, Lazaro Gonzalez said the boy's father should come to Miami and interact with Elian in a family setting under circumstances that are best for the child.

"We appeal to Juan Miguel to come to our home with his wife and son and sit with us around the family table," the statement said. "We want no government officials, no lawyers and no press, only family."

Elian was found on an innertube off Florida's coast on Nov. 25. His mother and 10 others died after their boat sank two days earlier during an attempt to reach the United States.

GRAPHIC: AP Photos FLBW104, FLBW106

LANGUAGE: ENGLISH

LOAD-DATE: April 3, 2000

The Associated Press State & Local Wire

View Related Topics

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

April 3, 2000, Monday, BC cycle

SECTION: State and Regional; Political News

LENGTH: 890 words

HEADLINE: **Hillary Clinton** at odds with Giuliani, Gore; picks up union endorsements

BYLINE: By MARC HUMBERT, AP Political Writer

DATELINE: SYRACUSE, N.Y.

BODY:

Hillary Rodham **Clinton** on Saturday opposed congressional action that would allow **Elian Gonzalez** and his father to gain permanent residency in the United States so they could remain together while the Cuban boy's custody case is resolved in the courts.

The position not only put her at odds with her Republican rival for the Senate, Mayor Rudolph Giuliani, but with Democratic presidential candidate Al Gore.

"**Hillary Clinton** knows that we must take politics out of this decision," said Clinton campaign spokesman Howard Wolfson in a statement. "Elian's future should be determined as quickly as possible through the appropriate, ongoing legal process ... It is time for Rudy Giuliani to stop turning this young boy into a political football."

"Mrs. Clinton is ducking this issue," said Giuliani spokesman Bruce Teitelbaum, Giuliani's campaign manager. While questioning Clinton's "conviction and principle," Teitelbaum said the New York City mayor maintains that the boy should be granted U.S. citizenship by Congress and that any custody issues should be handled in Family Court in Florida.

At an appearance in Syracuse, the first lady dodged questions about her position and whether she felt Gore, as well as Giuliani, was politicizing the situation.

"I put out a statement on that ... That's all I'm going to say about it," she said. She suggested that reporters trying to question her "go out and enjoy the air."

On Thursday, Gore urged Congress to pass a law that would grant permanent resident status to the 6-year-old, his father, stepmother, half-brother, grandmothers and grandfather.

The boy was stranded on an inner tube over Thanksgiving weekend after his mother and 10 others drowned while trying to flee Cuba for the United States.

Clinton was in upstate New York on Saturday to pick up the endorsements of two politically powerful labor unions in her Senate race. Earlier in the day, she and President Clinton attended a fund-raiser for her in Washington hosted by the International Brotherhood of Electrical Workers union.

In Syracuse, the first lady was greeted by about 500 leaders of the Civil Service Employees Association, whose 265,000 members make it the state's second largest public employee union.

Clinton told the union activists that when their friends ask them why they should back someone who has never before lived in New York, "I hope you'll tell them that just like an adopted child or a convert, I'm a zealot about what we can do to make New York the very best."

"I know that there's a big, big difference between Al Gore and George Bush and there is a really big difference between Rudy Giuliani and me," she said to cheers.

"I will be on your side as a strong and steady champion of labor and of workers' rights against the Republican Congress' efforts to turn the clock back," Clinton promised.

And, in a direct appeal Republicans and independents in the union, Clinton said she wanted "to make the case that we need to go beyond labels. We need to go beyond the brain-dead political debate in Washington."

During her speech to the CSEA members, Clinton repeatedly evoked her husband's name and praised his economic policies. President Clinton remains highly popular in the state, especially with union leaders.

Later, in Saratoga Springs, Clinton picked up the endorsement of the 40,000-member National Education Association of New York, the state's second-largest teacher's union.

Speaking before a crowd of about 500 people attending the union's annual delegate assembly, Clinton contrasted herself against opponent Rudy Giuliani. Clinton said vouchers "represent the beginning of the abdication of our responsibility for public education."

She said, "time and time again he's had the opportunity to be positive about education...but he spent time criticizing teachers and promoting vouchers. I don't think that's the kind of leadership that New York's public education system needs."

The union backing means money and volunteers for the Senate candidate.

On Thursday, the first lady will deliver the keynote address to the annual convention of the New York State United Teachers union being held in New York City. The 430,000-member NYSUT is the state's largest public employee union and its largest teachers' union. It is expected to endorse Clinton later this year.

Clinton has been courting labor unions heavily as she attempts to put together the traditional coalition of labor, minorities and the poor that has helped other Democrats win in New York.

On March 26, Clinton was in Albany to pick up the endorsement of the Working Families Party, a labor-union backed party founded in 1998 to help push the Democratic Party to the left.

"That nomination makes our point about Mrs. Clinton being a candidate of the far left," Giuliani said a day later.

While the first lady has been lining up union support, the New York City mayor has been beating her in fund raising.

On Thursday, the Giuliani campaign announced it had raised \$7 million during the first three months of this year. Clinton aides said she had raised \$4 million. Since the fund raising began last year, Giuliani has raised \$19 million and Clinton has collected \$12 million in what is expected to become the most expensive Senate race in the nation's history.

GRAPHIC: AP Photo

LANGUAGE: ENGLISH

LOAD-DATE: April 4, 2000

Copyright 2000 The Hearst Corporation
The Times Union (Albany, NY)

April 4, 2000, Tuesday, THREE STAR EDITION

SECTION: CAPITAL REGION, Pg. B2

LENGTH: 576 words

HEADLINE: First Lady unaware of regional flap

BYLINE: LARA JAKES; Political writer

HIGHLIGHT:

Albany She has nothing to say about the power plant proposed for Athens

BODY:

Stopping for the first time in two Hudson Valley counties, U.S. Senate contender **Hillary Rodham Clinton** said Monday she was unaware of the heated debate over a proposed power generator in Athens -- one of the most controversial issues facing the region.

The Democratic First Lady also spoke out on the custody battle over 6-year-old Cuban refugee **Elian Gonzalez**, called for passage of hate-crime legislation and took aim at her GOP opponent, New York City Mayor Rudolph Giuliani, over what she called his "right-wing" fund-raising machine.

Giuliani, meanwhile, welcomed U.S. Rep. Rick Lazio to run as the Republican from Long Island offered to be an alternative to the mayor and Clinton.

Speaking to a group of business leaders and community members in Coxsackie, Clinton said she was not ready to take sides in the ongoing debate over the proposed \$ 500 million power plant by PG&E Generating Co, which reflects many upstate debates between boosting the economy and protecting the environment.

"I did not know about the proposed generator until I arrived here today," Clinton told a crowd of about 100. "I would assume there are people who think that the generator would be a good idea, and people who are very concerned about it and dead-set against it. So give me a chance to study up on it."

Susan Falzon, president of the community group Stand To Oppose Power Plant, said she was disappointed Clinton was unaware of the issue but gave her some leeway, saying: "It's clear from this gathering there are a lot of people that are concerned about this issue, so I think it's one of the things she'll be looking at immediately."

Stopping in Greene and Columbia counties, Clinton has now visited 52 of the state's 62 counties during her campaign.

Later, she joined a Capitol news conference urging a Senate vote on hate-crimes legislation. Clinton also said she believes **Elian Gonzalez** should be reunited with his father, but refused to clarify whether she meant in Cuba or in the United States.

Such a stand puts her at odds with Vice President Al Gore, who supports giving permanent residency status to Elian and his father. "The vice president and I are going to disagree from time to time," she noted, "but on all of the big issues facing our country, we are in total agreement."

Giuliani supports citizenship for Elian.

The First Lady stood by the President's recent remark that Giuliani is using a "right-wing venom machine" to raise funds in the Senate campaign.

Giuliani campaign spokesman Bruce Teitelbaum responded: "Mrs. Clinton is obviously disappointed in her campaign and its ability to attract more support, so now she's reverting to that old Clinton ruse of blaming the vast right-wing conspiracy."

Clinton has raised \$ 12 million; Giuliani, \$ 19 million.

Lazio, who suspended his Senate candidacy last summer at the behest of Gov. George Pataki, said he is waiting for a sign from state Republican leaders to re-enter the race.

"I think New Yorkers are looking for somebody with a positive message, somebody who can talk about ... quality-of-life issues without being derogatory, without putting anybody down," Lazio said, taking a shot at the mayor.

Such a sign, however, is unlikely, as Pataki and state Republican Party Chairman Bill Powers continue to back Giuliani.

Giuliani said: "If Congressman Lazio wants to run for Senate, he should. I'm not stopping him from running."

GRAPHIC: SKIP DICKSTEIN, TIMES UNION FIRST LADY **Hillary** Rodham Clinton speaks at Coxsackie Town Hall Monday during her first visit to Greene County.

LOAD-DATE: April 5, 2000

April 4, 2000, Tuesday

SECTION: All Editions; Pg. 019

LENGTH: 396 words

HEADLINE: HILL RIPS HIZZONER ON 'SCARE' TACTICS

BYLINE: GREGG BIRNBAUM Post Correspondent

BODY:

ALBANY -- **Hillary** Rodham **Clinton** yesterday joined in President Clinton's weekend attack on Mayor Giuliani, charging her Senate opponent with scaring voters and scooping up cash from the right wing.

"The mayor has tapped into this broad national network of people who are opposed to what I would do in the Senate," Mrs. Clinton said.

"He's playing on their fears."

The Democratic candidate's comments about a "broad national network" are reminiscent of her 1997 claim that a "vast right-wing conspiracy" was trying to undermine her and the president. Mrs. Clinton has since avoided repeating that oft-ridiculed phrase.

President Clinton -- who had been keeping a low profile in his wife's race -- raised eyebrows Saturday when he said a "right-wing venom network" has helped Giuliani raise \$19 million for his Senate campaign.

"I'd like to know more about how he's raising all this money," Mrs. Clinton said. "The mayor needs to be asked some tough questions."

In her broadside, Mrs. Clinton also noted that the Giuliani campaign has hired Richard Vigurie, whom she blasted as a "right-wing direct mail guru" who has been employed by Sen. Jesse Helms, Oliver North and Jerry Falwell.

Giuliani campaign manager Bruce Teitelbaum fired back: "How many more times is Mrs. Clinton going to blame her faltering campaign on the vast right-wing conspiracy?"

Mrs. Clinton also took shots at Giuliani for not pushing fellow Republicans in the state Legislature to pass hate-crimes legislation, and for injecting politics into the case of **Elian Gonzalez**.

Campaigning at the state Capital, the first lady called on the GOP-controlled state Senate

to OK a bill toughening penalties for hate crimes -- and said the mayor should press his political ally state Sen. Majority Leader Joseph Bruno (R-Rensselaer) to allow a vote on the measure.

"He's never come to Albany [to lobby against] hate crimes," Mrs. Clinton said.

Giuliani has repeatedly said he favors passage of the hate-crimes bill.

The first lady said she believes Elian should be reunited with his father, but she would not say whether they should live in the United States or Cuba.

Giuliani favors making Elian and his family U.S. citizens.

Two of the mayor's Albany representatives were ejected from her press conference -- and angrily complained that they had been mistreated in the process.

LANGUAGE: ENGLISH

LOAD-DATE: April 4, 2000

ELIAN / LEGAL ISSUES 4/20

Von
Drehle

- Docs HRC have any position on whether DHS + Justice have been right in decy - not further politicize the situation

HRC

A lot of conservatives are on the side of returning him to his father....

I've spoken out on this —

I have nothing to add - except that it needs to be resolved quickly as possible ~~as possible~~ w/o further politicizing this case

→ off record: some family courts will not take a 6 yr old as determinative —
talk

- supposed to be at an age where

that I know abt this case the child should be w/ his father -

→ Von Drehle

1979 Children's Rights book

Talks abt a range of competence, from newborns →
to 12, 16, etc.



cm
4/20

She has nothing to add except ^{to what she has said already} that this case needs to be resolved ^{as} quickly as possible and w/o further politicization. ^{reiteration}

View Related Topics

April 4, 2000, Tuesday, Late Edition - Final

SECTION: Section B; Page 4; Column 1; Metropolitan Desk

LENGTH: 348 words

HEADLINE: Mrs. Clinton Says Mayor Is Exploiting Cuban Boy

BYLINE: By WINNIE HU

DATELINE: ALBANY, April 3

BODY:

In her strongest words on the issue so far, **Hillary Rodham Clinton** said today that **Elian Gonzalez** belonged with his father, and she roundly criticized Mayor Rudolph W. Giuliani and others, saying they were exploiting the boy's misfortunes.

"I believe personally that this little boy should be with his father," she said at a news conference called by state Democratic officials to endorse legislation that would ratchet up penalties for hate crimes.

"I think that is how I would see his particular interest at this time," Mrs. Clinton said of the 6-year-old boy, "but I also believe that this is not a decision that politicians should be making."

In recent weeks, politicians from Mr. Giuliani to Vice President Al Gore have called for Congressional legislation that would grant permanent resident status to Elian and allow him to remain in the United States while a family court decides whether he should be returned to his father or be allowed to stay with relatives in Miami.

Not surprisingly, Mrs. Clinton made a point of singling out Mr. Giuliani for her harshest remarks.

"I regret that the mayor has tried to politicize this issue in this Senate campaign," Mrs. Clinton said. "I wish everybody would take a deep breath, and a step back, and let's try to get this child into a safe, permanent, loving, unexploited home and family as soon as possible."

When asked whether her criticism also applied to Mr. Gore, Mrs. Clinton said: "You know, the vice president and I are going to disagree from time to time. But on all of the big issues facing our country, we are in absolute agreement."

Mr. Giuliani's office did not respond to several messages seeking comment. His campaign manager, Bruce J. Teitelbaum, has accused Mrs. Clinton of avoiding taking a stand on Elian case.

Howard Wolfson, Mrs. Clinton's campaign spokesman, quoted her comments from a television interview in February in which she had expressed the same opinion about Elian.

On Saturday, Mrs. Clinton also released a written statement opposing any Congressional legislation on behalf of the boy.

<http://www.nytimes.com>

GRAPHIC: Photo: **Hillary** Rodham **Clinton** yesterday in Albany, with State Senator Thomas K. Duane, left, and Assembly Speaker Sheldon Silver. (Will Waldron for The New York Times)

LANGUAGE: ENGLISH

LOAD-DATE: April 4, 2000

The Associated Press State & Local Wire

View Related Topics

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

April 4, 2000, Tuesday, PM cycle

SECTION: Political News

LENGTH: 810 words

HEADLINE: **Hillary Clinton:** Giuliani tapping into right-leaning network

BYLINE: By MARC HUMBERT, AP Political Writer

DATELINE: ALBANY, N.Y.

BODY:

Hillary Rodham **Clinton** says Rudolph Giuliani is piling up a lead over her in fund raising in their Senate race because he is tapping into a network of right-wing non-New Yorkers.

Clinton also said during a campaign trip Monday that **Elian Gonzalez** should be back with his Cuban father and that any decision about a return to Cuba should be left up to the father, if the courts award him custody.

Clinton said the New York City mayor is utilizing a "broad national network of people who are opposed to what I would do in the Senate" to raise what her husband on Saturday predicted would be a "double-ton" of money.

"He is playing on their fears and sending out these direct mail requests and people that are seeing them are responding to it," said Clinton, who is trailing \$19 million to \$12 million in the fund-raising competition against Giuliani. "I don't think it's very complicated."

Giuliani's fund-raising letters are "more in line with the right wing of America than the mainstream of New Yorkers," Clinton said. On Saturday, the president said Giuliani was benefiting from a "right-wing venom machine."

"Mrs. Clinton is obviously disappointed in her campaign and its ability to attract more support, so now she's reverting to that old Clinton ruse of blaming the vast right-wing conspiracy," Giuliani campaign manager Bruce Teitelbaum said.

During her campaign trip Monday, the first lady also said life on the campaign trail is harder than expected, especially for women.

"I'm having a great time, but I'm also seeing how hard it is" to be a candidate, she told an audience of about 100 people at a community forum in the village of Coxsackie just south of Albany.

"I'm almost embarrassed to think back - all the times that I would say to my husband, 'Well, you could have said this differently, or you could have done that.' Now, I would like to take all those words back because it's very tough for both men and women," the first lady said.

But Clinton said "there are extra burdens that women (candidates) face around the country." She did not elaborate.

"The best advice I've ever seen for women in politics came from one of my favorite predecessors, Eleanor Roosevelt ... She said, 'You must grow skin as tough as a rhinoceros.'

"So if you look carefully at my skin ..." Clinton began before she was drowned out by laughter.

There were serious moments at the forum, such as when one former Democrat and handgun owner told her he had defected to the Republicans because of what he perceived as "no-gun policies" being promoted by Clinton's fellow Democrats.

The first lady said she did not believe in outlawing all guns, but did want to see them licensed, have required background checks for owners and action to make sure children could not get at guns.

And while attacking the National Rifle Association for being stuck on a "theological view" about gun control, Clinton also warned against "people on the other extreme who want to take everybody's guns away."

"I've gone hunting," she said. "I don't have anything against guns if guns are used by responsible people."

That is a message seemingly designed to appeal to more conservative voters in upstate New York, a key battleground in the Senate race.

While Clinton was fielding questions on the campaign trail, Giuliani took time out from his mayoral duties to take in opening day at Shea Stadium where the Mets hosted the San Diego Padres.

Clinton also joined Democrats from the state Legislature at an appearance at the state Capitol in calling on the state Senate's Republican majority to pass hate crimes legislation. For several years, Giuliani has unsuccessfully sought to convince the state Senate GOP to adopt that very legislation.

Clinton reiterated Monday that **Elian Gonzalez** should be with his Cuban father, but she stopped short of saying she favored him being sent back to Cuba. She did complain that the boy was being used "for political purposes" and that a "media circus" had developed around him.

"I believe personally, this little boy should be with his father," she said.

Clinton campaign spokesman Howard Wolfson said the first lady felt the father should be granted custody of the child and that any return to Cuba should then be up to the father. She said politicians should stay out of the case.

Both Giuliani and Vice President Al Gore have called on Congress to approve legislation granting Elian, his father and other family members permanent residency in the United States so they can stay here while the court fight goes on and so the family can stay in this country after it is over, if they wish to.

The first lady has said Giuliani has helped turn **Elian Gonzalez** into a "political football." She has refused to say the same of Gore, although she conceded Monday that the two disagree on the case.

GRAPHIC: AP Photos

LANGUAGE: ENGLISH

LOAD-DATE: April 5, 2000

Copyright 2000 The Washington Post
The Washington Post

[View Related Topics](#)

April 2, 2000, Sunday, Final Edition

SECTION: A SECTION; Pg. A03

LENGTH: 245 words

HEADLINE: **Hillary Clinton** Opposes Move to Grant Residency

DATELINE: SYRACUSE, N.Y., April 1

BODY:

Hillary Rodham Clinton today opposed congressional action to make **Elian Gonzalez** a U.S. resident, putting her at odds with Vice President Gore.

"**Hillary Clinton** knows that we must take politics out of this decision," said Clinton Senate campaign spokesman Howard Wolfson, echoing President Clinton's position. "Elian's future should be determined as quickly as possible through the appropriate, ongoing legal process."

Gore, the presumptive Democratic presidential nominee, urged Congress this week to pass a law that would grant permanent resident status to 6-year-old Elian, his father, stepmother, half-brother, grandmothers and grandfather.

Hillary Clinton, a Democrat, is running for the Senate against New York Mayor Rudolph W. Giuliani, who maintains that the boy should be granted U.S. citizenship and that any custody issues should be handled in family court.

Elian's father, Juan Miguel Gonzalez, will come to the United States as soon as he is assured that he will be given custody of his son, said his lawyer, Gregory B. Craig. Craig said he also will seek permission for the boy's classmates, teacher and doctors to travel to the United States.

Elian was rescued in November after the boat he was on sank. His mother drowned in the attempt to flee Cuba. Elian has been living with Miami relatives who have refused to allow him to leave, although the Immigration and Naturalization Service has ruled that he belongs with his Cuban father.

LANGUAGE: ENGLISH

NSC press is working on
proper response to all of these
Qs... Contact is Wendy
at 4-9146 if you need...

Lissa, FVI... This is the basic gist of how HRC responded to a ? on the ad + Elian during press avail yesterday...



Karen Dunn <kdunn@hillary2000ny.org>

01/25/2000 04:33:27 PM

Record Type: Record

To: Toby C. Graff/WHO/EOP

cc:

Subject: RE: Press Schedule of the First Lady for Wednesday, January 26, 2 000

VERY incomplete. note many ellipses...

"i haven't seen the ads but i have said many times and i would repeat that i am going to try not to politicize this any more than it already is."

"i think that everybody ought to be focused on what is in the best interest of the little boy...."

"this case is in the courts. i expect that will be their primary interest...."

"there are competeing factors that have to be looked at and that's what happens when you try to determine what's in the best interest of the child..."

"i know how hard these decisions are. i know that you have to look at all the factors...but that's what courts are for..."

-----Original Message-----

From: Toby_C_Graff@who.eop.gov [mailto:Toby_C_Graff@who.eop.gov]

Sent: Tuesday, January 25, 2000 1:23 PM

To: Christine_L_Anderson@who.eop.gov; Wendy_Arends@who.eop.gov;
Mark_J_Bernstein@who.eop.gov; Stephen_N_Boyd@who.eop.gov;
Pamela_P_Carpenter@who.eop.gov; Nanda_Chitre@who.eop.gov;
Brenda_B_Costello@who.eop.gov; Lynn_G_Cutler@who.eop.gov;
Terry_Edmonds@who.eop.gov; Anne_M_Edwards@who.eop.gov;
Jenni_R_Engebretsen@who.eop.gov; Paul_K_Engskov@who.eop.gov;
Lisa_Ferdinando@who.eop.gov; Sarah_E_Gegenheimer@who.eop.gov;
Paul_D_Glastri@who.eop.gov; Gilbert_S_Gonzalez@who.eop.gov;
Melodie_E_Greene@who.eop.gov; Susan_L_Hazard@who.eop.gov;
Marty_J_Hoffmann@who.eop.gov; Thomas_D_Janenda@who.eop.gov;
David_E_Kalbaugh@who.eop.gov; James_E_Kennedy@who.eop.gov;
Catherine_T_Kitchen@who.eop.gov; Jim_Kohlenberger%OVP@oa.eop.gov;
Karin_Kullman@opd.eop.gov; Adrienne_C_Lavallee@who.eop.gov;
Ann_F_Lewis@who.eop.gov; Kira_M_Mailey@who.eop.gov;
Karen_C_Burchard@who.eop.gov; Lindsey_E_Huff@nsc.eop.gov;
Denver_R_Peacock@who.eop.gov; Mark_C_Sheppard@who.eop.gov;
Ann_C_Hertelendy@who.eop.gov; Joseph_P_Lockhart@who.eop.gov;
Laura_S_Marcus@who.eop.gov; Sylvia_M_Mathews@omb.eop.gov;
Andrew_J_Mayock@who.eop.gov; Megan_C_Moloney@who.eop.gov;

AN OPEN LETTER TO HILLARY CLINTON.

Dear Mrs. Clinton:

As a mother, I know you understand that motherhood is about love, but it is also about making sacrifices. On November 21, 1993, in search of freedom, my new husband and I joined 11 others in a small boat in a desperate attempt to escape Castro's tyranny for a new life in the United States. I boarded that vessel full of hopes and dreams, carrying with me my most precious possession - my 5-year old Elián.



Yes, I knew the trip would be perilous - and I knew I was endangering the life of my little boy - but life had become intolerable in Castro's island-prison. I did no different than any other mother trying to save her son. I could no longer accept a world without hope for Elián. I desperately wanted to give my child a future with dignity and above all, choices. I did it so they could not force my child to become a Communist Pioneer willing to renounce God, and to place the party above family and friends.

Parents in Cuba have no real rights over their children. Did you know that at age 7 milk is no longer available in their ration card? At age 11 they are forced to work in the fields, away from their parents, with little or no adult supervision. Did you know that school records register the children's political behavior as well as that of their parents? Communist propaganda permeates elementary school age books to the extent that they are taught that the letter F is for "fusil" (rifle) and G for "guerrillero" (guerrilla fighter). This is what in Cuba they call a "free education."

I lost my life, as did nearly everyone else on that fateful voyage. However, through a miracle of God, Elián was spared, and today he is free. I can't understand why now the U.S. government has decided to return him to the regime we fled. Castro is demanding his return, the same Castro who doesn't care about the human rights of children in Cuba, suddenly cares about Elián. Ask yourself why. Because our escape to freedom, a faithful reflection of his failed revolution - has become an embarrassment to him. How can anyone believe that Fidel Castro is concerned about children? This is the same Castro who on July 13th, 1994, ordered the sinking of the tugboat "13 de Marzo" in the bay of Havana. His thugs used water hoses so powerful that children were swept from their mothers' protective embrace.

All of us dream of changing the world. For someone like me, born in slavery, that was a remote possibility. Yet, someone like you, willing to hold public office, can make all the difference in the world. This is not about politics. This is about life and liberty.

Please, Mrs. Clinton, a desperate mother needs your help. I beg you to open your arms and take my son into your village. Don't let them send my little boy to Fidel Castro. As I gasped for life in the middle of the ocean, holding on to the precious bundle I tied to an inner tube, I prayed to God to spare him. God heard me, will you?

Elisabet Broton

Elisabet Broton gave her life for the freedom of her 5-year old son, Elián. In her sacrifice she evokes the struggle of millions of mothers throughout the world who don't stop at anything to see their children free from tyranny, hatred and hunger. Don't let her dreams drown with her! Don't send Elián back!

Dear Mrs. Clinton:

As a mother, I know you understand that motherhood is about love, but it is also about making sacrifices. On November 21, 1999, in search of freedom, my new husband and I joined 11 others in a small boat in a desperate attempt to escape Castro's tyranny for a new life in the United States. I boarded that vessel full of hopes and dreams, carrying with me my most precious possession - my 8-year old Elián.



Yes, I knew the trip would be perilous - and I knew I was endangering the life of my little boy - but life had become intolerable in Castro's island-prison. I did no different than any other mother trying to save her son. I could no longer accept a world without hope for Elián. I desperately wanted to give my child a future with dignity and above all, choices. I did it so they could not force my child to become a Communist Pioneer willing to renounce God, and to place the party above family and friends.

Parents in Cuba have no real rights over their children. Did you know that at age 7 milk is no longer available in their ration card? At age 11 they are forced to work in the fields, away from their parents, with little or no adult supervision. Did you know that school records register the children's political behavior as well as that of their parents? Communist propaganda permeates elementary school age books to the extent that they are taught that the letter F is for "fusil" (rifle) and G for "guerrillero" (guerrilla fighter). This is what in Cuba they call a "free education".

I lost my life, as did nearly everyone else on that fateful voyage. However, through a miracle of God, Elián was spared, and today he is free. I can't understand why now the U.S. government has decided to return him to the regime we fled. Castro is demanding his return, the same Castro who doesn't care about the human rights of children in Cuba, suddenly cares about Elián. Ask yourself why. Because our escape to freedom - a faithful reflection of his failed revolution - has become an embarrassment to him. How can anyone believe that Fidel Castro is concerned about children? This is the same Castro who on July 13th, 1994, ordered the sinking of the tugboat "13 de Marzo" in the bay of Havana. His thugs used water hoses so powerful that children were swept from their mothers' protective embrace.

All of us dream of changing the world. For someone like me, born in slavery, that was a remote possibility. Yet, someone like you, willing to hold public office, can make all the difference in the world. This is not about politics. This is about life and liberty.

Please, Mrs. Clinton, a desperate mother needs your help. I beg you to open your arms and take my son into your village. Don't let them send my little boy to Fidel Castro. As I gasped for life in the middle of the ocean, holding on to the precious bundle I tied to an inner tube, I prayed to God to spare him. God heard me, will you?

Elisabet Brotón

c: Sheila Jackson Lee, Ileana Ros-Lehtinen
Christopher H. Smith, Lamar S. Smith, Hillary R. Clinton

01/25/00 10:10:09 FAX 202 456 7805 004

Lissa, FVI... this is the basic gist of how HRC responded to a ? on the ad + Elian during press avail yesterday...



Karen Dunn <kdunn@hillary2000ny.org>
01/25/2000 04:33:27 PM

Record Type: Record

To: Toby C. Graff/WHO/EOP

cc:

Subject: RE: Press Schedule of the First Lady for Wednesday, January 26, 2000

GONZALES

VERY incomplete. note many ellipses...

"i haven't seen the ads but i have said many times and i would repeat that i am going to try not to politicize this any more than it already is."

"i think that everybody ought to be focused on what is in the best interest of the little boy..."

"this case is in the courts. i expect that will be their primary interest..."

"there are competing factors that have to be looked at and that's what happens when you try to determine what's in the best interest of the child..."

"i know how hard these decisions are. i know that you have to look at all the factors...but that's what courts are for..."

-----Original Message-----

From: Toby_C_Graff@who.eop.gov [mailto:Toby_C_Graff@who.eop.gov]
Sent: Tuesday, January 25, 2000 1:23 PM
To: Christine_L_Anderson@who.eop.gov; Wendy_Arends@who.eop.gov;
Mark_J_Bernstein@who.eop.gov; Stephen_N_Boyd@who.eop.gov;
Pamela_P_Carpenter@who.eop.gov; Nanda_Chitre@who.eop.gov;
Brenda_B_Costello@who.eop.gov; Lynn_G_Cutler@who.eop.gov;
Terry_Edmonds@who.eop.gov; Anne_M_Edwards@who.eop.gov;
Jenni_R_Engelbrechtsen@who.eop.gov; Paul_K_Engskov@who.eop.gov;
Lisa_Ferdinando@who.eop.gov; Sarah_E_Gegenheimer@who.eop.gov;
Paul_D_Glastris@who.eop.gov; Gilbert_S_Gonzalez@who.eop.gov;
Melodie_E_Greene@who.eop.gov; Susan_L_Hazard@who.eop.gov;
Marty_J_Hoffmann@who.eop.gov; Thomas_D_Janenda@who.eop.gov;
David_E_Kalbaugh@who.eop.gov; James_E_Kennedy@who.eop.gov;
Catherine_T_Kitchen@who.eop.gov; Jim_Kahlenberger%OVP@oa.eop.gov;
Karin_Kullman@opd.eop.gov; Adrienne_C_Lavallee@who.eop.gov;
Ann_F_Lewis@who.eop.gov; Kira_M_Malley@who.eop.gov;
Karen_C_Burchard@who.eop.gov; Lindsey_E_Huff@nsc.eop.gov;
Denver_R_Peacock@who.eop.gov; Mark_C_Sheppard@who.eop.gov;
Ann_C_Hertelendy@who.eop.gov; Joseph_P_Lockhart@who.eop.gov;
Laura_S_Marcus@who.eop.gov; Sylvia_M_Mathews@omb.eop.gov;
Andrew_J_Mayock@who.eop.gov; Megan_C_Moloney@who.eop.gov;

FOR IMMEDIATE RELEASE
January 25, 2000

CONTACT: LISSA MUSCATINE
TOBY GRAFF
202/456-2960

**PRESS SCHEDULE OF FIRST LADY HILLARY RODHAM CLINTON FOR
WEDNESDAY, JANUARY 26, 2000**

WASHINGTON, DC -- On Wednesday, January 26, 2000, First Lady Hillary Rodham Clinton will travel to Bal Harbour, Florida. The First Lady will attend the American Committee for the Weizmann Institute of Science "Women of Vision 2000" luncheon, where she will be honored for her long-standing commitment to promoting women's health issues.

EVENT: Women of Vision 2000 Luncheon
DATE: Wednesday, January 26, 2000
TIME: 2:00 p.m.
LOCATION: Sheraton Bal Harbour Hotel
Ballroom
9701 Collins Ave.
Bal Harbour, Florida

Press Notes:

This event is open press. No pre-credentialing is required. Press must arrive between 12:15 p.m. and 12:30 p.m. Press must show standard press identification at a check-in outside of the ballroom to gain access. Lighting and mult provided. Throw is approximately 75'. The on-site contact is Ryan Golden.

###

Dear Mrs. Clinton:

As a mother, I know you understand that motherhood is about love, but it is also about making sacrifices. On November 21, 1999, in search of freedom, my new husband and I joined 11 others in a small boat in a desperate attempt to escape Castro's tyranny for a new life in the United States. I boarded that vessel full of hopes and dreams, carrying with me my most precious possession - my 5-year old Elián.



Yes, I knew the trip would be perilous -- and I knew I was endangering the life of my little boy -- but life had become intolerable in Castro's island-prison. I did no different than any other mother trying to save her son. I could no longer accept a world without hope for Elián. I desperately wanted to give my child a future with dignity and above all, choices. I did it so they could not force my child to become a Communist Pioneer willing to renounce God, and to place the party above family and friends.

Parents in Cuba have no real rights over their children. Did you know that at age 7 milk is no longer available in their ration card? At age 11 they are forced to work in the fields, away from their parents, with little or no adult supervision. Did you know that school records register the children's political behavior as well as that of their parents? Communist propaganda permeates elementary school age books to the extent that they are taught that the letter F is for "fusil" (rifle) and G for "guerrillero" (guerrilla fighter). This is what in Cuba they call a "free education".

I lost my life, as did nearly everyone else on that fateful voyage. However, through a miracle of God, Elián was spared, and today he is free. I can't understand why now the U.S. government has decided to return him to the regime we fled. Castro is demanding his return, the same Castro who doesn't care about the human rights of children in Cuba, suddenly cares about Elián. Ask yourself why. Because our escape to freedom - a faithful reflection of his failed revolution - has become an embarrassment to him. How can anyone believe that Fidel Castro is concerned about children? This is the same Castro who on July 13th, 1994, ordered the sinking of the tugboat "13 de Marzo" in the bay of Havana. His thugs used water hoses so powerful that children were swept from their mothers' protective embrace.

All of us dream of changing the world. For someone like me, born in slavery, that was a remote possibility. Yet, someone like you, willing to hold public office, can make all the difference in the world. This is not about politics. This is about life and liberty.

Please, Mrs. Clinton, a desperate mother needs your help. I beg you to open your arms and take my son into your village. Don't let them send my little boy to Fidel Castro. As I gasped for life in the middle of the ocean, holding on to the precious bundle I tied to an inner tube, I prayed to God to spare him. God heard me, will you?

Elisabet Broton

c: Sheila Jackson Lee, Ileana Ros-Lehtinen
Christopher H. Smith, Lamar S. Smith, Hilary R. Clinton

AN OPEN LETTER TO HILLARY CLINTON.

Dear Mrs. Clinton:

As a mother, I know you understand that motherhood is about love. But it is also about making sacrifices. On November 21, 1999, in search of freedom, my new husband and I joined 11 others in a small boat in a desperate attempt to escape Castro's tyranny for a new life in the United States. I boarded that vessel full of hopes and dreams, carrying with me my most precious possession: my 5-year old Elián.

Yes, I know the trip would be perilous - and I know I was endangering the life of my little boy - but life had become intolerable in Castro's island prison. I did no different than any other mother trying to save her son. I could no longer accept a world without hope for Elián. I desperately wanted to give my child a future with dignity and above all, choices. I did it so they could not force my child to become a Communist Pioneer willing to renounce God, and to place the party above family and friends.

Parents in Cuba have no real rights over their children. Did you know that at age 7 milk is no longer available in their ration cards? At age 11 they are forced to work in the fields away from their parents, with little or no adult supervision. Did you know that school records register the children's political behavior as well as that of their parents? Communist propaganda permeates elementary school age books to the extent that they are taught that the letter F is for "fian" (wife) and G for "guerrillero" (guerrilla fighter). This is what in Cuba they call a "free education."

I lost my life, as did nearly everyone else on that fateful voyage. However, through a miracle of God, Elián was spared, and today he is free. I can't understand why now the U.S. government has decided to return him to the regime we fled. Castro is demanding his return, the same Castro who doesn't care about the human rights of children in Cuba, suddenly cares about Elián. Ask yourself why. Because our escape to freedom, a faithful reflection of his failed revolution - has become an embarrassment to him. How can anyone believe that Fidel Castro is concerned about children? This is the same Castro who on July 13th, 1994, ordered the sinking of the tugboat "13 de Marzo" in the bay of Havana. His thugs used water hoses so powerful that children were swept from their mothers' protective embrace.

All of us dream of changing the world. For someone like me, born in slavery, that was a remote possibility. Yet, someone like you, willing to hold public office, can make all the difference in the world. This is not about politics. This is about life and liberty.

Please, Mrs. Clinton, a desperate mother needs your help. I beg you to open your arms and take my son into your village. Don't let them send my little boy to Fidel Castro. As I gazed for life in the middle of the ocean, holding on to the precious bundle I tied to my inner tube, I prayed to God to spare him. God heard me, will you?

Elián's Mother



Elián's Mother gave her life for the freedom of her 5-year old son, Elián. In her sacrifice she evokes the struggle of millions of mothers throughout the world who don't stop at anything to see their children free from tyranny, hatred and hunger. Don't let her dreams drown with her! Don't send Elián back!