

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Dallas Brown to Eric Schwartz re: EXCOMM Notes (4 pages)	10/25/1994	P1/b(1)
002. email	Clarke to Brown re: EXCOMM Notes, 16 November (2 pages)	11/17/1994	P1/b(1)
003. email	Clarke to Timothy Atkin et al. re: Haiti-Memo to POTUS: Comments ASAP (3 pages)	11/30/1994	P1/b(1)
004. email	Brown to Marcia Norman re: EXCOMM Notes (4 pages)	05/08/1995	P1/b(1)
005. email	Brown to Letts re: Haiti SOC (3 pages)	12/15/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
MSMail-Non-Record (Sept 94-Sept 97) ([Scwhartz and Cuba...])
OA/Box Number: 605000

FOLDER TITLE:

[09/27/1994-12/15/1995]

2011-1039-F

rs1857

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

M S M a i l

DATE-TIME 27 September 94 15:18

FROM Malley, Robert

CLASSIFICATION UNCLASSIFIED

SUBJECT Subject: [UNCLASSIFIED]Legal migration from Cuba

TO Cooper, Kathleen H.
Halperin, Morton H.
Schwartz, Eric P.

CARBON_COPY NO CC's on THIS MESSAGE

TEXT_BODY I spoke to INS today - they promised a complete paper in a day or two on all aspects of the migration programme.. I'll keep bothering them.

M S M a i l

DATE-TIME 28 September 94 20:31
FROM Clarke, Richard A.
CLASSIFICATION UNCLASSIFIED
SUBJECT Subject: RE: human rights/refugee groups request for meeting
[UNCLASSIFIED]
TO Schwartz, Eric P.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

use eric as the sacrificial lamb!

From: Schwartz, Eric P.
To: Clarke, Richard A.; Halperin, Morton H.
CC: Beers, Rand R; Malley, Robert; Simon, Steven N.
Subject: human rights/refugee groups request for meeting
Date: Wednesday, September 28, 1994 04:04 PM

The human rights/refugee groups would like to meet at the NSC on Haiti.

Our higher ups believe (correctly in my view) that a Lake/POTUS meeting is premature, but I do think we need to see the human rights types at the Senior director level to keep them inside the tent.

Dick/Mort -- what do you think?

Eric

M S M a i l

DATE-TIME 24 October 94 11:36
FROM Schwartz, Eric P.
CLASSIFICATION UNCLASSIFIED
SUBJECT [UNCLASSIFIED]
TO Parramore, Carl W.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY [[HATI73.DOC : 2862 in HATI73.DOC]]

ATTACHMENT
FILE DATE 24 October 94 11:36

ATTACHMENT
FILE NAME HATI73.DOC

Memorandum to Lake

From: Eric Schwartz

Subject: Handling Already-Approved Refugees From Haiti

Introduction

The issue of disposition of already-approved refugees from Haiti came up in a memo I sent you on a separate, but related issue, HIV-positive refugees. You questioned why we should continue to bring Haitian refugees to the United States.

I will first discuss the general issue and then describe how it relates to the HIV issue.

I. Refugees who remained in Haiti at the time of the intervention

Just prior to the intervention, we stopped accepting new cases for refugee status and suspended consideration of those cases still in train. However, there were some 1500 already approved refugees who had not yet left Haiti. There are several points to consider about this population:

ù They were told by us that we would admit them.

ù Many made life decisions on the strength of that commitment, such as leaving jobs, selling homes and all their belongings, etc.

ù Many of those who had not left at the time of the intervention had been prevented from leaving due to the restrictions imposed by the military after the ban on flights.

ù Many of those who were approved had spent considerable periods in hiding.

II. Decision of the ExCom on this issue

At the time of the intervention, the Haiti ExCom decided to continue moving approved refugees for the time being in view of the uncertain political situation and the continuing well-founded fears that refugees might have. Although thousands of U.S. troops were entering Haiti, Cedras and Biamby were staying in place and we did not know what the future held.

The ExCom also agreed to review the situation over time and charged the State Department to inform the interagency when improved conditions in Haiti permitted suspension of this blanket movement. The ExCom decided that when this determination was made, we would move to case-by-case reappraisal of previously approved cases.

A case by case reappraisal was deemed necessary for two reasons. First, having determined in an administrative proceeding that an individual has a well-founded fear of persecution based on detailed information that the person has furnished, it is simply not appropriate to make a blanket judgement that the fear no longer exists, no matter how many troops we have in Haiti. Secondly, the ExCom decided that certain compelling humanitarian circumstances (to be defined by State and INS) might justify resettlement in a small number of cases even if the applicant no longer feared persecution.

III. Where we are now

Neither State nor Justice is now eager to move to case-by-case reappraisal. Moreover, with dozens of cities in Haiti lacking a U.S. military presence, State is in no hurry to make the required certification. Indeed, if this issue was considered by the ExCom today, they would likely decide to move the 1000 or so remaining refugees. Their reasons are as follows:

We have told these people we would resettle them and reversing our position on this issue is wrong as it would create great hardship.

In the past (e.g., Poland after Walesa was elected), we have agreed to move already approved refugees to which we had promised resettlement.

Moving approved cases is not a controversial issue and has not attracted much attention and we should have all the remaining refugees moved by the end of November. Moreover, we have plenty of refugee resettlement slots for them in the Refugee Bureau's budget.

If we cut off the program, we will be criticized by the NGO community and, quite possibly, the press and the UNHCR. If one of the approved-but-not-moved refugees does have a problem in Haiti, our failure to move that person will be the subject of inquiry.

Case-by-case reappraisal would be far more trouble than it would be worth. How, for example, could we determine whether an individual has compelling reasons that justify resettlement. More importantly, INS intends to be out of Haiti by November 30; case by case reappraisal would drag this out for many months and might create problems with the Aristide government (especially if we identified bonafide refugees).

IV. The HIV issue and Haitians

The HIV-positive question complicates consideration of this issue in view of the INS proposal to modify its waiver requirement for HIV-positive refugees. This was the subject of the attached memorandum and was what sparked your question about moving already approved refugees.

If INS modifies its waiver and we continue to move approved cases, then up to 120 HIV-positive refugees from Haiti (29 on Guantanamo and about 80 in Haiti) might be eligible for entry. (They would still have to meet still-exi

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M S M a i l

DATE-TIME 08 November 94 13:15
FROM Baker, James E.
CLASSIFICATION UNCLASSIFIED
SUBJECT Subject: FW: GTMO Litigation: Issues [UNCLASSIFIED]
TO Kreczko, Alan J.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

FYI.

From: Baker, James E.
To: Schwartz, Eric P.
CC: /R, Record at A1
Subject: RE: GTMO Litigation: Issues [UNCLASSIFIED]
Date: Tuesday, November 08, 1994 01:14 PM

Eric,

I guess I need to be more direct. I am aware that all these issues raise legal and policy questions. The litigators are asking among other things whether policy makers have affirmatively considered these issues, and if not, whether and when you intend to do so. In the absence of affirmative decisions, the courts may dictate our policy to us, or more accurately, minimize our policy options. What is the policy timetable, for example, for deciding whether we are going to repatriate Haitians involuntarily? With or without screening?

It would be helpful to the Government's argument to be able to advise the court(s) that we intend to screen Haitians; or will not repatriate involuntarily; etc. To the extent such policy determinations alleviate the court's concern about how we are handling migrants at GTMO we may avoid broad sweeping TROs that prevent options. We may also avoid having to wait extended periods of time to win on the law, for as explained in the earlier E-mail, on all but the DP issue, we are confident that we will prevail on the law, but as a matter of policy we may not have the time or inclination to wait that long.

Why don't we meet to discuss. Can you suggest a time this late afternoon or evening? Thanks.

From: Schwartz, Eric P.
To: Baker, James E.

CC: /R, Record at A1; @DEMOCRACY - Democracy Affairs
Subject: FW: GTMO Litigation: Issues [UNCLASSIFIED]
Date: Tuesday, November 08, 1994 11:00 AM

JAMIE: NOTE MY RESPONSES, THEN GIVE ME A CALL TO DISCUSS..

I THINK I NEED TO BE AT THE WEDNESDAY MEETING.

ERIC

From: Halperin, Morton H.
To: Schwartz, Eric P.
CC: /R, Record at A1
Subject: FW: GTMO Litigation: Issues [UNCLASSIFIED]
Date: Tuesday, November 08, 1994 10:45 AM

I assume that this are your issues and you will get back to the lawyers. If I were you I would insist on being at the meeting on Wednesday.

From: Baker, James E.
To: Halperin, Morton H.; Longoria, Michael A.; Malley, Robert; Rossin, Larry; Schwartz, Eric P.
CC: /R, Record at A1; Kreczko, Alan J.; Wolin, Neal S.
Subject: GTMO Litigation: Issues [UNCLASSIFIED]
Date: Tuesday, November 08, 1994 10:25 AM

ATTORNEY-CLIENT PRIVILEGED

Justice has identified a number of issues that could arise in the context of the Cuba/Haitian litigation this week that raise serious policy considerations. In order for litigators to best represent the government's legal view and preserve its policy options it is important that we provide guidance on the questions presented below as soon as possible. A follow-on lawyers meeting is scheduled for Wednesday.

1. Parole: The Haitian plaintiffs will likely ask for an order granting Haitians parity with Cuban migrants on parole decisions, i.e., parole for children, the elderly and medical hardships. This argument would likely be cast as an equal protection, due process, abuse of discretion claim.

NOTE: DOJ is not aware that the Administration has ever been asked, or considered parole concessions for Haitians. As a matter of law, parity is not required, although it is not clear how a five member CA panel would come out on this issue. Further, the scenarios are factually different -- Haiti is a democracy, Cuba is not, etc.

Jamie: I think we do want to make a distinction here. With the Haitians, we believe that a durable solution is in sight. This justifies a different

way of treating them. They have a democracy to return to. We do medevac some Haitians, but that is a different issue involving acute situations.

2. Voluntary Repatriation: Haitian plaintiffs will likely ask for an order similar to that issued by the Court of Appeals regarding Cuban migrants: no repatriation unless a migrant signs a form that such repatriation is voluntary.

NOTE: If policy-makers are considering, or are going to take, a different view, i.e., involuntary repatriation of Haitians, it would be useful for litigators to know now, so that they can prepare to distinguish the two groups and factual scenarios before the courts and be careful to preserve options if asked on the record, e.g., the Haitian case is distinguishable for among other reasons because we were offering safe haven from a regime whose days were numbered and therefore repatriation requires different analysis. As a matter of law, Justice believes involuntary repatriation is legally available and that we will ultimately win on the law if enjoined. It is also the lawyers' view that so long as this lawsuit is pending, more Haitians will not volunteer to return.

In the event, we were to get an injunction against involuntarily repatriating Haitians beyond the 14 Haitians already covered are we prepared to say to the court(s) that Haiti is in fact stable and safe in an effort to oppose? Are we considering moving to a policy of involuntary return? When? Are we prepared to repatriate before UNMIH. At what point will the sewage situation at GTMO dictate policy?

Jamie: This is tricky. I would think, as a legal matter, we would want to preserve the government's option to not only involuntarily return, but to do so summarily -- without screening -- though as a matter policy I would urge against any practice that creates the possibility of return of bonafide refugees.

We have not yet confronted the policy issue of involuntary return with prior screening. As a matter of law and of policy, I think we should argue that involuntary return is justified. We can distinguish with the Cuba case by arguing that nothing prevents us from either being more generous than the law requires, or from making a generalized judgment about non-return to avoid the burden of individualized adjudications.

I think there is an important policy/legal issue here, however, and we may need to seek higher level guidance on it -- whether we want to take a position on the legality of direct return (i.e., return without screening) from Guantanamo.

3. Request for a permanent injunction granting parole to all pregnant women.

For Haitians? I say not necessarily. For Cubans? Speak to Mort.

4. Cuban plaintiffs may request an order permitting Cubans at GTMO with visas to come directly to the U.S. from GTMO.

Check with Mort.

5. Due Process and other Constitutional Rights: While litigators think the law is clear, if not necessarily the results, on the issues above, the question of migrant due process rights to a particular standard of conditions at GTMO is a tougher question. For example, do migrants have a DP right to a particular standard of medical care, or safety. That we are providing safe haven to migrants and are not holding them against their will, does not end the discussion as there is a body of law, which courts may choose to apply to GTMO, involving the conditions of persons who voluntarily put themselves in state custody. Further, some groups of migrants, such as children and unborn babies, are not in a position to exercise the types of choices that makes one's presence in GTMO voluntary. Bottom line: it is not likely at all that we will get the votes in the Court of Appeals or S.Ct. that the only rights that apply to migrants at GTMO are non-enforceable standards under international law. Indeed, it is not clear this is a position Justice litigators are prepared to take as a matter of law. Clearly, there are remedies available other than brining migrants to the U.S., but planners should consider and anticipate a requirement to provide additional doctors, or facilities to improve conditions at GTMO.

Jamie: Need to explore this in greater detail.

6. 22 HIV Haitians. We understand that there remain 22 screened in HIV Haitians at GTMO. Lawyers consider it a matter of time, and short time given the availability of additional attorney access to GTMO, before these 22 sue for admission. Do we have plans to admit them?

Jamie: Awaiting a policy decision.

As noted above, your feedback on these matters is greatly appreciated.

ATTORNEY-CLIENT PRIVILEGED

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M S M a i l

DATE-TIME 06 December 94 17:10
FROM Clarke, Richard A.
CLASSIFICATION ~~CONFIDENTIAL~~
SUBJECT Subject: RE: DC on Haiti [~~CONFIDENTIAL~~]
TO Rossin, Larry
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

why not do it at the lunch

From: Rossin, Larry
To: Beers, Rand R; Clarke, Richard A.; Schwartz, Eric P.
CC: /R, Record at A1; Baker, Jane E.; Lindsey, Wanda D.; Norman, Marcia G.
Subject: DC on Haiti [~~CONFIDENTIAL~~]
Date: Tuesday, December 06, 1994 10:35 AM

DICK CLARKE -- SEE QUERY BELOW.

Mary has scheduled the DC focussed on Haiti private sector stimulation for 11:30 - 12:00 Thursday, December 8. Following event is Berger-Talbott-Deutch lunch so there is room for adding a few more minutes if needed. (Could not get longer slot as they leave for summit later that day.)

Commerce is sending list of recommended participants which I will provide to Jane Baker when rec'd so she can do invitations. She will then also e-mail the formal DC notification.

Commerce is preparing DC discussion paper which I've asked that we have by 3:00 Wednesday for distribution by us to DC participants.

DICK -- AGENDA QUESTION: Suriname/migrants: JCS called today to say that a week is up and where is State's reply. They want to stop paying, obviously, and would expect State to either come up with a report for the Deputies or else say forget it. They are within their rights. Do you want to put on this DC agenda, given short time? If so, should Eric call State to press for paper?

Larry Rossin

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *mi* NARA, Date *3/26/16*

2a1-1039-F

M S M a i l

DATE-TIME 13 December 94 15:30
FROM Cicio, Kristen K.
CLASSIFICATION ~~CONFIDENTIAL~~
SUBJECT Subject: MeetingFW: [~~CONFIDENTIAL~~]
TO Schwartz, Eric P.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

Eric,

Ask Mort. He is the one that put it on Sandy's schedule. If there is a problem, please let me know.

Thanks,

Kris

From: Schwartz, Eric P.
To: @NSA - Nat'l Security Advisor; Berger, Samuel
CC: /R, Record at A1
Subject: [~~CONFIDENTIAL~~]CUBA MEETING
Date: Tuesday, December 13, 1994 03:24 PM

Please pass to Sandy.

Sandy:

If your meeting on Cuba with Mort and Peter is to include the issue of disposition of the migrants over the long term, I wonder if I might attend.

I have a number of ideas about how we might deal effectively with this issue, the resolution of which will impact on our overall refugee policies.

Eric

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E.O. 13526
White House Guidelines, September 11, 2006
By AL NARA, Date 3/26/16
2011-1034-F

M S M a i l

DATE-TIME 04 January 95 10:27
FROM Clarke, Richard A.
CLASSIFICATION ~~CONFIDENTIAL~~
SUBJECT Subject: RE: Haiti Talking Points [~~CONFIDENTIAL~~]
TO Rocha, Victor M.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

I've already done points for this that are, I think, more big picture Presidential.

We need to have a better system so that you dont respond to taskers that we've already done,

From: Rocha, Victor M.
To: Beers, Rand R; Clarke, Richard A.; Halperin, Morton H.; Malley, Robert; Schwartz, Eric P.
CC: /R, Record at A1; Danvers, William C.; Feinberg, Richard E.; @HAITI
Subject: Haiti Talking Points [~~CONFIDENTIAL~~]
Date: Wednesday, January 04, 1995 10:08 AM

The President is scheduled for two Congressional Leadership meetings this week. Bill Danvers has requested talking points by noon today on Haiti among many other topics. The talking points are not to exceed half a page. I have chosen the following for submission as the most appropriate. Please review and provide me with your additions/changes or clearance soonest given the tight deadline. Thanks much,

HAITI TALKING POINTS

- With President Aristide's return on October 15, we have achieved our central goals of ousting the illegal regime from Haiti and restoring democracy. We are helping the government to reestablish ministries, rebuild the economy, reform the police and justice system, and organize parliamentary and local elections in early 1995.

- The Provisional Electoral Council was installed on December 22, 1994, and a draft electoral law is now under consideration with elections expected sometime in April.

- U.S. troops are down from over 20,000 to 6,000. Withdrawals will continue as we move toward transition to the UN Mission in the coming months. The Multinational Force has largely succeeded in its mission of

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E.O. 13526

White House Guidelines, September 11, 2006

By *m* NARA, Date *3/28/16*

201-1031-F

establishing a secure and stable environment.

- Efforts to continue to professionalize Haiti's security forces, including the training of a new police force, are well underway.
- On December 14, 1994, we announced a wide ranging program to help revitalize the Haitian economy through stimulation of the private sector.
- We have offered a set of incentives, including temporary employment, to the remaining Haitian refugees in Guantanamo, to facilitate their prompt return to Haiti given the changed circumstances with the return of the legitimate democratic government of President Aristide.

M S M a i l

DATE-TIME 05 January 95 14:51

FROM Andricos, George M.

CLASSIFICATION ~~CONFIDENTIAL~~

SUBJECT Subject: RE: ~~Proposed Berger Lunch Item--For Comment by 1030~~
[~~CONFIDENTIAL~~]

TO Atkin, Timothy J.
Beers, Rand R.
Brown, Dallas
Clarke, Richard A.
Darragh, Sean J.
Lindsey, Wanda
Norman, Marcia G.
Rice, Susan E.
Richardson, Craig
Roundtree, Beverly J.
Schwartz, Eric P.
Simon, Steven N.

CARBON_COPY Andricos, George M.
Baker, James E.
Bell, Robert G.
Blakeman, Earle C.
Blinken, Anthony J.
Danvers, William C.
Feinberg, Richard E.
Funches, Christina L.
Hahn, Keith D.
Halperin, Morton H.
Herrington, David E.
Hunerwadel, Joan S.
Kreczko, Alan J.
Malley, Robert
Mitchell, Calvin A.
Pease, Bruce E.
Reed, James W.
Rocha, Victor M.
Ross, Thomas B.
Silger, Ralph
Spalter, Jonathan H.
Tenet, George J.
Wilhelm, Richard J.

TEXT_BODY

Dick,

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By SP1 NARA, Date 3/25/16
201-1034-F

Alan Kreczko mentioned that you had some concerns re the legal community proposal to provide U.S. troops to UNMIH. We ran this past DOD and State Legislative Affairs before the holidays and neither had any problems with it. We will raise this issue again at an interagency legislative meeting on Friday and be back in touch.

Mike

From: Clarke, Richard A.
To: @HAITI
CC: /R, Record at A1; @LEGISLAT-Legislative Affairs
Subject: Proposed Berger Lunch Item--For Comment by 1030
[CONFIDENTIAL]
Date: Thursday, January 05, 1995 10:00 AM

HAITI

The Excomm identified seven items yesterday that need DC attention:

1. The Transition to UNMIH

(declaring safe and secure and getting UN agreement, the limits on US military participation in the UN participation act, etc.)

2. Gitmo Refugee Return

3. The FAdH/Police Transition

4. The Congress: A Date Certain Amendment to the DOD Supp

5. Advisors in Haitian Ministries

6. Continuing the Electricity after 15 January

7. Economic Initiative (especially OPIC financing problems)

You said that you wanted to handle some of these issues at the lunch today. I suggest that you deal with the Congress and Gitmo.

Congress

We assume from what Dole has said that he (or others) may attempt to amend the DOD Supp with a Date Certain Limit on US military personnel in

Haiti, e.g. no more than 100 after 1 May. At a recent meeting of legislative affairs people there was agreement to not bother with "sleeping dogs" like Haiti until we have to do so. The Excomm, however, thought we need to do several things:

1. Estimate the likelihood of such an amendment and the probability of its passage
2. Begin educating friendly Republicans, including by getting them or their staff to Haiti. (Note: Gilman has a constituent with a company that wants to start assembly sector activities again in Haiti.)
3. Develop contingency plans for amendments we could live with.
4. Develop a strategy for getting the DOD Supp "quick and clean."

You should ask Strobe and John to personally take some quiet soundings, prepare a briefing they would give to key Members, and get their staffs to organize some Codels.

Gitmo Refugees

The plan approved by the DC is moving ahead. We will have to extend the timeframe for applications for the money/jobs program to get more takers. The only issue you need to address is John Deutch's insistence that all HIV/TB patients and unaccompanied minors be returned to Haiti by 15 January. DOD is taking this Deutch order literally. State and Justice are working programs to bring some of them into the US (the minors and the HIV Haitians who had already been given political asylum status in the US) and to keep others at Gitmo until their TB clears up. You should urge John to tell his people to give State/Justice a little slack on this handful of people.

M S M a i l

DATE-TIME 22 February 95 13:27

FROM Norman, Marcia G.

CLASSIFICATION UNCLASSIFIED

SUBJECT Request your concurrence on Revised [UNCLASSIFIED]

TO Kreczko, Alan J.

CARBON_COPY Hunerwadel, Joan S.
Schwartz, Eric P.

TEXT_BODY

Eric has revised the attached and request your concurrence. Please let Marcia know ASAP>

[[0251CMBO.DOC : 3401 in 0251CMBO.DOC]]

**ATTACHMENT
FILE DATE** 22 February 95 13:11

**ATTACHMENT
FILE NAME** 0251CMBO.DOC
0251

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
PATRICK GRIFFIN

SUBJECT: Letter from Rep. Ros-Lehtinen on
Unaccompanied Haitian Children at Guantanamo Bay Naval
Base

Purpose

To respond to a letter from Representative Ros-Lehtinen.

Background

Rep. Ileana Ros-Lehtinen has written to urge that you grant U.S. entry for the 320 unaccompanied Haitian children still held at Guantanamo Bay Naval Base.

While the restoration of democracy in Haiti has permitted the repatriation of many thousands of Haitian migrants from Guantanamo, the disposition of the unaccompanied children at Guantanamo presents sensitive issues that we are seeking to resolve in a humane manner consistent with established international practice. In particular, we have sought the assistance of specialists from the UNHCR and other organizations to conduct case-by-case evaluations to determine the disposition that serves the "best interests of the child." In some cases, especially where the child's parents are in Haiti, this may mean that the child will be repatriated.

In other cases, U.S. resettlement may better meet the child's needs and we would request that the Attorney General exercise her parole authority to permit U.S. entry.

The attached response to Rep. Ros-Lehtinen describes our approach.

RECOMMENDATION

That you sign the letter to Rep. Ros-Lehtinen at Tab A.

Attachments

Tab A Letter to Rep. Ros-Lehtinen

Tab B Incoming Correspondence

Dear Representative Ros-Lehtinen:

Thank you for your letter regarding unaccompanied Haitian children at Guantanamo Bay Naval Base.

As you know, the restoration of democracy in Haiti has permitted the repatriation of many thousands of Haitian migrants from Guantanamo. However, the disposition of the unaccompanied children at Guantanamo presents sensitive issues that we are seeking to resolve in a humane manner consistent with established international practice. With this in mind, we have sought the assistance of specialists from the UNHCR and other organizations, and we are conducting case-by-case evaluations to determine the disposition that serves the "best interests of the child." In some cases, especially where the child's parents are in Haiti, this may mean that the child will be repatriated. In other cases, U.S. resettlement may better meet the child's needs. Under such circumstances, the Attorney General would be very willing to consider expeditiously requests for parole and U.S. entry.

I hope this information is responsive to your concerns.

Sincerely,

The Honorable Ileana Ros-Lehtinen
House of Representatives
Washington, D.C. 20515-3931

M S M a i l

DATE-TIME 10 March 95 09:40
FROM Norman, Marcia G.
CLASSIFICATION UNCLASSIFIED
SUBJECT Please Help Me With This FW: MARCIA: URGENT!! [UNCLASSIFIED]
TO Hunerwadel, Joan S.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

Jo,

Eric sent this to me and to Alan. I know that it needs to be sent to the office head honcho to get it accomplished. Let me hear from you.

From: Schwartz, Eric P.
To: Norman, Marcia G.
CC: /R, Record at A1; Kreczko, Alan J.; @GLOBAL - Global Affairs
Subject: MARCIA: URGENT!! [UNCLASSIFIED]
Date: Friday, March 10, 1995 07:27 AM

[[HAITI89.DOC : 2370 in HAITI89.DOC]]

Alan:

Document -- for your concurrence/statement of no objection. Phyllis and Seth were at the meeting where this was decided. Please get back to me this morning if you can.

Thanks.

Marcia:

After Alan concurs, please send this out asap to the participants in yesterday's meeting.

Eric

**ATTACHMENT
FILE DATE** 10 March 95 7:24
**ATTACHMENT
FILE NAME** HAITI89.DOC

SUMMARY OF CONCLUSIONS
UNACCOMPANIED MINORS
Interagency Working Group Meeting, 3/9

1. The "best interests of the child" determination remains the most appropriate means to resolve the issue of disposition of unaccompanied minors at Guantanamo, but the process needs to be accelerated to ensure disposition of cases without any unnecessary delays.
2. State/PRM will, on March 10, sign its cooperative agreement with Save the Children. The agreement anticipates a process that will result in continual movement of children out of Guantanamo over a three month period. It also assumes the continued cooperation and involvement of UNHCR, whose participation lends credibility to the exercise.
3. Agencies and NSC staff, at high levels, will make contact with senior officials at Save the Children to emphasize the importance of committing resources and attention to this issue to ensure disposition of cases without any unnecessary delays. State will provide, by noon Monday, March 13, names of Save officials to call and talkers for the conversations.
4. On or about April 15, we will evaluate progress in this arrangement to ensure that, by that time, a significant percentage of cases have been completed and that the process is on track. If it is not, we will consider other alternatives to meet our humanitarian goals.
5. We will use the following guidance, subject to interagency comment:
 - ù The restoration of democracy in Haiti has permitted the repatriation of many thousands of Haitian migrants from Guantanamo.
 - ù However, the disposition of some 300 unaccompanied children at Guantanamo presents sensitive issues that we are seeking to resolve in a humane manner consistent with established international practice.
 - ù With this in mind, we have sought the assistance of specialists from the UNHCR and other organizations, and we are conducting case-by-case evaluations to determine the disposition that serves the "best interests of the child."
 - ù In some cases, especially where the child's parents or close relatives are in Haiti, this may mean that the child will be

repatriated.

ù In other cases, resettlement, in third countries or in the U.S., may better meet the child's needs.

ù Where U.S. resettlement would best meet those needs, the Attorney General would be very willing to consider expeditiously requests for parole and U.S. entry.

ù This is a complex procedure involving time-consuming tracing of families, home-site visits and interviews with family members.

ù But we are undertaking it diligently and with a commitment to the needs of these children.

6. In determining dates of birth where conflicting information has been provided, we will generally rely on the information provided to the UNHCR.

March 3, 1995

MEMORANDUM FOR BRUNSEN MCKINLEY, STATE/PRM
JERRY BATES, JCS/J-3
JOHN WALSH, JCS/J-5
PAT IRVIN, OSD/HRA
SETH WAXMAN, JUSTICE
PHYLLIS COVEN, INS

FROM: ERIC SCHWARTZ

SUBJECT: Unaccompanied Minors at Guantanamo

You are requested to attend a SVTS teleconference on the subject issue on Monday, March 6, 1995, from 11:00 a.m. to 12:00 noon.

State is requested to prepare for distribution by fax at the meeting a paper for review by the Deputies that will include the following information:

ù A detailed description of the procedures that are being used to determine the disposition of unaccompanied minors, including the policy goals behind the process we are using and progress toward putting the process in place.

ù An estimated time-line for completion of the process.

M S M a i l

DATE-TIME 05 May 95 15:38
FROM Cooper, Kathleen H.
CLASSIFICATION ~~CONFIDENTIAL~~
SUBJECT FW: Cuba funding [~~CONFIDENTIAL~~]
TO Longoria, Michael A.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

From: Malley, Robert
To: @NSA - Nat'l Security Advisor
CC: /R, Record at A1; Cooper, Kathleen H.; Halperin, Morton H.; Schwartz, Eric P.
Subject: Cuba funding [~~CONFIDENTIAL~~]
Date: Thursday, May 04, 1995 03:51 PM

[[FUND.DOC : 3907 in FUND.DOC]][[FUND3.DOC : 3908 in FUND3.DOC]][[FUND4.DOC : 3909 in FUND4.DOC]]

Please pass to Sandy per his request:

ATTACHMENT
FILE DATE 4 May 95 15:50
ATTACHMENT
FILE NAME FUND.DOC
~~CONFIDENTIAL~~
~~CONFIDENTIAL~~
Declassify on: OADR

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

May 3, 1995

ACTION

MEMORANDUM FOR SANDY BERGER

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By SP1 NARA, Date 3/25/11
2011-1034-F

THROUGH: MORTON HALPERIN

FROM: ROB MALLEY

SUBJECT: Assistance to Florida for Cuban Migrants

The decision to admit the Cuban migrants from Guantanamo has generated requests from Governor Chiles and Senator Graham for additional assistance to Florida. In FY 95, the decision means that roughly 3,000 more Cubans than previously anticipated will be admitted; in FY 96, about 7,000 more than expected (given the concurrent reduction in admissions from Cuba by 5,000). The additional migrants will be mainly adult males. Typically about 75-85% of the parolees settle in Florida.

The Governor is preparing a request for assistance which we will be receiving by mid-day. Mort talked to Senator Graham this morning. Graham indicated again his sense of urgency about this. The attached memorandum discusses the impact of the decision on Florida and possible sources of funding. We would like to meet with you to discuss how to proceed with the memorandum -- whether you want to send it on formally, and if so with what clearances (OMB, etc.). or whether you want to use it to talk to Leon Panetta.

Our initial judgment is that we should move quickly and make available to Florida assistance from the Department of Justice's Immigration Emergency Fund. If the assistance does not exceed \$20 million (and if it is solely for reimbursement to a state), the Attorney General can make the decision, and there is no requirement for a presidential declaration of emergency. At the same time, use of the monies for Florida would make more politically palatable for us to allocate \$6 million from the IEF for repatriation of smuggled migrants (which would require a declaration of immigration emergency).

Concurrence by: Erid Schwartz

Attachment

Tab A Discussion Memorandum

Tab B Federal Assistance to Florida

ATTACHMENT
FILE DATE

4 May 95 15:50

ATTACHMENT
FILE NAME

FUND3.DOC

CUBAN MIGRATION TO FLORIDA

DISCUSSION MEMORANDUM

DATA

ù Under the September 1994 agreement, the U.S. had committed to admit at least 20,000 Cubans a year.

ù Pursuant to the new arrangement, figures over the next three years will remain the same. However, in FY 95 there will be approximately 3,000 additional Cubans admitted to the U.S., and, in FY 96, an additional 7,000. These will be almost exclusively adult males.

I. What Additional Costs Will Florida Incur as a Result of the Agreement?

ù Given the demographics of the group, this added influx will not result in additional educational costs compared to what was anticipated under the September agreement, nor is it expected to cost the State much in terms of its share of AFDC or medicaid. (Indeed, the number of children expected to be admitted in FY 96 will almost certainly diminish because of the simultaneous decrease in the number of admissions from Cuba and the new practice of returning migrants to Cuba).

ù Instead, the migrants will qualify for refugee cash and medical assistance from the Office of Refugee Resettlement (ORR) for their first eight months in the U.S., which is fully federally funded. (HHS estimates that it will be able to maintain the current eight months of assistance despite the additional influx). After the first eight months, of course, migrants eligible for AFDC or Medicaid could access those funds, of which the state must cover its share.

ù There will be additional costs in terms of other human social services needs (e.g., employment services, orientation, health, language training, criminal justice, etc.). Based on a very preliminary assessment by HHS, we can assume the order of magnitude will be about \$15-20 million.

ù Parolees also will need reception and placement services, especially if we want them to be dispersed to locations other than Florida. However, these costs (roughly \$1,000 per capita) are currently borne by the Community Relations Services. While we will have to address the issue of funding, this will not represent additional costs to Florida.

II. Does Florida Require Additional Assistance?

Governor Chiles will be requesting additional aid for refugee assistance (which will be covered by ORR), to cover for the state's share of AFDC (which will not increase as a result of the recent

accord given the demographics of the group), and for social services (which is a real cost and which HHS is assessing).

Florida already receives a disproportionate share of federal assistance for refugees/entrants. This results from several facts:

- ù Unlike all other nationalities, Cuban and Haitian parolees are eligible for refugee program assistance and services (which are totally federally funded) on the same basis as refugees.
- ù Florida is the prime beneficiary of federal targeted assistance to communities most heavily impacted by Cuban/Haitian arrivals

(roughly \$19 million earmarked per year). The rest of targeted assistance is determined on a formula basis, depending on the number of refugees. (The only other State in the country to be allocated some of these funds is New York, with \$700,000). These funds typically are spent on education and health care.

- ù Finally, Florida received a special \$6 million allocation for services in September 94 in addition to the new arrival per capita given to all other states. This increased their core services money for refugees/parolees by 115%. The other 47 states that participate in the refugee program see Florida as having an unfair advantage - especially California which recently lost its earmark, and which receives a far greater share of illegal immigration than does Florida. (See attached data on federal assistance to Florida for Cuban/Haitians for FY 94, Tab B).

The decision to admit the 15,000 migrants at Guantanamo also is mitigated by the reduction in admissions from Cuba, and by the change in the demographic composition of entrants.

Still, Florida appears unpersuaded by the argument that costs will not increase very much given the reduction of entrants from Cuba -- both because many members appear not to have focused on the fact that we would be admitting 20,000 Cubans a year, and because those who had believe the state had not received adequate assistance to address the 20,000 admissions from Cuba per year agreed to last September in any event. Finally, they point out that the additional 10,000 migrants over the next year will add to the state's costs in terms of social services.

Moreover, a distinction with other states can be made in that the additional influx is a direct result of the United States' agreement with Cuba, as opposed to uncontrolled, illegal immigration.

(You should know that in the aftermath of the August 1994 influx, Governor Chiles submitted a request for federal assistance of about \$1 billion from the Immigration Emergency Fund. After reviewing the request, DOJ stated it was willing to provide \$1 million, a sum the Governor rejected).

III. Funding Options

1. HHS/Office of Refugee Resettlement could seek an FY 1995 supplemental and/or a budget amendment for the ORR FY 1996 request to provide Florida with additional assistance for social services due to recent Cuban arrivals. (There is a program designed for "unanticipated arrivals." The request could be for about \$20 million).

Governor Chiles and Senator Graham's offices have cautioned us against passing the buck to the Congress, and are looking for a more forward (and immediate) gesture from the Administration.

2. Use the Immigration Emergency Fund (IEF) of DOJ pursuant to a presidential declaration of an "immigration emergency" with respect to the Cuban arrivals and Congressional notification. A declaration triggered by the Cuban arrivals would be politically sensitive and might undermine the Administration's position that the decisions made with regard to Cuban paroles will ensure an orderly migration. Moreover, as our first disbursement to a state from IEF, it would likely draw the attention of states such as California, result in demands for increased immigration assistance from other states, and in a possible lawsuit from Governor Wilson. (You should note that, unlike the case of the smuggled migrants, there is no specific appropriation for this purpose).

On the other hand, this situation is distinguishable: The IEF is

designed to provide funds for states or local governments that assist the Attorney General in the administration of U.S. immigration laws. In this instance, Florida would be assisting the AG in the implementation of a decision made by the federal government.

3. The Attorney General can request assistance from a State or local government in meeting urgent demands where the need for assistance arises from the presence of aliens, and she may provide funding to the state or local government from the IEF without a Presidential determination of an immigration emergency. Under this scenario, the AG can provide a maximum of \$20 million in assistance in any fiscal year. Under this option, it could be announced that the President had discussed with the Attorney General the possibility of providing funds to Florida to assist in the implementation of the decision to parole in the Guantanamo migrants, agreed that exigent circumstances existed, and that the AG should exercise her discretion, in consultation with the Governor, to provide IEF funds to Florida.

ATTACHMENT
FILE NAME

FUND4.DOC

FEDERAL ASSISTANCE FOR REFUGEE (AND CUBAN/HAITIAN)
RESETTLEMENT
FY 94

FY 94 US estimates Grants to Florida

Refugee cash, medical \$225,279,951 \$16,000,000
assistance, State
Administration

Social Services Formula 70,681,700 5,231,221

Targeted assistance
Formula 25,457,300 3,036,839Earmark for Cuban/
Haitian 19,000,000 19,000,000

Special Reprogramming -- 6,000,000

Total \$340,418,951 \$49,268,060

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Brown to Marcia Norman re: EXCOMM Notes (4 pages)	05/08/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
MSMail-Non-Record (Sept 94-Sept 97) ([Scwhartz and Cuba...])
OA/Box Number: 605000

FOLDER TITLE:

[09/27/1994-12/15/1995]

2011-1039-F
rs1857

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

M S M a i l

DATE-TIME 01 June 95 13:37

FROM Baker, Jane E.

CLASSIFICATION UNCLASSIFIED

SUBJECT Subject: RE: Xhatch Due Today [UNCLASSIFIED]

TO Atkin, Timothy J.
Beers, Rand R.
Brown, Dallas
Clarke, Richard A.
Cooper, Kathleen H.
Eddy, Randolph P.
Halperin, Morton H.
Kammerer, Kelly C.
Lennon, John E
Lindsey, Wanda
Longoria, Michael A.
Lorin, Matthew E.
Malley, Robert
Norman, Marcia G.
Rice, Susan E.
Roundtree, Beverly J.
Schwartz, Eric P.
Sheehan, Michael A.
Simon, Steven N.
Tyler, John T.

CARBON_COPY Joshi, M. Kay

TEXT_BODY

22393, Port Au Prince, 5/5 Haiti ExComm Decision on Migrant Policy...

M S M a i l

DATE-TIME 21 September 95 14:03
FROM Brown, Dallas
CLASSIFICATION ~~CONFIDENTIAL~~
SUBJECT Package # 6944 [~~CONFIDENTIAL~~]
TO Letts, Kelly J.
CARBON_COPY NO CC's on THIS MESSAGE

TEXT_BODY

Kelly -- I've made the edits that my "buddy", Peter Bass, wanted made to these documents. Please rebuild the package. There will now be a Tab A -- a packet of newspaper stories that I'll leave in my box there at your desk. I think that the packet now must be called "6944redo" (I've made that change on both documents), and the disk will have to be changed to the new versions of the documents as well. Thanks.

[[6944LAKE.DOC : 3667 in 6944LAKE.DOC]][[6944PRE.DOC : 3668 in 6944PRE.DOC]]

ATTACHMENT
FILE DATE 21 September 95 13:44

ATTACHMENT
FILE NAME 6944LAKE.DOC
~~CONFIDENTIAL~~
6944redo
~~CONFIDENTIAL~~

CLASSIFICATION
CLASSIFICATION

September 22, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE

FROM: DALLAS BROWN

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *M* NARA, Date *9/28/11*

2011-1036-F

SUBJECT: One-Year Anniversary of the Intervention in
Haiti

This week marks the one-year anniversary of the U.S.-led intervention
in Haiti. Attached at Tab I is an information memorandum for the
President which lays out our accomplishments there to date.

Concurrences by: Robert Malley, Fulton Armstrong, Eric Schwartz

RECOMMENDATION

That you sign the memorandum for the President at Tab I.

Attachment
Tab I Memorandum for the President
Tab A Press Clippings -- Good News From Haiti

ATTACHMENT
FILE DATE

21 September 95 13:57

ATTACHMENT
FILE NAME

6944PRE.DOC
~~CONFIDENTIAL~~
6944redo
~~CONFIDENTIAL~~
cc: Vice President
Declassify on: OADR
Chief of Staff

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: One-Year Anniversary of the Intervention
in Haiti

Purpose

To provide you a benchmark update on accomplishments in Haiti.

Information

September 19th marked the one-year anniversary of the U.S.-led intervention in Haiti. (See Haiti "good news" articles at Tab A.) Though the people and Government of Haiti have a long way to go, we have accomplished a great deal there over the past twelve months:

- ù The military triumvirate of Cedras, Biamby and Francois was ejected, and the democratically elected government of President Aristide was returned to power. For ordinary Haitians, a peaceful environment has replaced their fear of daily terror.

- ù The initial intervention was accomplished with only one minor exchange of gunfire, and no loss of life due to hostile action. To date, the U.S. has suffered only one fatality that was operationally related -- the result of a former FAd'H officer pulling a pistol on U.S. soldiers at a busy traffic checkpoint.

- ù The exodus of Haitian migrants, which peaked at more than 3,000 per day in July 1994, has been reduced to a bare trickle.

- ù Under U.S. leadership, donor nations and international financial institutions have pledged more than \$1.2 billion in assistance for Haiti's economic recovery. Statistical economic indicators have climbed steadily over the past twelve months.

- ù The U.S.-led Multinational Force turned over its multi-faceted missions to the United Nations Mission in Haiti (UNMIH) on March 31. Today the UNMIH military component consists of 6,000 troops from eighteen nations, to include 2,400 from the United States.

- ù The Haitian Government has conducted three rounds of national elections that were noteworthy for their lack of

violence and political intimidation. (There were however, reports of administrative irregularities, and voter participation declined from round to round.) A Presidential election will be conducted in November 1995, and a new President will be inaugurated in February 1996.

- ù The brutal FAd'H has been dismantled completely and a new

civilian police force is being trained with U.S. assistance and deployed to the field under the guidance and supervision of international police monitors. The candidates for the new Haitian National Police are being trained in professional ethics, human rights and the rule of law. U.S.-led programs to educate and empower the members of the Haitian judiciary are well underway.

ù USAID programs in democracy and governance, medicine, education, agriculture, soil conservation, jobs training and tree planting have been established or expanded in Port-au-Prince and throughout the Haitian countryside.

In short, the U.S.-led intervention in Haiti has provided a return to normalcy for the Haitian people, and given them the opportunity to rebuild their society and to re-establish their democratic traditions. A great deal of work remains to be done, but the situation is vastly improved today over what it was at the time of the intervention a year ago.

I will be traveling to Haiti with a small State-AID-DOD team at the end of this week. I will use this day-and-a-half trip to review the current situation with President Aristide, spend time with our military personnel and see first-hand AID's efforts to help improve the daily lives of the Haitian people. I will convey your strong view that we must continue to make progress as we look forward to the Presidential election in November, the inauguration of a new President in February 1996, and the withdrawal of the UNMIH military component.

Attachment

Tab A Press Clippings -- Good News From Haiti

M S M a i l

DATE-TIME 28 September 95 09:51
FROM Hale, John E.
CLASSIFICATION UNCLASSIFIED
SUBJECT Scanned Document[UNCLASSIFIED]
TO Letts, Kelly J.
CARBON_COPY Schwartz, Eric P.
TEXT_BODY [[JOB15.DOC : 2346 in JOB15.DOC]]

ATTACHMENT FILE DATE 28 September 95 9:49
ATTACHMENT FILE NAME JOB15.DOC
 Presidential Determination No.

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination of FY 1996 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectivele, of the Immigration and Nationality Act'. and De@termination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended

In accordance with Section 207 of the Immigration and Nationality Act ("the Act") (8 U.S.C. 1157), as amended, and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 90,000 refugees to the United States during FY 1996 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be

und
 erstood as including persons admitted to
 the United States during FY 1996 with Federal refugee resettlement assistance
 under
 the Amerasian immigrant admissions
 program, as provided below.

The 90,000 funded admissions shall be allocated among refugees of special
 humanitarian
 concern to the United States as
 described in the documentation presented to the Congress during the
 consultations that
 preceded this determination and in
 accordance with the following regional allocations; provided, however, that the
 number
 allocated to the East Asia region shall
 include persons admitted to the United States during FY 1996 with Federal
 refugee
 resettlement assistance under Section 584
 of the Foreign Operations, Export Financing, and Related Programs
 Appropriations Act
 of 1988, as contained in Section 101(e)
 of Public Law 100-202 (Amerasian immigrants and their family members);
 provided

2

further that the number allocated to the former Soviet Union shall include persons
 admitted who were nationals of the former Soviet Union, or in the case of
 persons having no nationality, who were habitual
 residents of the former Soviet Union, prior to
 September 2, 1991:

Africa 7,000
 East Asia 25,000
 Former Soviet Union/Eastern Europe 45,000
 Latin America/Caribbean 6,000
 Near East/South Asia 4,000
 Unallocated Reserve 3,000

The 3,000 unallocated numbers shall be allocated as needed. Unused admissions
 numbers
 allocated to a particular region within the 90,000 ceiling may be
 transferred to one or more other regions if there is an overriding need for greater
 numbers for the region or regions to which the numbers are being
 transferred. You are hereby authorized and directed to consult with the Judiciary
 Committees of the Congress prior to any such use of the unallocated
 numbers or reallocation of numbers from one region to another.

Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(b)(2), I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the over seas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

An additional 10,000 refugee admissions numbers shall be made available during FY 1996 for the adjustment to permanent-resident status under Section 209(b) of the Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under Section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest. 8,131 aliens were granted asylum during FY 1994 under Section 208 of the Act.

-3-

In accordance with Section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)) and after appropriate consultation with the Congress, I also specify that, for FY 1996, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

a. Persons in Vietnam

b. Persons in Cuba

C. Persons in the former Soviet Union

You are authorized and directed to report this Determination to the Congress immediately and to publish it in the Federal Register.

cc: The Attorney General
The Secretary of Health and Human Services

M S M a i l

DATE-TIME 13 November 95 16:20
FROM Verville, Elizabeth G.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Cuban migrant update [UNCLASSIFIED]
TO Schwartz, Eric P.
CARBON_COPY NO CC's on THIS MESSAGE

TEXT_BODY

Don't send them to Elbow Key!

From: Wooton, Kevin B.

To: @CUBA - Cuban Affairs; @GLOBAL - Global Affairs

CC: /R, Record at A1; Harmon, Joyce A.; @SDO-WHSR Senior Duty Officers

Subject: Cuban migrant update [UNCLASSIFIED]

Date: Friday, November 10, 1995 04:26 PM

According to Coast Guard Operations, nine Cuban migrants who had been aboard

a crippled small boat, were picked up in the Bahama Channel by the Belize-flagged M/V Clay. They will rendezvous with a USCG cutter tomorrow. INS will be aboard.

M S M a i l

DATE-TIME 06 December 95 16:44
FROM Clarke, Richard A.
CLASSIFICATION UNCLASSIFIED
SUBJECT DR and Haiti [UNCLASSIFIED]
TO Schwartz, Eric P.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY Let's talk about a Berger-Reno meeting on DR and Haitian migration. RAC

M S M a i l

DATE-TIME 07 December 95 09:21
FROM Clarke, Richard A.
CLASSIFICATION ~~CONFIDENTIAL~~
SUBJECT FW: Meeting on Haiti Migrants [~~CONFIDENTIAL~~]
TO Schwartz, Eric P.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

From: Cicio, Kristen K.
To: Clarke, Richard A.
CC: /R, Record at A1; @NSA - Nat'l Security Advisor; @GLOBAL - Global Affairs
Subject: Meeting on Haiti Migrants [~~CONFIDENTIAL~~]
Date: Wednesday, December 06, 1995 06:29 PM

Dick,

Sandy asks that I work with you on setting up a "small meeting on Haitian & Dominican migrants" with the AG, Coast Guard, you, Eric and someone from State.

I will be in late on Thursday and call you about it.

Thx,

Kris

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By ms NARA, Date 3/28/16
201-1034-F

M S M a i l

DATE-TIME 12 December 95 10:44

FROM Clarke, Richard A.

CLASSIFICATION UNCLASSIFIED

SUBJECT Haiti Excomm Agenda [UNCLASSIFIED]

TO Beers, Rand R.
Brown, Dallas
Clarke, Richard A.
Daadler, Ivo H.
Eddy, Randolph P.
Eisenhower, James J.
Letts, Kelly J.
Lindsey, Wanda
Rice, Susan E.
Roundtree, Beverly J.
Schwartz, Eric P.
Sheehan, Michael A.
Simon, Steven N.
Verville, Elizabeth G.

CARBON_COPY NO CC's on THIS MESSAGE

TEXT_BODY

1. Intel Report: Assessment of the Elections and Immediate Aftermath
2. Elections: Security, US Observers, Predictions, US Statements
NSC/STATE
3. Police: Status of IPSF Merger
STATE/DOJ
4. Post UNMIH: Status of talks with UN, Troop Contributors, Plans
for talks
with Pres-Elect
STATE/DOD
5. Migration: Results of Efforts to stop alien smuggling
NSC/STATE

6. Other Business

- A. The DR3
- B. The SIU
- C. Other

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Brown to Letts re: Haiti SOC (3 pages)	12/15/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
MSMail-Non-Record (Sept 94-Sept 97) ([Scwhartz and Cuba...])
OA/Box Number: 605000

FOLDER TITLE:

[09/27/1994-12/15/1995]

2011-1039-F
rs1857

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]