Urging the Return of Elian Gonzalez To His Father, Juan Gonzalez]

SUPPORTING SENATE RESOLUTION 79, SPONSORED BY SENATORS CHRISTOPHER DODD, BARBARA BOXER, DIANNE FEINSTEIN, RICHARD DURBIN AND PATRICK LEAHY, URGING THE RETURN OF SIX YEAR OLD ELIAN GONZALEZ TO HIS FATHER, JUAN GONZALEZ OF CUBA.

WHEREAS, Elian Gonzalez, a six year old citizen of Cuba, lost his mother in a tragic boat accident and floated alone for days in treacherous conditions off the coast of Florida; and

WHEREAS, Elian Gonzalez was found November 25, 1999, alive but physically and emotionally drained, brought ashore and examined at a hospital, and released temporarily by the Immigration and Naturalization Service (INS) into the care of his great-uncle and cousins in the Miami areas while the INS evaluated his case; and

WHEREAS, The natural father and sole surviving parent of Elian Gonzalez, Juan Gonzalez of Cuba, has repeatedly requested the United States Government return his son to him immediately; and

WHEREAS, The President rightly determined that the fate of Elian Gonzalez should be determined by United States statutes and regulations related to immigration cases involving children; and

WHEREAS, The INS, after interviewing Juan Gonzalez twice in Cuba and carefully reviewing all relevant laws, rules, and evidence correctly determined on January 5 2000, that Juan Gonzalez is a caring and involved father, that Elian Gonzalez faces no credible threat of political persecution if returned to his father, and as a result, that Juan Gonzalez possesses the sole authority of speaking for Elian Gonzalez regarding his son’s immigration status in the United States under immigration law and universally accepted legal norms; and

WHEREAS, The INS resolved to return Elian Gonzalez to Cuba by January 14, 2000, to live with his father Juan Gonzalez, in accordance with his father’s request; and
WHEREAS, On January 12, 2000 the Attorney General fully supported the INS ruling, reaffirmed INS jurisdiction over the matter, and said that a decision by a Florida State court judge granting temporary custody of Elian Gonzalez to his relatives in Miami, establishing a March 6, 2000, date for a hearing on permanent custody, and calling for the father’s presence at that hearing had no force and effect; and

WHEREAS, Only the Federal courts have the jurisdiction to review the Attorney General’s decision; and

WHEREAS, What Elian Gonzalez needs most at this time is to be with the father and both set of grandparents who raised him so that he can begin the process of grieving for his other, in peace; and

WHEREAS, Despite the existence of important political disagreements between the governments of the United States and Cuba, these differences should not interfere with the right to privacy of a six year old child or his sacred bond with his father; and

WHEREAS, any unusual or inappropriate changes to immigration law made by Congress to naturalize a minor without the parents’ consent would have the effect of encouraging parents in other nations to risk the lives of their children under the false hope that they might receive special treatment outside standard channels for legal immigration; and

WHEREAS, Senators Christopher Dodd, Barbara Boxer, Dianne Feinstein, Richard Durbin and Patrick Leahy simultaneously introduced resolutions in support of the return of Elian Gonzalez to his father, Juan Gonzalez of Cuba; and

WHEREAS, The resolutions were consolidated into Senate Resolution 79 which urges Congress not to interfere with normal immigration proceedings by taking any unusual or inappropriate legislative measures designed to delay the reunification of Elian and Juan Gonzalez and that the INS should proceed with its original decision to return Elian Gonzalez to
his father, Juan Gonzalez, in Cuba and take all necessary steps to reunify Elian Gonzalez with
his father as soon as possible; ; now therefore be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco
hereby supports Senate Resolution 79, sponsored by Senators Christopher Dodd, Barbara
Boxer, Dianne Feinstein, Richard Durbin and Patrick Leahy, urging the return of six year old
Elian Gonzalez to his father, Juan Gonzalez of Cuba.

SUPERVISOR AMMIANO
Resolution supporting Senate Resolution 79, sponsored by Senators Christopher Dodd, Barbara Boxer, Dianne Feinstein, Richard Durbin and Patrick Leahy, urging the return of six year old Elian Gonzalez to his father, Juan Gonzalez of Cuba.

February 7, 2000 Board of Supervisors — ADOPTED
Ayes: 6 - Ammiano, Bierman, Brown, Katz, Leno, Newsom
Absent: 5 - Becerril, Kaufman, Teng, Yaki, Yee
I hereby certify that the foregoing Resolution was ADOPTED on February 7, 2000 by the Board of Supervisors of the City and County of San Francisco.

Mayor Willie L. Brown Jr.

Date: February 18, 2000

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board