

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Gayle Smith to Eric Schwartz re: FW: CPIWG (3 pages)	02/29/2000	P1/b(1)
002. email	Mona Sutphen to Roderick vonLipsey and Schwartz re: Foreign Policy Breakfast: Contingency Planning (4 pages)	03/15/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Scwhartz and Cuba...])
OA/Box Number: 620000

FOLDER TITLE:

[12/07/1999-05/03/2000]

2011-1039-F

rs1860

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]

Exchange Mail

DATE-TIME 12/7/99 6:40:20 PM
FROM Busby, Scott W. (MULTI)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 12/07/1999
DECLASSIFYON 12/07/2009
SUBJECT Update on Cuban Case [~~CONFIDENTIAL~~]
TO Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
Patterson, Pamela L. (NSA)
Rudman, Mara E. (NSA)
Sargeant, Stephen T. (EXSEC)
Scott-Perez, Marilyn L. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)

CARBON_COPY
Armstrong, Fulton T. (INTERAM)
Avery, Dale R. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Busby, Scott W. (MULTI)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Hill, Roseanne M. (MULTI)
Kale, Dora A. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By NI NARA, Date 3/28/16
201-1039-F

Fallin, James (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Huff, Lindsey E. (PRESS)
Leavy, David C. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

TEXT_BODY

Please pass to Jim.

Cleared by Mary DeRosa

Jim --

Here's
what we learned/agreed upon at today's SVTS on the case of the Cuban
child:

1. INS is prepared to initiate the process of verifying
the father's relationship to the child. It intends to do so by sending
a letter to the father to request relevant information and documentation
(proof of paternity, documents relating to marital status, etc.).
It was agreed that it would be ideal if such a letter could be sent
out by COB today, although Justice reserved as to whether that would
be possible. (Right now, it looks like the letter will not go until
tomorrow.)

Justice/INS also believes that an interview with the
father is necessary. Justice is going to consider where and how
it would be best to carry out this interview.

2. Once Justice
has the necessary information, it will make a decision as to whether
it will continue the child on parole status, allow the child to withdraw
his request for admission, or refer the case to an immigration judge.
Justice suggested that it had relatively broad discretion in making
this decision. However, it indicated that should the father's status
be verified, there would be a strong presumption in favor of returning
the child to Cuba.

3. It was agreed that we would seek to issue
a statement before COB today that, among other things, would clarify
in general terms the DoJ process for resolving the child's fate.
(You have seen.)

4. It was also agreed that once Justice has
the final text of a letter to the father, we would demarche the GOC
to let them know how we intend to proceed with a determination in
the case.

5. The GOC demarched us this morning to request immediate return of the hijacked vessel interdicted yesterday and the migrants aboard it. After interviews with all those migrants who requested them, the INS has determined that all 8 migrants should be returned to Cuba. We will be informing the GOC of this result this evening and arrangements for the return of the migrants and vessel will be made. This will occur in the next couple of days. This should help to rebut any claim by the GOC that we are not complying with the terms of the migration accords and to defuse some of the tension around the child's case.

6. The Castro government has called for a major demonstration outside the U.S. Interests Section this evening.

Scott

Exchange Mail

DATE-TIME 12/8/99 7:42:47 AM

FROM Busby, Scott W. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: Hijacked Boat Return Delayed; Four More Cubans Found at Sea
[UNCLASSIFIED]

TO Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
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Sutphen, Mona K. (NSA)

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Hill, Roseanne M. (MULTI)
Kale, Dora A. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Armstrong, Fulton T. (INTERAM)
Avery, Dale R. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

TEXT_BODY Please pass to Jim.

Jim --

Please note the attached update
on the fate of the eight migrants involved in the boat that was hijacked.
We will get more details this a.m.

Scott

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

From: Ehrendreich,

Joel (WHSR)

Sent: Tuesday, December 07, 1999 11:38 PM

To: @INTERAM

- Inter-American; @PRESS - Public Affairs; Busby, Scott W. (MULTI)

Cc: @WHSR

- WH Situation Room

Subject: Hijacked Boat Return Delayed; Four
More Cubans Found at Sea [UNCLASSIFIED]

Importance: High

The

Coast Guard Command Center (Ensign Phillips) called to report two
separate, but related, Cuban migrant incidents:

1) In an update

of yesterday's hijacked boat case: while originally the eight Cubans
were to be repatriated along with the vessel to Cuba, this afternoon
the U.S. attorney in Miami decided he would like more time to review
the case so it has been put on hold for the time being. Tomorrow
at 1500 a PPD 27 will be held to determine the disposition of the
vessel and Cubans. The CG ship Thetis is transferring the eight
Cubans on board to the cutter Sapelo (no specific time available).

2)

While at sea with the eight Cubans, at 2100 EST Tuesday the Thetis
came upon another 20-foot vessel found dead in the water approximately
40 miles south of Key West. The boat carried four people: a husband
and wife, their infant child, and another male adult. The child
is an Amcit; the other three were already in the process of applying
for U.S. citizenship. The three adults are also documented Alpha-66
(a Cuban-American group that supports the overthrow of the Cuban
government) members. Since the Thetis was out there already, it
had an APSO on board so he began a preliminary questionnaire; however,
the FBI requested that it not be conducted until counter-terrorist
agents could be brought on board. The Thetis is scheduled to pull
into Key West around 1100 EST Wednesday, when it will transfer the
four to FBI and INS officials.

Exchange Mail

DATE-TIME 12/8/99 6:15:13 PM
FROM Busby, Scott W. (MULTI)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 12/08/1999
DECLASSIFYON 12/08/2009
SUBJECT Cuban update [~~CONFIDENTIAL~~]

TO Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
Patterson, Pamela L. (NSA)
Rudman, Mara E. (NSA)
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Armstrong, Fulton T. (INTERAM)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By mi NARA, Date 3/24/16
201-1031-F

Valenzuela, Arturo A. (INTERAM)

TEXT_BODY

Please pass to Jim.

Jim --

1. Per our discussion, I stressed to DoJ the importance of clarifying its procedures for the consideration of interests other than those of the father. DoJ has not developed this part of the process yet but will be doing so very soon. I emphasized the urgency of doing so.

2. DoJ is still deliberating on what it would like to do with the 8 Cuban migrants who were aboard the hijacked vessel. NSC Legal has relayed our views on the importance of making a decision as quickly as possible and the significant foreign policy consequences of a decision not to return these individuals to Cuba. We expect that DoJ will make a decision tonight.

3. DoJ has finalized the letter that will be sent to the father. It will go this evening. A demarche to the Government of Cuba will follow soon thereafter.

Scott

Exchange Mail

DATE-TIME 12/9/99 10:48:30 AM
FROM Busby, Scott W. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT Modified Cuban boy guidance [UNCLASSIFIED]
TO Fallin, James (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERAM)
Huff, Lindsey E. (PRESS)
Leavy, David C. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Busby, Scott W. (MULTI)
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Hill, Roseanne M. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
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Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

TEXT_BODY

Arturo/Mary -- Please relay any changes directly to Press.
Changes have been blessed by DoJ and State.

TRANSLATED_ATTACHMENT

CUBAN BOY AND MIGRATION INCIDENT.doc

CUBAN BOY AND MIGRATION INCIDENT

December 9, 1999

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

Separately, the U.S. Coast Guard on Monday interdicted a private Cuban vessel holding 8 Cuban nationals as it entered U.S. waters. The U.S. Coast Guard was notified of the incident by the Cuban border guard. Two of the Cubans aboard the vessel are members of the Cuban navy. It appears that six of the individuals took the two Cuban officials hostage and took control of the boat. The Cuban individuals are currently aboard a Coast Guard cutter and the vessel is in tow. The Department of Justice has evaluated the case and determined that all 8 migrants should be returned to Cuba. Consistent with standard operating procedures, Coast Guard will effect that return today.

How does the USG intend to resolve the case of Elian Gonzalez?

* As in the case of any unaccompanied minor who arrives on U.S. shores, our primary concern is for the child.

* As the President indicated yesterday, we will not act on the basis of ultimatums or politics. A decision on the child's case will be made consistent with our laws and procedures.

* INS is attempting to contact by letter the putative father of the boy to

explain the process by which it will evaluate his rights in this case.

* A key issue will be determining the child's immigration wishes, including the right of the father to speak on behalf of the child. INS will consider all relevant evidence in making this determination.

* We expect the Government of Cuba to fulfill its obligation to protect international diplomatic missions and their personnel. We would hold the Cuban government responsible for any harm to U.S. citizens or damages to our Interests Section that may come from the public protests called for by the Cuban government.

Is it true that U.S. has decided to send the boy back to Cuba?

* No. There is a legal process here. The INS is in the throes of collecting the necessary information to make a decision in this case consistent with our laws and procedures. No decision has been made.

Can you confirm that an asylum claim has been filed on the child's behalf as reported in today's New York Times?

* No. Refer you to INS.

Did the U.S. violate the migration accords with Cuba by bringing the child into the U.S.?

* No. This boy was in serious physical distress when he was turned over to the U.S. Coast Guard just off the Florida coast. The Coast Guard determined that he was in need of urgent medical treatment. As in similar cases, he was brought into the U.S. for that purpose.

What does the U.S. intend to do with the hijacked vessel and the eight migrants aboard it currently in the custody of the Coast Guard?

* The Department of Justice has investigated the matter and a decision was made

that the individuals and the vessel should be returned to Cuba. The Coast Guard effected that return this morning.

* This incident shows the virtue of our cooperation with Cuba in the context of the migration accords.

* We continue to be committed to the migration accords and the goal of facilitating migration from Cuba that is safe, legal and orderly.

E x c h a n g e M a i l

DATE-TIME 12/13/1999 2:23:56 PM

FROM Busby, Scott W. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: Further revisions to guidance on Cuban boy [UNCLASSIFIED]

TO Fallin, James (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Huff, Lindsey E. (PRESS)
Leavy, David C. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Joshlyn, Gay L. (ADMIN)
Krass, Caroline D. (LEGAL)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Busby, Scott W. (MULTI)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Hill, Roseanne M. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)

TEXT_BODY A few more revisions to guidance on the boy, per interagency agreement.

-----Original

Message-----

From: Busby, Scott W. (MULTI)

Sent: Monday, December
13, 1999 11:31 AM

To: @PRESS - Public Affairs

Cc: @INTERAM - Inter-American;

@LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs;

@MULTILAT

- Multilateral and Humanitarian Affairs

Subject: Further guidance

on Cuban migration [UNCLASSIFIED]

Press -- Please use this
for Joe's briefing.

Mary/Caryn -- This is based on further State
guidance. Please relay any changes directly to Press.

TRANSLATED_ATTACHMENT

Cuba guidance 12 13 99.doc

Cuban Boy and Migration Talks

December 13, 1999

Context: Elian Gonzalez case. The bi-annual Cuban migration talks
relating to
the implementation of migration accords reached in 1994 and 1995
are taking place
today.

Did the USG interview the father of Elian Gonzalez this morning?

* Yes, early this morning, two USG officials -- the INS Officer in
Charge and a
political officer from the Interests Section -- traveled to the father's
home in
Cardenas and met with the father.

* The purpose of the interview was to receive documentation from
Mr. Gonzalez
certifying that he is the boy's father, that he has parental authority over

Elian, and to find out directly from the father his wishes for Elian.

* The interview is an important first step but by no means completes
the
decision-making process. Any further questions about the process
should be

directed to INS.

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

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

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

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

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

What is the status of the biannual migration talks occurring today?

* These biannual talks began today and are expected to continue through the late afternoon.

* As with past such sessions, we will be reviewing a wide range of issues relating to the implementation of the migration accords.

As detailed in today's Washington Post, aren't these migration accords a failure?

* No. Quite to the contrary, since the accords in 1994 and 1995, the amount of illegal migration to the U.S. from Cuba has decreased significantly.

* The accords have enabled us to make substantial progress in channeling migration from Cuba into safe, legal and orderly channels.

Exchange Mail

DATE-TIME 12/13/1999 7:41:18 PM
FROM Busby, Scott W. (MULTI)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 12/13/1999
DECLASSIFYON 12/13/2009
SUBJECT RE: PCKG 8511 - Cuba -- NEED TO UPDATE MEMO
[~~CONFIDENTIAL~~]
TO Bartlett, L. June (EXSEC)

CARBON_COPY Busby, Scott W. (MULTI)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Hill, Roseanne M. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Bartlett, L. June (EXSEC)
Bradtke, Robert A. (EXSEC)
Gire, Cynthia L. (EXSEC)
Gray, Wendy E. (NSA)
Hilliard, Brenda I. (EXSEC)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Powell, Elliott (WHSR/EXSEC)
Sargeant, Stephen T. (EXSEC)
Wasserman, Elaine P. (EXSEC)
Williams, Mary C. (ADMIN)
Sutphen, Mona K. (NSA)

TEXT_BODY
June -- SRB's instruction to me was to incorporate the substance of this memo into a new memo on the Cuban boy. This required such substantial changes that I am killing this original memo. The new memo will be coming up to you in the next few minutes. Scott

-----Original

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By W NARA, Date 3/28/16
211-1024-2

Message-----

From: Bartlett, L. June (EXSEC)

Sent: Monday, December

13, 1999 12:48 PM

To: Busby, Scott W. (MULTI)

Cc: @MULTILAT -

Multilateral and Humanitarian Affairs; @EXECSEC - Executive Secretary;

Sutphen, Mona K. (NSA)

Subject: PCKG 8511 - Cuba -- NEED TO UPDATE

MEMO [CONFIDENTIAL]

Importance: High

Scott,

Your package on

Cuban Migration Policy has been returned from upstairs. Mr. Berger wrote a note: "Need to fold this into update on "Cuba Boy." The November 19 cover memorandum has double red dots, so would appreciate

a quick turnaround for the revision. I will send the package back to you in the next mail run. Below for your convenience is a copy of the current version.

June

<< File: Cuban migration policy

BERGER memo.doc >> << File: Cuban migration policy POTUS memo.doc

>>

Exchange Mail

DATE-TIME 12/31/1999 8:34:09 PM
FROM Sutliff, Deana R. (WHSR)
CLASSIFICATION UNCLASSIFIED
SUBJECT Cuban Migrants Located [UNCLASSIFIED]

TO Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Busby, Scott W. (MULTI)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Hill, Roseanne M. (MULTI)
Kale, Dora A. (MULTI)
Mclean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)

CARBON_COPY

TEXT_BODY Coast Guard called:

--Two Cuban males on raft interdicted by Coast
Guard Station Key West small boat 5 nautical miles south of Key West.
Transferred to CG Cutter Padre Island. Interviews in progress.

--Telex
from Cuban Border Guard notified Coast Guard that 7 males, 2 females
on raft 20 miles north of La Cabana, Cuba. HU-25 Guardian Aircraft
located raft and CG Cutter Padre Island picked up nine Cubans. Interviews
in progress.

Exchange Mail

DATE-TIME 01/02/2000 10:01:54 PM

FROM Bayley, Douglas C. (WHSR)

CLASSIFICATION UNCLASSIFIED

SUBJECT RE: Disposition of Haitian Migrants [UNCLASSIFIED]

TO Busby, Scott W. (MULTI)
Aguilo, Miguel A. (WHSR)
Bayley, Douglas C. (WHSR)
Blackburn, John (WHSR)
Bresnahan, Gary E. (WHSR/STP)
Broadwick, Bonnie . (WHSR)
Cheramie, Don E. (WHSR)
Crowder, Stevan D. (WHSR/STP)
Ehrendreich, Joel (WHSR)
Erdahl, Douglas M. (WHSR)
Ford, Robert G. (WHSR)
Fuchs, Joachim D. (WHSR)
Jansen, Christian P. (WHSR)
Jarosinski, Frank J. (WHSR)
Laskowski, Gregory J. (WHSR)
Manning, Michael T. (WHSR)
McGee, Jenny A. (WHSR)
Merletti, Roger D. (WHSR)
Payne, Raymond H. (WHSR/STP)
Porterfield Patrick C. (WHSR)
Powell, Elliott (WHSR/EXSEC)
Reyes, David (WHSR)
Rickard, Robin S. (WHSR)
Rogers, Elizabeth B. (WHSR)
Schrader, Joel M. (WHSR)
Sibley, Matthew W. (WHSR)
Sigler, Ralph H. (WHSR)
Smith, James A. (WHSR)
Sutliff, Deana R. (WHSR)
Swarm, Amy L. (WHSR)
Tarver, J. Sean (WHSR)
Williams, Robert S. (WHSR)

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Kale, Dora A. (MULTI)
Mclean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Benjamin, Daniel (TNT)
Clarke, Richard A. (TNT)
Cressey, Roger W. (TNT)
Gordon-Hagerty, Lisa E. (TNT)
Green, Charles A. (TNT)
Hunker, Jeffrey A. (TNT)
Kurtz, Paul B. (TNT)
Liberatore, Joseph W. (TNT/INTERN)
Lieberson, Donna P. (TNT)
Montgomery, Mark C. (TNT)
Noss, Heather L. (TNT/INTERN)
Robinson, Jack A. (TNT)
Rosa, Frederick M. (TNT)
Roundtree, Beverly (TNT)
Barnett, Cheryl E. (RUE)
Huso, Ravic R. (ASIA)
Keith, James R. (ASIA)
Lieberthal, Kenneth G. (ASIA)
Pritchard, Charles (Jack) L. (ASIA)
Williams, Mary C. (ADMIN)
Bartlett, L. June (EXSEC)
Bradtke, Robert A. (EXSEC)
Gire, Cynthia L. (EXSEC)
Gray, Wendy E. (NSA)
Hilliard, Brenda I. (EXSEC)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Powell, Elliott (WHSR/EXSEC)
Sargeant, Stephen T. (EXSEC)
Wasserman, Elaine P. (EXSEC)
Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)

Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
Patterson, Pamela L. (NSA)
Rudman, Mara E. (NSA)
Sargeant, Stephen T. (EXSEC)
Scott-Perez, Marilyn L. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)

TEXT_BODY

faxed to SRB residence. copies placed in morning readbooks for JS and Rudman.

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

From: Busby, Scott W.

(MULTI)

Sent: Sunday, January 02, 2000 8:01 PM

To: @WHSR - WH

Situation Room

Cc: @INTERAM - Inter-American; @LEGISLAT - Legislative Affairs; @MULTILAT - Multilateral and Humanitarian Affairs; @TRANSNATIONAL

- Transnational Threats; @ASIA - Asian Affairs

Subject: Disposition

of Haitian Migrants [UNCLASSIFIED]

WHSR -- Please relay the following message to SRB this evening by fax. Thanks.

Sandy --

The Coast

Guard and INS determined this afternoon that the vessel that ran aground off Key Biscayne originated in Haiti. The interagency subsequently concluded, consistent with SOP, that the migrants should be returned to Haiti. Two Coast Guard cutters will begin the return journey this evening. The trip takes approximately 36 hours, so they should arrive early Tuesday morning. 409 migrants in all (381 Haitians, 16 Dominicans and 2 PRC nationals) will be returned.

Two Haitian

migrants were "medivaced" to U.S. soil with urgent medical problems and will not be returned with the group. Instead, once their medical problems have been addressed, they will be placed into the regular immigration removal process.

We will be applying our usual procedures aboard the ships to ensure that any migrant who asserts a fear of return has his or her claim considered.

A demonstration of several

hundred people, including Rep. Carrie Meek, occurred again this afternoon outside the Coast Guard station in Miami. Before that, Meek spoke with Doris Meissner. INS reports that this helped defuse tensions. Doris agreed to a couple of suggestions made by Meek, including a recommendation to send a Haitian-American INS officer to the vessels to evaluate the condition of the migrants and report back to Meek. That happened this evening.

I am working with the interagency
on a coordinated public affairs strategy.

Scott

Exchange Mail

DATE-TIME 01/03/2000 11:48:07 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT Haitian Vessel [UNCLASSIFIED]
TO Fallin, James (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Huff, Lindsey E. (PRESS)
Joshlyn, Gay L. (ADMIN)
Leavy, David C. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Busby, Scott W. (MULTI)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
Mclean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)

TEXT_BODY Attached is press guidance regarding the Haitian vessel that ran aground off the coast of Florida this weekend.

I apologize for the delay in sending this to you. Today is my second day as the new Scott Busby, and I only received access to the computer system this morning around 10:15.

I worked with Scott in developing the attached guidance, much of which is derived from previously cleared interagency guidance (INS). If anyone has comments, please send them directly to @PRESS.

thanks -- WLP

TRANSLATED_ATTACHMENT

Haitian Vessel.doc
Haitian Vessel
January 3, 2000

Context: The Coast Guard and INS have determined that the vessel that ran aground off Key Biscayne, Florida on Saturday originated in Haiti. Consistent with standard operating procedures, the migrants are being returned to Haiti and should arrive early Tuesday morning. A total of 407 migrants (389 Haitians, 16 Dominicans, and 2 PRC nationals) will be returned. Four migrants were evacuated to U.S. soil for treatment of urgent medical problems.

What will happen to the migrants on the vessel?

* Consistent with U.S. law and practice, the Coast Guard is returning the migrants to Haiti, the country from which they departed.

What are you doing to ensure that any refugees in the group are protected?

* The USG is implementing its usual procedures to ensure that any migrant with a fear of persecution has an opportunity to have his or her claim heard prior to return.

Isn't your treatment of the Haitians discriminatory when compared to your treatment of a Cuban migrant such as Elian Gonzalez?

* No. Any migrant who attempts to come to the United States illegally by boat is subject to interdiction and return.

* Elian Gonzalez was brought into the United States for urgent medical treatment, as were four of the migrants on the vessel from Haiti.

[Only if asked]

Aren't the refugee protection procedures for Cubans and Chinese more thorough than those for Haitians?

* The U.S. government applies screening procedures appropriate to the countries from which individuals are fleeing. Unlike Cuba and the Peoples' Republic of China, Haiti has a democratically elected government. Individuals from countries with oppressive governments are more thoroughly screened than are those from democratic societies.

1

2

Exchange Mail

DATE-TIME 02/07/2000 9:20:40 AM
FROM Tavlarides, Mark J. (LEGIS)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 02/06/2000
DECLASSIFYON 02/06/2010
SUBJECT FW: Response to Gilman letter on Haiti [~~CONFIDENTIAL~~]
TO Hollis, Caryn C. (INTERAM)

CARBON_COPY

Lackey, Miles M. (LEGIS)
Rosa, Frederick M. (TNT)
Patten, Wendy L. (MULTI)
Duncan, John D. (INTECON/DOS)
Tavlarides, Mark J. (LEGIS)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Fallin, James (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Huff, Lindsey E. (PRESS)
Leavy, David C. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By M NARA, Date 3/26/16
201-1034-F

Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

TEXT_BODY

Clear with track changes. Would like to clear the rest of the package as well. Since the letter is long, SRB should sign.

-----Original

Message-----

From: Hollis, Caryn C. (INTERAM)

Sent: Sunday, February

06, 2000 3:47 PM

To: Lackey, Miles M. (LEGIS); Rosa, Frederick M. (TNT); Patten, Wendy L. (MULTI); Duncan, John D. (INTECON/DOS);

Tavlarides, Mark J. (LEGIS)

Cc: @INTERAM - Inter-American; @LEGAL

- Legal Advisor; @PRESS - Public Affairs; @MULTILAT - Multilateral

and Humanitarian Affairs; @LEGISLAT - Legislative Affairs

Subject: Response

to Gilman letter on Haiti [CONFIDENTIAL]

All,

Attached is a

draft response to the Gilman letter. Much overdue. At a meeting hosted by Strobe Talbot on Friday it was debated whether the President

or MKA should sign. Tony Lake said it was the most positive letter we have ever had from the Hill on this topic and weighed in for the President to sign. If we make that recommendation I need to point out that this draft lays down the marker that Haiti is a "significant national security" interest and that we need a bipartisan approach. I have written it for SRB signature. your thoughts please.

We

have promised this to the Hill this week. Will need your clearances ASAP. Will be sending the final package later this week but want an internal chop before I let this out of the building. Thanks.
caryn

TRANSLATED_ATTACHMENT

0267Haiti response1.doc

Dear Mr. Chairman:

Thank you for your letter to the President concerning Haiti I welcome your offer

to forge a partnership between the Administration and Congress to promote our significant national security interests in Haiti. Your offer comes at a particularly sensitive time in Haiti's political development when a bipartisan approach will generate the most positive outcome for U.S. initiatives. I look forward to close and frequent consultations with you and your colleagues on ways to best promote U.S. interests in Haiti.

I share your desire for free, fair, and non-violent elections in Haiti. The Administration is committed to facilitating Haiti's electoral process and believes that progress has taken place, but much remains to be done. Preparations for the March and April contests are proceeding, albeit with some delays. Voter registration got off to a rocky start with some confusion, but minimal violence. There were isolated incidents of criminal and politically inspired violence. Nevertheless, over 400,000 Haitians across the country registered to vote in the first two weeks. A monumental accomplishment that demonstrates widespread popular support for the elections.

We agree that it is the responsibility of the government of Haiti, the Provisional Electoral Council (CEP), and the political parties to create an atmosphere that promotes non-violent discourse and debate. The Haitian National Police (HNP) also must be adequately prepared to provide a secure environment for

the election period. The United States is providing \$20 million to

support
local and legislative elections, including \$2.3 million for HNP
security
equipment. But, we need to do more. In order to maintain popular
confidence in
the electoral process, neutral oversight of voter registration,
campaigning, and
polling is essential. The Organization of American States (OAS) is
prepared to
finance approximately 100 international observers as well as serve as
the
umbrella for various national delegations. It is critical to get these
monitors
on the ground early in order to establish effective oversight. I
welcome any
assistance you can provide in ensuring that the hold on OAS funding
for this
critical mission is lifted.

The Administration is equally committed to developing the civil
sector and
political institutions that form the bedrock of a democratic society.
Our
election assistance supports the development of an educated voter
pool by
establishing voter information centers, financing candidate debates,
providing
funding for radio campaign programming, printing party platforms,
and training
poll watchers from the political parties. This aid is available to all
political

parties that agree to sign the CEP Code of Ethics. So far, Fanmi
Lavalas and a
few independents have signed the Code of Ethics, and we are working
hard to
obtain the commitment of the other parties. Here again, you could be
extremely
helpful in reinforcing this message in any interaction you may have
with Haitian
political leaders.

Security is a persistent challenge to progress on many fronts in Haiti.
The role

of the HNP is critical to the establishment of a safe and secure
environment
throughout the country. The force is small, inexperienced, and under
equipped
for a task so great. Nonetheless, our commitment to a professional,

apolitical

HNP remains steadfast. During this transition period with the departure of the

U.S. military Support Group and the end of the United Nations Support Mission in

Haiti, it is important that the Haitian people know that the international

community remains engaged. We are working with the United Nations to create the

new International Civilian Mission. This important new organization will be made

up of over 100 monitors to continue oversight of police, judicial reform, and

human rights progress. Through the New Horizons program, the U.S. Armed Forces

will continue to engage in humanitarian and civic action projects throughout

rural communities in Haiti. In combination these missions will demonstrate a

continuing international commitment, and contribute to the security and

prosperity of Haiti.

I share your concern about the increasing flow of illicit drugs transiting Haiti

en route to the United States. We have begun an active interagency review of the

programs available to address the changing patterns of cocaine trafficking that

take advantage of Haiti's location and vulnerability. We have initiated discussions with the government of Haiti about increasing cooperation in such

areas as interdicting air transit, cooperative operations with the Drug Enforcement Administration, investigating money laundering, and extradition.

As you recall, the United States had a repatriation agreement with Haiti that the

government of Haiti allowed to lapse. Through informal arrangements, we have

continued the process of repatriation of migrants who are interdicted at sea.

After the elections seat a new parliament, we will be better positioned to

explore possibilities for a formal agreement.

Once the parliament is in place, we also see movement on the

economic front as possible. This will free international support funding and permit the privatization of inefficient state owned industries. Revitalization of the economy is of utmost importance for the future of Haiti. We will take under consideration the possibility of sponsoring an economic development fund to promote U.S. investment in Haiti. Sustained economic growth through programs that generate employment and promote agricultural development are the long term solution to Haiti's desperate poverty.

Our objectives in Haiti are clear--free, fair, and secure elections, and the establishment of a functioning parliament that facilitates the furtherance of democracy and economic growth in Haiti. This is what the long suffering Haitian people deserve.

Again, thank you for your letter. I look forward to working with you on key initiatives to promote and protect U.S. interests in Haiti.

Sincerely,

Samuel R. Berger
Assistant to the President
for National Security Affairs

[Title/Senate/House in Initial Caps]
[Organization/Position - Initial Caps]
[Address - Initial Caps]

Exchange Mail

DATE-TIME 02/07/2000 6:55:24 PM

FROM Hollis, Caryn C. (INTERAM)

CLASSIFICATION UNCLASSIFIED

SUBJECT Gilman Letter [UNCLASSIFIED]

TO Rosa, Frederick M. (TNT)
Gobush, Matthew N. (PRESS)
Tavlarides, Mark J. (LEGIS)
DeRosa, Mary B. (LEGAL)
Patten, Wendy L. (MULTI)
Duncan, John D. (INTECON/DOS)

CARBON_COPY Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Fallin, James (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Huff, Lindsey E. (PRESS)
Leavy, David C. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Clarke, Richard A. (TNT)
Cressey, Roger W. (TNT)
Gordon-Hagerty, Lisa E. (TNT)

Green, Charles A. (TNT)
Hunker, Jeffrey A. (TNT)
Kurtz, Paul B. (TNT)
Liberatore, Joseph W. (TNT/INTERN)
Lieberson, Donna P. (TNT)
Montgomery, Mark C. (TNT)
Mulligan, George D. (TNT)
Noss, Heather L. (TNT/INTERN)
Robinson, Jack A. (TNT)
Rosa, Frederick M. (TNT)
Roundtree, Beverly (TNT)
Bruns, Judson L. (Jay) (INTECON)
Duncan, John D. (INTECON/DOS)
Goldberg, David B. (INTECON/INTERN)
Hendricks, Lori A. (INTECON)
Lee, Malcolm R. (NEC)
Mitsler, Elaine M. (INTECON)
Samans, Richard (NEC)
Smith, Holly M. (INTECON/INTERN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

TEXT_BODY

All,
Attached is the package responding to Gilman and five others.
The letter has changed since this morning, so please review again.
Thanks, caryn

TRANSLATED_ATTACHMENT

0267 SRB.doc

February 8, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ARTURO A. VALENZUELA

FROM: CARYN C. HOLLIS

SUBJECT: Reply to Letter from Representative Gilman and Five
Other Members of
Congress Regarding Haiti

Representative Benjamin A. Gilman (R-NY) and five other Members

of Congress wrote

to the President requesting a reassessment of U.S. efforts in Haiti and proposing

a partnership between Congress and the Administration on future initiatives. The

letter details eight areas of interest that are crucial for U.S. interests in Haiti. It also establishes that after credible elections they are committed to work on further programs to promote democratic and economic development in Haiti.

Your reply accepts the offer for a partnership to promote national security interests in Haiti and discusses Administration initiatives that address their concerns.

NSC received the incoming correspondence on January 12, 2000.

Concurrence by: Wendy Patten; Mark Tavlarides; Mary DeRosa; John Duncan; Fred Rosa

RECOMMENDATION

That you sign the letter to Congress at Tab A.

Attachment
Tab A Proposed Response
Tab B Incoming Correspondence
1

0267

Dear Mr. Chairman:

Thank you for your letter to the President regarding Haiti. I am grateful for your offer to forge a bipartisan partnership between the Administration and Congress to promote our significant national security interests in Haiti. Your offer comes at a pivotal moment in Haiti's political development and I look forward to close consultations with you and your colleagues on ways to best promote U.S. interests in Haiti.

As you state, free, fair, and non-violent elections are vital for peace and stability in Haiti. The Administration has made a significant commitment to facilitating Haiti's electoral process. Preparations for the March and April contests are proceeding; albeit with some delays and administrative difficulties.

Voter registration got off to a uneven start with some confusion, but minimal violence. Although there have been incidents of criminal and politically inspired violence, over 400,000 Haitians registered to vote in the first two weeks. This is a significant accomplishment that demonstrates widespread support

for the elections.

We agree that it is the responsibility of the government of Haiti, the Provisional Electoral Council (CEP), and the political parties to create an atmosphere that promotes non-violent discourse and debate. The Haitian National Police (HNP) must be adequately prepared to provide a secure electoral environment. The United States is providing up to \$20 million to support local

and legislative elections, including \$2.3 million to support the CEP and HNP.

But, we need to do more. To maintain popular confidence in the electoral process, neutral oversight of voter registration, campaigning, and polling is essential. The Organization of American States (OAS) is prepared to send approximately 100 international observers, as well as serve as the umbrella for various foreign delegations. It is critical to get these monitors on the ground early in order to establish effective oversight. I welcome any assistance you can provide in ensuring that the hold on OAS funding for this critical mission is

lifted.

The Administration is equally committed to promoting civil society and political

institutions, including parties, that form the bedrock of a democracy.

Our election assistance supports voter education by establishing voter information centers, financing candidate debates, providing funding for radio campaign programming, printing party platforms, and training party poll watchers. This aid is available to all parties that agree to sign the CEP Code of Ethics, and we

are working hard to obtain their commitment. We welcome your help in urging all Haitian party leaders to sign the Code of Ethics.

Security is a persistent challenge to progress on many fronts in Haiti. A strong

and independent HNP is critical to the establishment of a safe and secure environment throughout the country. The force is small, inexperienced, and under

equipped. We must redouble our commitment to a professional, apolitical HNP.

With the departure of the U.S. Military Support Group and the end of the United Nations Civilian Police Mission in Haiti, it is important that the

Haitian people

know that the international community remains engaged. We are working with the United Nations to create a new International Civilian Mission made up of over 100

advisors working to improve Haitian institutional capabilities in the areas of police, judicial reform, and human rights. Through the New Horizons program, the

U.S. Armed Forces will engage in humanitarian and civic action projects in Haiti's interior. These missions will demonstrate continuing international commitment, while contributing to the security and prosperity of Haiti.

I share your concern about the increasing flow of illicit drugs transiting Haiti en route to the United States. We have begun an active interagency review of the

programs available to address the changing patterns of cocaine trafficking that take advantage of Haiti's location and vulnerability. We have boosted our Drug Enforcement Agency (DEA) presence on the ground from one to full-time eight agents. We have also expanded our discussions with the government of Haiti about

increasing cooperation in such areas as air interdiction, DEA operations, money laundering, and extradition.

On the repatriation issue, the United States had a repatriation agreement with Haiti that the government of Haiti allowed to lapse. Through informal arrangements, we have continued the process of repatriation of migrants who are interdicted at sea. After the elections seat a new parliament, we will be better

positioned to explore possibilities for another formal agreement.

With the election of a new parliament, we also hope to see movement on the economic front through the release of blocked multilateral loans, and

progress
toward the privatization of state owned industries. Through U.S. AID
and other
agencies we will continue programs to alleviate hunger, promote
sound health and
population policies, increase access to education and combat
environmental
degradation. We will take under consideration the possibility of
sponsoring an
economic development fund to promote U.S. investment in Haiti.
Sustained
economic growth through programs that generate employment and
promote
agricultural development are the long term solution to Haiti's
desperate poverty.

Our mutual objectives in Haiti are clear--free, fair, and secure
elections, and
the strengthening of democratic institutions including the
establishment of a
fully functioning parliament to further democracy and economic
growth in Haiti.
This is what the long suffering Haitian people deserve.

Again, thank you for your letter. I look forward to working closely
with you to
promote and protect U.S. interests in Haiti.

Sincerely,

Samuel R. Berger
Assistant to the President
for National Security Affairs

[Title/Senate/House in Initial Caps]
[Organization/Position - Initial Caps]
[Address - Initial Caps]

Exchange Mail

DATE-TIME 02/07/2000 7:25:52 PM

FROM Duncan, John D. (INTECON/DOS)

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: Gilman Letter [UNCLASSIFIED]

TO Rosa, Frederick M. (TNT)
Gobush, Matthew N. (PRESS)
Tavlarides, Mark J. (LEGIS)
DeRosa, Mary B. (LEGAL)
Patten, Wendy L. (MULTI)

CARBON_COPY Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Fallin, James (PRESS)
Gobush, Matthew N. (PRESS)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Huff, Lindsey E. (PRESS)
Leavy, David C. (PRESS)
Thinakaran, Prabhath (PRESS/INTERN)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
Mclean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
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Hunker, Jeffrey A. (TNT)
Kurtz, Paul B. (TNT)
Liberatore, Joseph W. (TNT/INTERN)
Lieberson, Donna P. (TNT)
Montgomery, Mark C. (TNT)
Mulligan, George D. (TNT)
Noss, Heather L. (TNT/INTERN)
Robinson, Jack A. (TNT)
Rosa, Frederick M. (TNT)
Roundtree, Beverly (TNT)
Bruns, Judson L. (Jay) (INTECON)
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Goldberg, David B. (INTECON/INTERN)
Hendricks, Lori A. (INTECON)
Lee, Malcolm R. (NEC)
Mitsler, Elaine M. (INTECON)
Samans, Richard (NEC)
Smith, Holly M. (INTECON/INTERN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

TEXT_BODY

Caryn,
Very minor tracked changes. Length looking good. John

-----Original

Message-----

From: Hollis, Caryn C. (INTERAM)

Sent: Monday, February

07, 2000 6:55 PM

To: Rosa, Frederick M. (TNT); Gobush, Matthew
N. (PRESS); Tavlarides, Mark J. (LEGIS); DeRosa, Mary B.
(LEGAL);

Patten, Wendy L. (MULTI); Duncan, John D. (INTECON/DOS)

Cc: @INTERAM

- Inter-American; @PRESS - Public Affairs; @LEGAL - Legal
Advisor;

@MULTILAT - Multilateral and Humanitarian Affairs;

@TRANSNATIONAL

- Transnational Threats; @INTECON - Economic Affairs;

@LEGISLAT -

Legislative Affairs

Subject: Gilman Letter [UNCLASSIFIED]

Importance: High

All,

Attached

is the package responding to Gilman and five others. The letter
has changed since this morning, so please review again. Thanks,

caryn

TRANSLATED_ATTACHMENT 0267 SRB.doc

February 8, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ARTURO A. VALENZUELA

FROM: CARYN C. HOLLIS

SUBJECT: Reply to Letter from Representative Gilman and Five
Other Members of
Congress Regarding Haiti

Representative Benjamin A. Gilman (R-NY) and five other Members
of Congress wrote

to the President requesting a reassessment of U.S. efforts in Haiti and
proposing

a partnership between Congress and the Administration on future
initiatives. The

letter details eight areas of interest that are crucial for U.S. interests in
Haiti. It also establishes that after credible elections they are
committed to
work on further programs to promote democratic and economic
development in Haiti.

Your reply accepts the offer for a partnership to promote national
security
interests in Haiti and discusses Administration initiatives that address
their
concerns.

NSC received the incoming correspondence on January 12, 2000.

Concurrence by: Wendy Patten; Mark Tavlarides; Mary DeRosa; John
Duncan; Fred
Rosa

RECOMMENDATION

That you sign the letter to Congress at Tab A.

Attachment
Tab A Proposed Response
Tab B Incoming Correspondence
1

0267

TRANSLATED_ATTACHMENT 0267Haiti .doc

Dear Mr. Chairman:

Thank you for your letter to the President regarding Haiti. I am grateful for your offer to forge a bipartisan partnership between the Administration and Congress to promote our significant national security interests in Haiti. Your offer comes at a pivotal moment in Haiti's political development and I look forward to close consultations with you and your colleagues on ways to best promote U.S. interests in Haiti.

As you state, free, fair, and non-violent elections are vital for peace and stability in Haiti. The Administration has made a significant commitment to facilitating Haiti's electoral process. Preparations for the March and April contests are proceeding; albeit with some delays and administrative

difficulties.

Voter registration got off to a uneven start with some confusion, but minimal violence. Although there have been incidents of criminal and politically inspired violence, over 400,000 Haitians registered to vote in the first two weeks. This is a significant accomplishment that demonstrates widespread support

for the elections.

We agree that it is the responsibility of the government of Haiti, the Provisional Electoral Council (CEP), and the political parties to create an atmosphere that promotes non-violent discourse and debate. The Haitian National Police (HNP) must be adequately prepared to provide a secure electoral environment. The United States is providing up to \$20 million to support local and legislative elections, including \$2.3 million to support the CEP and HNP. But, we need to do more. To maintain popular confidence in the electoral process, neutral oversight of voter registration, campaigning, and polling is essential. The Organization of American States (OAS) is prepared to send approximately 100 international observers, as well as serve as the umbrella for various foreign delegations. It is critical to get these monitors on the ground early in order to establish effective oversight. I welcome any assistance you can provide in ensuring that the hold on OAS funding for this critical mission is

lifted.

The Administration is equally committed to promoting civil society and political

institutions, including parties, that form the bedrock of a democracy. Our election assistance supports voter education by establishing voter information centers, financing candidate debates, providing funding for radio campaign

programming, printing party platforms, and training party poll watchers. This aid is available to all parties that agree to sign the CEP Code of Ethics, and we

are working hard to obtain their commitment. We welcome your help in urging all Haitian party leaders to sign the Code of Ethics.

Security is a persistent challenge to progress on many fronts in Haiti. A strong

and independent HNP is critical to the establishment of a safe and secure environment throughout the country. The force is small, inexperienced, and under

equipped. We must redouble our commitment to a professional, apolitical HNP.

With the departure of the U.S. Military Support Group and the end of the United Nations Civilian Police Mission in Haiti, it is important that the Haitian people

know that the international community remains engaged. We are working with the United Nations to create a new International Civilian Mission made up of over 100

advisors working to improve Haitian institutional capabilities in the areas of police, judicial reform, and human rights. Through the New Horizons program, the

U.S. Armed Forces will engage in humanitarian and civic action projects in Haiti's interior. These missions will demonstrate continuing international commitment, while contributing to the security and prosperity of Haiti.

I share your concern about the increasing flow of illicit drugs transiting Haiti en route to the United States. We have begun an active interagency review of the

programs available to address the changing patterns of cocaine trafficking that take advantage of Haiti's location and vulnerability. We have boosted our Drug

Enforcement Agency (DEA) presence on the ground from one to eight full-time agents. We have also expanded our discussions with the government of Haiti about

increasing cooperation in such areas as air interdiction, DEA operations, money laundering, and extradition.

On the repatriation issue, the United States had a repatriation agreement with Haiti that the government of Haiti allowed to lapse. Through informal arrangements, we have continued the process of repatriation of migrants who are interdicted at sea. After the elections seat a new parliament, we will be better

positioned to explore possibilities for another formal agreement.

With the election of a new parliament, we also hope to see movement on the economic front through the release of blocked multilateral loans, and progress toward the privatization of state owned industries. Through U.S. AID and other agencies we will continue programs to alleviate hunger, promote sound health and population policies, increase access to education and combat environmental degradation. We will take under consideration the possibility of sponsoring an economic development fund to promote U.S. investment in Haiti. Sustained economic growth through programs that generate employment and promote agricultural development are the long term solution to Haiti's desperate poverty.

Our mutual objectives in Haiti are clear--free, fair, and secure elections, and the strengthening of democratic institutions including the establishment of a fully functioning parliament to further democracy and economic growth in Haiti. This is what the long suffering Haitian people deserve.

Again, thank you for your letter. I look forward to working closely with you to

promote and protect U.S. interests in Haiti.

Sincerely,

Samuel R. Berger
Assistant to the President
for National Security Affairs

[Title/Senate/House in Initial Caps]
[Organization/Position - Initial Caps]
[Address - Initial Caps]

Exchange Mail

DATE-TIME 02/08/2000 7:25:26 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT gilman package: the final [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)

CARBON_COPY Tavlarides, Mark J. (LEGIS)
DeRosa, Mary B. (LEGAL)
Rosa, Frederick M. (TNT)
Duncan, John D. (INTECON/DOS)
Gobush, Matthew N. (PRESS)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)

TEXT_BODY clear with attached changes. -- WLP

TRANSLATED_ATTACHMENT 0267 SRB.doc

February 8, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ARTURO A. VALENZUELA

FROM: CARYN C. HOLLIS

SUBJECT: Reply to Letter from Members of Congress Regarding Haiti

Representative Benjamin Gilman and five other Members of Congress wrote to the President expressing their concern and interest in reevaluating U.S. interests in

Haiti. The letter details eight areas that they contend are crucial for U.S. interests in Haiti. They offer to create a partnership with the Administration to promote and protect U.S. interests in Haiti and to move forward on further programs after credible elections take place.

The reply accepts the offer and details steps that the Administration has taken in their areas of specific interest.

NSC received the incoming correspondence on January 12, 2000.

Concurrence by: Wendy Patten; Mark Tavlarides; Mary DeRosa; John Duncan; Fred Rosa

RECOMMENDATION

That you forward the memorandum at Tab I.

Attachment
Tab I Memorandum for the President
Tab A Proposed Response
Tab B Incoming Correspondence
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0267

Dear Gary:

Thank you for your letter. I am grateful for your offer to forge a bipartisan partnership to promote our significant national security interests in Haiti.

Your offer comes at a pivotal moment in Haiti's political development, and I look

forward to close consultations with you and your colleagues on ways to best promote U.S. policy.

As you state, free, fair, and non-violent elections are vital for peace and stability in Haiti. We have made a significant commitment to facilitating Haiti's electoral process. Preparations for the March and April contests are proceeding, albeit with various delays and administrative difficulties. Voter registration got off to an uneven start with some confusion, but minimal violence. Although there have been incidents of criminal and politically inspired violence, over 400,000 Haitians registered to vote in the first two weeks. This is a significant accomplishment that demonstrates widespread support

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Electoral Council (CEP), and the political parties to create an atmosphere that promotes non-violent discourse and debate. The Haitian National Police (HNP) must be adequately prepared to provide a secure electoral environment. The United States is providing up to \$20 million to support local and

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I am equally committed to promoting civil society and political
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On the repatriation issue, the United States had a repatriation agreement with Haiti that the government of Haiti allowed to lapse. Nonetheless, we have been able to continue the process of repatriating migrants interdicted at sea through informal arrangements. After the elections seat a new parliament, we will be better positioned to explore possibilities for another formal agreement.

With the election of a new parliament, I hope to see movement on the economic front through the release of blocked multilateral loans and progress toward the privatization of state-owned industries. Through U.S. AID and other agencies, we

will continue programs to alleviate hunger, promote sound health and population policies, increase access to education, and combat environmental degradation. We

will take under consideration the possibility of sponsoring an economic development fund to promote U.S. investment in Haiti. Sustained economic growth through programs that generate employment and promote agricultural development are the long term solution to Haiti's desperate poverty.

Our mutual objectives in Haiti are clear--free, fair, and secure elections, and the strengthening of democratic institutions, including the establishment of a fully functioning parliament. This is what the long suffering Haitian people deserve.

Again, thank you for your letter. I look forward to working closely with you to promote and protect U.S. interests in Haiti.

Sincerely,

The Honorable Gary L. Ackerman
House of Representatives
Washington, D.C. 20515-1602

Dear John:

Thank you for your letter. I am grateful for your offer to forge a bipartisan partnership to promote our significant national security interests in Haiti.

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Again, thank you for your letter. I look forward to working closely
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Sincerely,

The Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515-2214

Dear Senator DeWine:

Thank you for your letter. I am grateful for your offer to forge a
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Again, thank you for your letter. I look forward to working closely with you to promote and protect U.S. interests in Haiti.

Sincerely,

The Honorable Mike DeWine
United States Senate
Washington, D.C. 20510-3503

Dear Sam:

Thank you for your letter. I am grateful for your offer to forge a bipartisan partnership to promote our significant national security interests in Haiti.

Your offer comes at a pivotal moment in Haiti's political development, and I look

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Sincerely,

The Honorable Sam Gejdenson
House of Representatives
Washington, D.C. 20515-0702

Dear Mr. Chairman:

Thank you for your letter. I am grateful for your offer to forge a bipartisan partnership to promote our significant national security interests in Haiti.

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Again, thank you for your letter. I look forward to working closely with you to promote and protect U.S. interests in Haiti.

Sincerely,

The Honorable Benjamin A. Gilman
Chairman
Committee on International Relations
House of Representatives
Washington, D.C. 20515-3220

Dear Mr. Chairman:

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for the elections.

I agree that it is the responsibility of the government of Haiti, the Provisional

Electoral Council (CEP), and the political parties to create an atmosphere that promotes non-violent discourse and debate. The Haitian National Police (HNP) must be adequately prepared to provide a secure electoral environment. The United States is providing up to \$20 million to support local and legislative elections, including \$2.3 million to support the CEP and HNP. But,

we need to do

more. To maintain popular confidence in the electoral process, neutral oversight

of voter registration, campaigning, and polling is essential. The Organization of American States (OAS) is prepared to send approximately 100 international observers, as well as serve as the umbrella for various foreign delegations. It is critical to get these monitors on the ground early in order to establish effective oversight. I welcome any assistance you can provide in ensuring that the hold on OAS funding for this critical mission is lifted.

I am equally committed to promoting civil society and political institutions, including parties, that form the bedrock of a democracy. Our election assistance

supports voter education by establishing voter information centers, financing candidate debates, providing funding for radio campaign programming, printing party platforms, and training party poll watchers. This aid is available to all parties that agree to sign the CEP Code of Ethics, and we are working hard to obtain their commitment. I welcome your help in urging all Haitian party leaders

to sign the Code of Ethics.

Security is a persistent challenge to progress on many fronts in Haiti. A strong

and independent HNP is critical to the establishment of a safe and secure environment throughout the country. The force is small, inexperienced, and under-equipped. We must redouble our commitment to a professional, apolitical HNP. With the departure of the U.S. Military Support Group and the end of the United Nations Civilian Police Mission in Haiti, it is important that the Haitian

people know that the international community remains engaged. We

are working
with the United Nations to create a new International Civilian Mission
made up of

over 100 advisors working to improve Haitian institutional
capabilities in the
areas of police, judicial reform, and human rights. Through the New
Horizons
program, the U.S. Armed Forces will engage in humanitarian and
civic action
projects in Haiti's interior. These temporary missions will demonstrate

continuing international commitment, while contributing to the
security and
prosperity of Haiti.

I share your concern about the increasing flow of illicit drugs
transiting Haiti
en route to the United States. We have begun an active interagency
review of the

programs available to address the changing patterns of cocaine
trafficking that
take advantage of Haiti's location and vulnerability. The Drug
Enforcement
Agency (DEA) has increased its presence in Haiti from one to eight
full-time
agents to assist the HNP. We have also expanded our discussions with
the
government of Haiti about increasing cooperation in such areas as air
interdiction, DEA operations, money laundering, and extradition.

On the repatriation issue, the United States had a repatriation
agreement with
Haiti that the government of Haiti allowed to lapse. Through informal
arrangements, we have continued the process of repatriation of
migrants who are
interdicted at sea. After the elections seat a new parliament, we will be
better

positioned to explore possibilities for another formal agreement.

With the election of a new parliament, I hope to see movement on the
economic
front through the release of blocked multilateral loans and progress
toward the
privatization of state owned industries. Through U.S. AID and other
agencies we
will continue programs to alleviate hunger, promote sound health and
population

policies, increase access to education, and combat environmental degradation. We

will take under consideration the possibility of sponsoring an economic development fund to promote U.S. investment in Haiti. Sustained economic growth through programs that generate employment and promote agricultural development are the long term solution to Haiti's desperate poverty.

Our mutual objectives in Haiti are clear--free, fair, and secure elections, and the strengthening of democratic institutions including the establishment of a fully functioning parliament to further democracy and economic growth in Haiti. This is what the long suffering Haitian people deserve.

Again, thank you for your letter. I look forward to working closely with you to promote and protect U.S. interests in Haiti.

Sincerely,

The Honorable Porter J. Goss
Chairman
Permanent Select Committee on Intelligence
House of Representatives
Washington, D.C. 20515-3702

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TRANSLATED_ATTACHMENT 0267memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
CHARLES M. BRAIN

SUBJECT: Reply to Letter from Members of Congress Regarding
Haiti

Purpose

To respond to a letter from six Members of Congress regarding Haiti.

Background

Representatives Benjamin A. Gilman (R-NY), Porter Goss (R-FL), Gary Ackerman (D-NY), Sam Gejdenson (D-CT), John Conyers (D-MI) and Senator Mike Dewine (R-OH) wrote to you requesting a reassessment of U.S. efforts in Haiti and proposing a partnership between the Congress and the Administration on future initiatives.

The letter establishes that after credible elections they are committed to work with the Administration on additional programs to promote democratic and economic

development in Haiti. It expresses specific interest in non-violence, credible elections, police professionalization, human rights training and monitoring, party strengthening, counter narcotics cooperation, economic support, and a formal repatriation agreement.

Your reply accepts the offer for a partnership to promote national security interests in Haiti and discusses Administration initiatives that address their concerns.

RECOMMENDATION

That you sign the letter at Tab A.

Attachment

Tab A Proposed Response

Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 02/14/2000 7:28:31 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT Gilman Response revisited [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)
Lackey, Miles M. (LEGIS)
DeRosa, Mary B. (LEGAL)
Rosa, Frederick M. (TNT)
Duncan, John D. (INTECON/DOS)

CARBON_COPY Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Stromseth, Jane E. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Clarke, Richard A. (TNT)
Cressey, Roger W. (TNT)
Gordon-Hagerty, Lisa E. (TNT)
Green, Charles A. (TNT)
Hunker, Jeffrey A. (TNT)
Kurtz, Paul B. (TNT)
Liberatore, Joseph W. (TNT/INTERN)
Lieberson, Donna P. (TNT)
Montgomery, Mark C. (TNT)

Mulligan, George D. (TNT)
Noss, Heather L. (TNT/INTERN)
Robinson, Jack A. (TNT)
Rosa, Frederick M. (TNT)
Roundtree, Beverly (TNT)
Bruns, Judson L. (Jay) (INTECON)
Duncan, John D. (INTECON/DOS)
Goldberg, David B. (INTECON/INTERN)
Hendricks, Lori A. (INTECON)
Lee, Malcolm R. (NEC)
Mitsler, Elaine M. (INTECON)
Samans, Richard (NEC)
Smith, Holly M. (INTECON/INTERN)

TEXT_BODY

Caryn -- clear with a few small changes. thanks -- WLP

TRANSLATED_ATTACHMENT

0267 REDOSRB.doc

February 14, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ARTURO A. VALENZUELA

FROM: CARYN C. HOLLIS

SUBJECT: Reply to Letter from Members of Congress Regarding
Haiti

Representative Benjamin Gilman and five other Members of Congress
wrote to the
President expressing their concern and interest in reevaluating U.S.
interests in

Haiti. The letter details eight areas that they contend are crucial for
U.S.
interests in Haiti. They offer to create a partnership with the
Administration
to promote and protect U.S. interests in Haiti and to move forward on
further
programs after credible elections take place.

The reply accepts the offer and details steps that the Administration has taken in their areas of specific interest.

NSC received the incoming correspondence on January 12, 2000.

Concurrence by: Wendy Patten; Mark Tavlarides; Mary DeRosa; John Duncan; Fred Rosa

RECOMMENDATION

That you forward the memorandum at Tab I.

Attachment
Tab I Memorandum for the President
Tab A Proposed Response
Tab B Incoming Correspondence
I

REDO
0267

TRANSLATED_ATTACHMENT 0267Redo.doc

Dear Gary:

Thank you for your letter. I appreciate your offer to forge a bipartisan partnership to promote our significant national security interests in Haiti.

Your offer comes at a pivotal moment in Haiti's political development, and I look

forward to close consultations with you on ways to best promote U.S. policy.

As you state, free, fair, and non-violent elections are vital for peace and prosperity in Haiti. The United States is working closely with the government of

Haiti to further efforts by the Provisional Electoral Council, political parties,

and the Haitian National Police (HNP) to create an atmosphere that promotes good and secure elections. Our election assistance supports voter education by establishing voter information centers, financing candidate debates, funding radio campaign programming, printing party platforms, and training party poll watchers. I believe this commitment will strengthen civil society and political institutions, including parties, that form the bedrock of a democracy.

With the departure of the U.S. Military Support Group and the end of the United Nations Civilian Police Mission in Haiti, it is important that the Haitian people

know that the international community remains engaged. The new United Nations International Civilian Mission, made up of over 100 advisors, will work to improve Haitian institutional capabilities in the areas of policing, judicial reform, and human rights. It will contribute to a strong and independent HNP, which is essential to maintaining security, especially during the electoral period, and demonstrate our ongoing commitment to the Haitian people.

I also am deeply troubled by the flow of illicit drugs transiting Haiti en route to the United States. Working with the government of Haiti, we are increasing counter-drug cooperation in such areas as air interdiction, Drug Enforcement Administration operations, money laundering, and extradition.

On the repatriation issue, the United States had a repatriation agreement with Haiti that the government of Haiti allowed to lapse. Nonetheless, we have been able to continue the process of repatriating migrants interdicted at sea through informal arrangements. After the elections seat a new parliament, we will be better positioned to explore possibilities for a formal repatriation agreement.

With the election of a new parliament, I hope to see movement on the economic front. Through U.S. AID and other agencies, we will continue programs to alleviate hunger, promote sound health and population policies, increase access to education, and combat environmental degradation. We will take under consideration the possibility of sponsoring an economic development fund to promote U.S. investment in Haiti.

Our mutual objectives in Haiti are clear -- free, fair, and secure elections, and

the strengthening of democratic institutions, including the establishment of a fully functioning parliament.

Again, thank you for your letter. I share your commitment to promoting and protecting U.S. interests in Haiti.

Sincerely,

The Honorable Gary L. Ackerman
House of Representatives
Washington, D.C. 20515-160

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2

TRANSLATED_ATTACHMENT 0267REDOmemo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
CHARLES M. BRAIN

SUBJECT: Reply to Letter from Members of Congress Regarding
Haiti

Purpose

To respond to a letter from six Members of Congress regarding Haiti.

Background

Representatives Benjamin A. Gilman (R-NY), Porter Goss (R-FL), Gary Ackerman (D-NY), Sam Gejdenson (D-CT), John Conyers (D-MI) and Senator Mike Dewine (R-OH) wrote to you requesting a reassessment of U.S. efforts in Haiti.

The letter establishes that after credible elections, they are committed to working with the Administration on additional programs to promote democratic and economic development in Haiti. It expresses specific interest in non-violence, credible elections, police professionalization, human rights training and monitoring, party strengthening, counter-drug cooperation, economic support, and a formal repatriation agreement.

Your reply accepts their offer of a partnership to promote national security

interests in Haiti and discusses Administration initiatives that address their concerns.

RECOMMENDATION

That you sign the letter at Tab A.

Attachments

Tab A Proposed Response

Tab B Incoming Correspondence

2

0267

cc: Vice President
Chief of Staff

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Gayle Smith to Eric Schwartz re: FW: CPIWG (3 pages)	02/29/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Scwhartz and Cuba...])
OA/Box Number: 620000

FOLDER TITLE:

[12/07/1999-05/03/2000]

2011-1039-F
rs1860

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]

Exchange Mail

DATE-TIME 03/10/2000 7:00:19 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Cuban migration issue [UNCLASSIFIED]
TO Hollis, Caryn C. (INTERAM)
Schwartz, Eric P. (MULTI)
DeRosa, Mary B. (LEGAL)

CARBON_COPY Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY I just confirmed with Coast Guard that they did in fact repatriate the families today, and only the two former parolees remain on the deck of the cutter.

thanks -- WLP

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

From: Hollis,
Caryn C. (INTERAM)
Sent: Friday, March 10, 2000 5:54 PM

To: Schwartz,
Eric P. (MULTI); Patten, Wendy L. (MULTI); DeRosa, Mary B. (LEGAL)
Cc: @MULTILAT
- Multilateral and Humanitarian Affairs; @INTERAM - Inter-American;
@LEGAL - Legal Advisor
Subject: RE: Cuban migration issue [UNCLASSIFIED]

Just
came from a meeting at state on other Cuba issues. got feed back
from the meeting this afternoon with CUBINT and CCA Charles Shapiro.

Cubans
took dip note for advisement but told Charles that they knew what
the answer would be, No. The policy is not to accept them back if
they have lived in the US for any period of time. Obviously a policy
change by the Cubans. The Cubans were going to confer with Havana
and will return.

Another point of which I was unaware is that
Adm. Allen, USCG 7, has a policy of not dividing families. So the
families of the two are still with them on the cutter. We have to
be clear about the disposition of the families. I don't think we
intend for them to go to GTMO, but to be returned to Cuba.

-----Original

Message-----

From: Schwartz, Eric P. (MULTI)
Sent: Friday, March
10, 2000 5:20 PM
To: Patten, Wendy L. (MULTI); Hollis, Caryn C.
(INTERAM); DeRosa, Mary B. (LEGAL)
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs; @INTERAM - Inter-American; @LEGAL - Legal
Advisor
Subject: RE: Cuban migration issue [UNCLASSIFIED]

See
my changes,.

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

From: Patten, Wendy L.
(MULTI)
Sent: Friday, March 10, 2000 1:44 PM
To: Hollis, Caryn
C. (INTERAM); DeRosa, Mary B. (LEGAL)
Cc: @MULTILAT - Multilateral
and Humanitarian Affairs; @INTERAM - Inter-American; @LEGAL - Legal
Advisor
Subject: Cuban migration issue [UNCLASSIFIED]

Caryn and
Mary -- for your urgent review. (Mary - we need to send this forward
asap - within the hours if we can. I'll be in a meeting but page
me if you have questions.) thanks -- WLP

Please pass to Jim.
cc: Mara.

From Wendy through Eric.
Cleared by Interam and Legal.

Jim,

We
need your help in resolving a problem in our Cuban interdiction efforts.

Cuban
migrants who have been paroled into the U.S. are returning on their
own to Cuba to retrieve others, often relatives, and then attempting
to smuggle the relatives back to the U.S. If interdicted at sea,
our law and policy dictate that the parolees be returned to Cuba.
(When parolees leave the U.S. and return home, they violate their
parole status, thereby terminating it.)

Over the past month, however,
the Cuban government has begun refusing to accept for repatriation
those migrants who have previously lived in the U.S. (In the past,
the GOC has routinely accepted migrants who have been in the U.S.
for less than one year).

At present, we must decide where to send
two migrants who had spent four months in the U.S. last year, but
returned to Cuba in November, 1999. The GOC has agreed to repatriate
the others on the boat, but not these two.

DOJ/INS position:
The two migrants should go temporarily to GTMO, while awaiting the
results of State's efforts to urge the Cubans to live up to their
obligations under the migration accords and agree to repatriation.

JCS
position: They are adamantly opposed to the GTMO option based on
concerns that this class of migrant will remain in limbo indefinitely
at the base. They reiterated their argument that they have no statutory
authority to accept migrants at GTMO, and recommended bringing the
two into the U.S.

Our view: Our only option is to send them
to GTMO while State presses the GOC on accepting the parolees back.

Bringing Cubans interdicted at sea into the U.S. undermines our migration policy and sends a clear signal, right at the start of rafting season, that anyone who had previously been in the U.S. will receive a free return pass. As a practical matter, the numbers of parolees whom we interdict will not be great, and the burden borne by JCS in keeping them at GTMO pales in comparison to the "pull-factor" risks we will incur by bringing these migrants in.

To be sure, we have not guarantee that the Cuban Government will relent and take these people back. However, if we get nowhere with the GOC, we can review this issue in 2-3 months time (after the rafting season). At that point, if we have 5-10 parolees at GTMO, we can look again at quietly bringing them in.

If you agree, we recommend you call Gen. Myers of the Joint Staff.

As the two Cubans are now on the cutter, a decision needs to be made by ____.

Exchange Mail

DATE-TIME 03/14/2000 7:52:26 AM
FROM Schwartz, Eric P. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: points on GTMO/burden sharing for lunch tomorrow [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY**TEXT_BODY**

see my comments.

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

From: Patten, Wendy
L. (MULTI)

Sent: Monday, March 13, 2000 8:49 PM

To: Hollis, Caryn

C. (INTERAM); Allen, Charles A. (LEGAL)

Cc: @INTERAM - Inter-American;

@LEGAL - Legal Advisor; @MULTILAT - Multilateral and Humanitarian
Affairs

Subject: points on GTMO/burden sharing for lunch tomorrow
[UNCLASSIFIED]

Importance: High

Please review for tomorrow's

Deputies lunch. Need to send forward by 10am. thanks -- WLP

Background:

* Cuban

migrants who have been paroled into the U.S. are returning on their own to Cuba to retrieve others, often relatives, and then attempting to smuggle the relatives back to the U.S.

* If interdicted at

sea, our law and policy dictate that the parolees be returned to Cuba. (When parolees leave the U.S. and return home, they violate their parole status, thereby terminating it.)

* Over the past

month, however, the Cuban government has begun refusing to accept for repatriation those migrants who have previously lived in the U.S. (In the past, the GOC has routinely accepted migrants who have

been in the U.S. for less than one year).

- * The interagency debate regarding the use of GTMO in these cases has highlighted unresolved issues regarding the use of GTMO more generally in our migrant interdiction efforts, as well as the overall burden sharing among agencies in our offshore migrant operations.

Current Status of GTMO:

Total
numbers at present --

- * 56 protect cases (includes family of 5 from last week)
- * 4 holds (includes 2 Cubans who were refused repatriation from last weekend)

Resettlement efforts --

- * Nicaragua has recently agreed to accept 12 cases for resettlement
- * 24 names pending with Bolivia
- * 12 names pending with Honduras
- * 2 names pending with Canada

Strategy for Dealing with Cubans on Former Parolees:

- * Through its regular meetings with the Cuban Interests Section in DC, State/OCA will urge the Cubans to live up to their obligations under the migration accords and agree to repatriation. INS attended the meeting last Friday in order to join with State in pressing this issue.

- * In addition to the migration accords, State will endeavor to persuade the Cubans that our shared interest in deterring illegal migration and alien smuggling requires that they accept all persons interdicted at sea who do not have lawful status in the U.S. and who are not found to have a credible fear of persecution.

- * NSC will work with State and Justice/INS to prepare to press this issue at the next round of migration talks, presently scheduled for June. The Cubans have requested accelerated talks, and State is likely to offer to hold the talks in May.

Status of Interagency Burden Sharing:

- * At

your August, 1999 DC, the Deputies agreed that the GTMO operation would continue even after funding and agency responsibilities were sorted out.

* The Deputies also agreed that agencies would maintain the status quo arrangement until those issues were resolved.

* As to funding issues, we are well on our way to working out an arrangement. INS has cordoned off \$5 million for FY 2000, and we are requested \$25 million for FY '01 for Justice to create a detention trustee to manage offshore migrant operations.

* One specific financial issue remains a sore spot. Justice has not yet paid the \$800,000 it owes OSD for the Tinian operation. Justice does not dispute that the monies are owed, but apparently understands that payment of this bill was to await final resolution of the burden sharing issue. OSD feels there is no excuse for nonpayment. OSD may be considering sending Justice a bill and invoking a new provision that appeared in the DOD FY 2000 authorization bill that bars DOD from providing services to agencies that are more than 90 days in arrears on reimbursement to DOD.

* As to authority issues, the DC did not reach agreement on how specific responsibilities would be allocated agreed that responsibilities would be allocated per the "Berger memorandum" to Secretaries Cohen and Albright. While this generally means that Justice would administer the migrant facility, The budget provisions establish an overall framework, but key questions remain, such as day-to-day management of the GTMO facility distinguishing between fixed costs (DoD pays) and incremental ones (Justice), who bears which responsibilities in cases of mass migration emergencies, and what constitutes a mass migration emergency.

* Multi is prepared to convene the interagency to resolve the outstanding issues. The process was slowed somewhat by Scott Busby's departure, but Wendy Patten has already met with JCS, OSD, OMB, and NSC colleagues to discuss this issue. She plans to meet with Justice/INS later this week, at which point we will be ready for Eric Schwartz to convene a meeting and move the process forward.

* JCS/OSD would like our commitment to resolving the management of GTMO by the end of the fiscal year. Given both the logic of transferring responsibilities at the start of a new fiscal year and the need to resolve this issue before the Administration ends, we agree that we should aim for October 1 -- which is doable.

Exchange Mail

DATE-TIME 03/14/2000 8:50:36 AM
FROM Allen, Charles A. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: points on GTMO/burden sharing for lunch tomorrow [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)

CARBON_COPY Hollis, Caryn C. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)

TEXT_BODY Wendy, we clear with some suggestions indicated below.

-----Original

Message-----

From: Patten, Wendy L. (MULTI)

Sent: Monday, March

13, 2000 8:49 PM

To: Hollis, Caryn C. (INTERAM); Allen, Charles
A. (LEGAL)

Cc: @INTERAM - Inter-American; @LEGAL - Legal Advisor;

@MULTILAT - Multilateral and Humanitarian Affairs

Subject: points

on GTMO/burden sharing for lunch tomorrow [UNCLASSIFIED]

Importance: High

Please
review for tomorrow's Deputies lunch. Need to send forward by 10am.
thanks -- WLP

Background:

- * Cuban migrants who have been paroled into the U.S. are returning on their own to Cuba to retrieve others, often relatives, and then attempting to smuggle the relatives back to the U.S.
- * If interdicted at sea, our law and policy dictate that the parolees be returned to Cuba. (When parolees leave the U.S. and return home, they violate their parole status, thereby terminating it.)
- * Over the past month, however, the Cuban government has begun refusing to accept for repatriation those migrants who have previously lived in the U.S. (In the past, the GOC has routinely accepted migrants who have been in the U.S. for less than one year.).
- * The interagency debate regarding the use of GTMO in these cases has highlighted unresolved issues regarding the use of GTMO more generally in our migrant interdiction efforts, as well as the overall burden sharing among agencies in our offshore migrant operations.

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Parolees:

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- * In addition to the migration accords, State will endeavor to persuade the Cubans that our shared interest in deterring illegal migration and alien smuggling requires that they accept all persons interdicted at sea who do not have lawful status in the U.S. and who are not found to have a credible fear of persecution.

- * NSC will work with State and Justice/INS to prepare to press this issue at the next round of migration talks, presently scheduled for June. The Cubans have requested accelerated talks, and State is likely to offer to hold the talks in May.

Status of Interagency Burden Sharing:

- * At your August, 1999 DC, the Deputies agreed that the GTMO operation would continue even after funding and agency responsibilities were sorted out.

- * The Deputies also agreed that agencies would maintain the status quo arrangement on agency responsibilities until those issues were resolved.

- * As to funding issues, we are well on our way to working out an arrangement. INS has cordoned off \$5 million for FY 2000, and we are requesting \$25 million for FY '01 for Justice to create a detention trustee to manage offshore migrant operations.

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- * As to authority issues, the DC did not reach agreement on how specific responsibilities would be allocated. The budget provisions establish an overall framework,

but key questions remain, such as day-to-day management of the GTMO facility, who bears which responsibilities in cases of mass migration emergencies, and what constitutes a mass migration emergency.

* Multilateral

is prepared to convene the interagency working group to resolve the outstanding issues. The process was slowed by Scott Busby's departure, but Wendy Patten (who replaced Scott Busby) has already met with JCS, OSD, OMB, and NSC colleagues to discuss this issue. She plans to meet with Justice/INS later this week, at which point we will be ready for Eric Schwartz to convene a meeting and move the process forward.

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Exchange Mail

DATE-TIME 03/14/2000 9:22:10 AM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: points on GTMO/burden sharing for lunch tomorrow [UNCLASSIFIED]
TO Patten, Wendy L. (MULTI)
Allen, Charles A. (LEGAL)

CARBON_COPY**TEXT_BODY**

Interam clears with a few edits.

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

From: Allen,
Charles A. (LEGAL)
Sent: Tuesday, March 14, 2000 8:51 AM
To: Patten,
Wendy L. (MULTI)
Cc: Hollis, Caryn C. (INTERAM); @LEGAL - Legal
Advisor; @INTERAM - Inter-American; @MULTILAT - Multilateral and
Humanitarian Affairs
Subject: FW: points on GTMO/burden sharing
for lunch tomorrow [UNCLASSIFIED]
Importance: High

Wendy, we
clear with some suggestions indicated below.

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

From: Patten,
Wendy L. (MULTI)
Sent: Monday, March 13, 2000 8:49 PM
To: Hollis,
Caryn C. (INTERAM); Allen, Charles A. (LEGAL)
Cc: @INTERAM - Inter-American;
@LEGAL - Legal Advisor; @MULTILAT - Multilateral and Humanitarian
Affairs
Subject: points on GTMO/burden sharing for lunch tomorrow
[UNCLASSIFIED]
Importance: High

Please review for tomorrow's
Deputies lunch. Need to send forward by 10am. thanks -- WLP

Background:

* Cuban

migrants who have been paroled into the U.S. are returning on their own to Cuba to retrieve others, often relatives, and then attempting to smuggle the relatives back to the U.S.

* If interdicted at

sea, our law and policy dictate that the parolees be returned to Cuba. (When parolees leave the U.S. and return home, they violate their parole status, thereby terminating it.)

* Over the past

month, however, the Cuban government has begun refusing to accept for repatriation those migrants who have previously lived in the U.S. (In the past, the GOC has routinely accepted migrants who have been in the U.S. for less than one year.).

* The interagency debate

regarding the use of GTMO in these cases has highlighted unresolved issues regarding the use of GTMO more generally in our migrant interdiction efforts, as well as the overall burden sharing among agencies in our offshore migrant operations.

Current Status of GTMO:

Total

numbers at present --

* 56 protect cases (includes family of 5 from last week)

* 4 holds (includes 2 Cubans who were refused repatriation from last weekend)

Resettlement efforts --

* Nicaragua has recently agreed to accept 12 cases for resettlement

* 24 names pending with Bolivia

* 12 names pending with Honduras

* 2 names pending with Canada

Strategy for Dealing with Cubans on Former Parolees:

* Through

its regular meetings with the Cuban Interests Section in DC, State/OCA will urge the Cubans to live up to their obligations under the migration accords and agree to repatriation. INS attended the meeting last Friday in order to join with State in pressing this issue.

* In addition to the migration accords, State will endeavor to persuade the Cubans that our shared interest in deterring illegal migration and alien smuggling requires that they accept all persons interdicted at sea who do not have lawful status in the U.S. and who are not found to have a credible fear of persecution.

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outstanding issues. The process was slowed by Scott Busby's departure, but Wendy Patten (who replaced Scott Busby) has already met with JCS, OSD, OMB, and NSC colleagues to discuss this issue. She plans to meet with Justice/INS later this week, at which point we will be ready for Eric Schwartz to convene a meeting and move the process forward.

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Exchange Mail

DATE-TIME 03/14/2000 9:49:55 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT Points on Guantanamo for today's lunch [UNCLASSIFIED]
TO Crocker, Bathsheba N. (NSA)

CARBON_COPY Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
Patterson, Pamela L. (NSA)
Rudman, Mara E. (NSA)
Scott-Perez, Marilyn L. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Feldman, Daniel F. (MULTI)
Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)

Wilcox, Richard M. (MULTI)

TEXT_BODY

Sheba -- please pass to Jim for the lunch. thanks.

Background:

*** Cuban**

migrants who have been paroled into the U.S. are returning on their own to Cuba to retrieve others, often relatives, and then attempting to smuggle the relatives back to the U.S.

*** If interdicted at**

sea, our law and policy dictate that the parolees be returned to Cuba. (When parolees leave the U.S. and return home, they violate their parole status, thereby terminating it.)

*** Over the past**

month, however, the Cuban government has begun refusing to accept for repatriation those migrants who have previously lived in the U.S. (In the past, the GOC has routinely accepted migrants who have been in the U.S. for less than one year).

*** The interagency debate**

regarding the use of GTMO in these cases has highlighted unresolved issues regarding the use of GTMO more generally in our migrant interdiction efforts, as well as the overall burden sharing among agencies in our offshore migrant operations.

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*** 12 names pending with Honduras**

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will urge the Cubans to live up to their obligations under the migration accords and agree to repatriation. INS attended the meeting last Friday in order to join with State in pressing this issue.

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in cases of mass migration emergencies, and what constitutes a mass migration emergency.

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Mona Sutphen to Roderick vonLipsey and Schwartz re: Foreign Policy Breakfast: Contingency Planning (4 pages)	03/15/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Scwhartz and Cuba...])
OA/Box Number: 620000

FOLDER TITLE:

[12/07/1999-05/03/2000]

2011-1039-F

rs1860

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]

Exchange Mail

DATE-TIME 03/20/2000 4:28:08 PM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Points on Guantanamo for today's lunch [UNCLASSIFIED]
TO Scott-Perez, Marilyn L. (NSA)

CARBON_COPY Jacobson, Tracey A. (ADMIN)
Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
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Guarnieri, Valerie N. (MULTI)
Kale, Dora A. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY Points for the lunch --- per Sheba they were not discussed last week.
thanks -- WLP

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

From: Patten, Wendy
L. (MULTI)

Sent: Tuesday, March 14, 2000 9:50 AM

To: Crocker,
Bathsheba N. (NSA)

Cc: @NSA - Natl Security Advisor; @INTERAM -

Inter-American; @LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs;

@MULTILAT - Multilateral and Humanitarian Affairs

Subject: Points

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Sheba -- please
pass to Jim for the lunch. thanks.

Background:

- * Cuban migrants who have been paroled into the U.S. are returning on their own to Cuba to retrieve others, often relatives, and then attempting to smuggle the relatives back to the U.S.
- * If interdicted at sea, our law and policy dictate that the parolees be returned to Cuba. (When parolees leave the U.S. and return home, they violate their parole status, thereby terminating it.)
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Exchange Mail

DATE-TIME 04/04/2000 4:35:11 PM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 04/04/2000
DECLASSIFYON 04/05/2010
SUBJECT RE: BTTR Humanitarian Asst [~~CONFIDENTIAL~~]
TO Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Valenzuela, Arturo A. (INTERAM)
Shapiro, Daniel B. (LEGIS)

CARBON_COPY Avery, Dale R. (INTERAM)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (WHSR)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
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Feldman, Daniel F. (MULTI)
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McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)

TEXT_BODY

Wendy,
I think this is more about poking a finger in Castro's eye
by flying into Cuba and/or making a big deal out of being denied
the right to do so, then some great humanitarian gesture. That
said BTTR could collect donations as the Democracy Movement did for
Elian by sending out a call for donations.

DECLASSIFIED
E.O. 13526

White House Guidelines, September 11, 2006

By WJ NARA, Date 3/25/16

2011-1039-F

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

From: Patten,

Wendy L. (MULTI)

Sent: Tuesday, April 04, 2000 4:04 PM

To: Hollis,

Caryn C. (INTERAM); Schwartz, Eric P. (MULTI); Valenzuela, Arturo A. (INTERAM); Shapiro, Daniel B. (LEGIS)

Cc: @INTERAM - Inter-American;

@MULTILAT - Multilateral and Humanitarian Affairs; @LEGISLAT - Legislative Affairs

Subject: RE: BTTR Humanitarian Asst [~~CONFIDENTIAL~~]

Caryn,

I completely agree on the flight.

As to donations, Red Cross makes sense.

Question: do we want to/should we limit the kinds of donations they can make (say, to school books)? I hate to allow them to give food or medical supplies that are not needed, only to create the impression that the refugees's basic needs are not being met. Maybe we shouldn't limit the kinds of articles they could donate, but rather we could make suggestions about what would be most useful, such as school books and materials.

Thoughts?

-----Original

Message-----

From: Hollis, Caryn C. (INTERAM)

Sent: Tuesday,
April 04, 2000 3:33 PM

To: Patten, Wendy L. (MULTI); Schwartz,

Eric P. (MULTI); Valenzuela, Arturo A. (INTERAM); Shapiro, Daniel B. (LEGIS)

Cc: @INTERAM - Inter-American; @MULTILAT - Multilateral and Humanitarian Affairs; @LEGISLAT - Legislative Affairs

Subject: RE:

BTTR Humanitarian Asst [~~CONFIDENTIAL~~]

We were actually thinking that any donations should be made to the Red Cross or another appropriate

NGO dependent upon the type of assistance. Then, the NGO could arrange with the military for delivery. There is precedent for this. During 1994 the Red Cross and Catholic Relief were allowed to deliver humanitarian

supplies to the refugees at GITMO.

We are opposed to allowing the BTTR to fly into Cuban airspace. We don't need to offer a platform for a Basulto press conference nor to challenge the Cubans.

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

From: Patten, Wendy L. (MULTI)

Sent: Tuesday,
April 04, 2000 2:55 PM

To: Hollis, Caryn C. (INTERAM); Schwartz,
Eric P. (MULTI); Valenzuela, Arturo A. (INTERAM); Shapiro, Daniel
B. (LEGIS)

Cc: @INTERAM - Inter-American; @MULTILAT - Multilateral
and Humanitarian Affairs; @LEGISLAT - Legislative Affairs

Subject: RE:

BTTR Humanitarian Asst [CONFIDENTIAL]

I agree. If by humanitarian assistance they mean food and medical supplies, the refugees are receiving adequate food and medical care. The migrants receive the same food as the military. They are treated at the base hospital, and have their own personalized shelves in the medicine cabinet in the headquarters out at the camp, where each person's medicine and vitamins are kept. Letting BTTR fly down there on a "humanitarian relief" mission would only serve to create the erroneous impression that the refugees basic needs are not being met. If BTTR wanted to donate Spanish-language schoolbooks for the fledgling school, that could be very helpful. They could make the donation either to the State Dept. or to OSD, or wherever you all think is appropriate.

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

From: Hollis, Caryn C. (INTERAM)

Sent: Tuesday,
April 04, 2000 1:56 PM

To: Patten, Wendy L. (MULTI); Schwartz,
Eric P. (MULTI); Valenzuela, Arturo A. (INTERAM); Shapiro, Daniel
B. (LEGIS)

Cc: @INTERAM - Inter-American; @MULTILAT - Multilateral
and Humanitarian Affairs; @LEGISLAT - Legislative Affairs

Subject: BTTR

Humanitarian Asst [CONFIDENTIAL]

All,
Paul Hughes from OSD has received for action a letter from Rep Ros-Leiten requesting permission for the Brothers to the Rescue to deliver humanitarian assistance

to the refugees at GITMO. We agreed that it was unnecessary to have assistance delivered to a fully functioning military installation. He is forwarding the letter to us for info. I do not think this is a good idea. Caryn

Exchange Mail

DATE-TIME 05/02/2000 9:08:53 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Mr. Jackson's question re: Haitian Children [UNCLASSIFIED]
TO Baker, James E. (LEGAL)

CARBON_COPY**TEXT_BODY**

Jamie -- while you were interpreting the Haitian constitution, I was doing a little legal research of my own, and from a reliable source: the Haitian cab driver who drove me home last night. He told me he was a USC. I asked him if his Haitian citizenship was in any way affected when he became an LPR, and he said absolutely not. He knew that Haitian law does not permit dual nationality and that he had lost his Haitian citizenship when he became a USC, but not before.

Any reaction from Sandy to your note?

thanks ---
WLP

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

From: Baker, James E. (LEGAL)

Sent: Friday, April 28, 2000 7:31 PM

To: @APNSA

Cc: Patten, Wendy

L. (MULTI); Schwartz, Eric P. (MULTI); Valenzuela, Arturo A. (INTERAM);

@LEGAL - Legal Advisor

Subject: Mr. Jackson's question re: Haitian Children [UNCLASSIFIED]

Please pass to Sandy. Thank you.

Sandy:

Jesse Jackson asked you about the nationality of children born to Haitian migrants at GTMO, with the suggestion that they have in some manner become stateless on account of being born at GTMO.

I have conferred with Eric and Wendy, and together we have canvassed Justice, INS, and State officials and have not located the trail of this issue or any reservoir of knowledge. Therefore, we would recommend that Eric call Jackson back to obtain more information to define the problem.

There are currently no Haitian migrants at GTMO, so we presume that Jesse Jackson's concern relates to children born to migrants at GTMO in 1994 who were subsequently brought into the United States. Depending on the precise manner in which they were brought into the United States (e.g., the terms of parole), in general these children should have been eligible to obtain permanent resident status within five years and subsequently become eligible for U.S. citizenship. Is Jackson suggesting that we should legislatively truncate this process in terms of both speed and guarantee of outcome?

International Law offers some buoys, but no clear channel to Jackson's issue:

- * Under international law, nationality is dependent on state law, which laws are usually based on the existence of a genuine link between the individual and the state. (Citizenship is a concept of national laws; it is possible to be a national of a state under international and domestic law, but not a citizen.) Most state laws on nationality are based on descent rather than the place of birth, or some combination of the two, as is the case under the Haitian constitution.

- * The Haitian Constitution provides that "any person born of a Haitian father or a Haitian mother who are themselves native-born Haitians and have never renounced their nationality possesses Haitian nationality at the time of birth." This would seem to suggest that children born at GTMO who had at least one parent who was native born Haitian would have Haitian nationality. However, what is harder to determine is whether Haiti considers migration to GTMO to be a renunciation of nationality, thus impairing the nationality of those children born at GTMO. Nor do we know in what manner Haitian law implements their constitution. The Haitian Constitution does not permit dual nationality.

- * Because nationality is subject to state law, statelessness is not uncommon, particularly with refugees. There is at least one international convention intended to address this problem and seek to limit the problem by barring denationalization for all serious acts of disloyalty, if doing so would render an individual stateless. (The U.S. is not a party; however, I have not determined whether Haiti is.)

This is all
interesting, but not ultimately probative of Jackson's concern.

Concurrence: Wendy

Exchange Mail

DATE-TIME 05/03/2000 9:38:54 AM

FROM Patten, Wendy L. (MULTI)

CLASSIFICATION UNCLASSIFIED

SUBJECT updated guidance on elian [UNCLASSIFIED]

TO Anderson, Brooke D. (NSCCOMM)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Hurwitz, Marc I. (ADMIN)
Stockwell, David B. (PRESS)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Feldman, Daniel F. (MULTI)
Mclean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Avery, Dale R. (INTERAM)
Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Shannon, Thomas A. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)

TEXT_BODY

no maojr substantive changes. thanks -- WLP

TRANSLATED_ATTACHMENT CubanboyPG51.doc
CUBAN BOY
May 3, 2000

CONTEXT: Several visitors arrived from Cuba last week to spend time with Elian Gonzalez and his family at the Wye River Plantation. On April 26, a kindergarten teacher and Elian's 10-year-old cousin arrived in DC, and on April 27, four of Elian's schoolmates and a parent of each arrived in the U.S. to spend two weeks with Elian and his family. The Gonzalez family pediatrician also arrived on April 27, but came with 3 boxes of medicine that were confiscated by US Customs at the port of entry because the doctor is not licensed to practice medicine in the State of Maryland. She was allowed to keep a small amount of medicine for personal use. Other visas requests remain pending.

Cuban diplomats in the U.S. may visit Wye as they wish, provided that they notify the Department of State 72 hours in advance. If the travel will occur within the next 72 hours, they must request State's permission. While State has granted such time-excepted requests for travel to Wye by Cuban diplomats and their children, State has not authorized overnight stays. State has informed the Cuban Interests Section that one of its officials remained at the Wye home overnight without permission and therefore will not be allowed to return to Wye. We have urged the Cuban Interests Section to exercise restraint regarding the number of persons and length of visits. Discussions between State and Cuban officials continue on this score.

Congressional hearings on the INS raid to transfer Elian Gonzalez to his father's care have been postponed indefinitely. In court action, Juan Miguel Gonzalez and the Miami relatives each filed briefs with the Federal Court of Appeals for the 11th Circuit in Atlanta on May 1. Oral argument is set for May 11. On

April 27,
the court rejected a request by the Miami relatives to restrict Elian's
meetings
with Cuban officials, psychologists, and physicians, grant access to
him by the
physician treating him in Miami and by "his" lawyers, and appoint an
independent
official to decide with whom Elian should meet. The court accepted
the Justice
Department's offer of regular reports from physicians and a social
worker hired
by INS. The court continued its order that Elian may not be taken to
any place
with diplomatic immunity, a request that was not opposed by the
Justice
Department. On April 19, the 11th Circuit issued an injunction,
preventing Elian
Gonzalez's removal from the U.S. pending its decision on the Miami
relatives'
appeal. While the court suggested that a 6-year-old might have the
right to
apply for asylum against the wishes of a parent, this ruling is
preliminary and
does not necessarily predict the outcome of the full appeal.

What is the White House's role in the matter at this juncture?

* The Justice Department and State Department continue to play their
respective
leading roles in this matter. Of course, we continue to be in close
touch with
Justice and State on this important issue.

[IF ASKED] Did the White House press the INS to change its position
in this case
in early December, after INS had said the matter should be resolved
by a family
court, in order to prevent a Cuban migration crisis?

* No. White House officials did not seek to, nor did they, influence
the INS
decision in this case. It was made by the responsible authorities
following the
law and INS rules and procedures.

How do you respond to allegations that you are using this case as a

tool to
improve relations with Cuba?

* Our only objective is to see that the INS decision in this case is carried out in accordance with the law.

Are you concerned about Cuban diplomats spending a lot of time at Wye with Elian?

* The State Department is discussing with the Cuban Interests Section guidelines for travel by Cuban diplomats. They agreed with us that the Gonzalez family needs some time alone.

* Over the weekend, the State Department approved social visits by several children of Cuban diplomats, along with parental escorts.

* We direct you to the State Department for further information. Will you issue visas to the others who have requested them, including Cuban physicians?

* We have issued visas to four of Elian's schoolmates, and a parent of each. They are arrived last week and will visit with Elian and his family for up to two weeks. Elian's 10-year-old cousin, his former kindergarten teacher, and the Gonzalez family pediatrician, who were previously granted visas, also arrived last week. The remaining visa requests are under review.

[IF ASKED] Why is a Cuban pediatrician here to see Elian and his family?

* A visa was previously granted to the Gonzalez family pediatrician at the same time as visas were granted to Juan Miguel Gonzalez, his wife, and their infant son.

* The pediatrician was issued a visa to visit the family and cannot practice medicine in the state of MD without a license to do so. However, she could serve

as a consultant to a licensed MD physician who could provide whatever care Elian, his infant brother, or any other person staying with the Gonzalez family might require.

* We direct you to the State Department for further information.

[ONLY IF ASKED] Did the Customs Service seize medicine from the pediatrician upon her arrival?

* In accordance with applicable regulations, U.S. Customs Service confiscated controlled substances that were clearly not for personal use.

Cuban television has shown images of a home and school where Elian would live for several months after his return. Some have called this a reeducation camp. Does this give you cause to reconsider sending Elian back to Cuba?

* As the Attorney General has said, the focus of this case is on the role of the boy's father in raising him. This father has been very involved in raising his son, and we are glad that they have been reunited so that he can continue to do so.

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

* Elian Gonzalez cannot return to Cuba until the federal court injunction is lifted.

* From the beginning, we have tried to de-politicize this case, and we have spoken to Cuban officials in Havana, Geneva, and Washington about the need to do so.

* Officials from the State Department have met with representatives

of the Cuban
Interests Section in Washington and voiced concern on how Elian
would be treated
in the event he returns to Cuba. These conversations have been
constructive. We
will continue to discuss with Cuban officials Elian's treatment should
he return
to Cuba.

Do you think the father really wants to return to Cuba, or is he unable
or
unwilling to speak freely?

* Under our law, the father is free to apply for asylum if he wishes.
It's our
understanding that he has said clearly that he wants to return to his
country.

* He has had numerous meetings alone with his attorney and also met
with the
Attorney General and INS Commissioner without any Cuban officials
present.

The 11th Circuit's ruling seems to indicate that INS is wrong on the
law, and
that even a six-year-old has the right to apply for asylum against the
wishes of
a parent. Are you concerned that Justice may lose the appeal?

* This was a preliminary ruling on a request for an injunction to
prevent the
boy's removal from the U.S. while the 11th Circuit considers the
appeal. The
court has not yet considered all the briefs in this case or heard oral
argument,
so I think we cannot prejudge the result. Beyond that, we will not
comment on
pending litigation.

Why are you trying to send Elian back to Cuba while at the same time
condemning
the deplorable human rights conditions in Cuba?

* The Elian Gonzalez case is about the bond between a child and his
father. This
child needs to be reunited with his father because that is what the law
- and

fundamental principles of family - require.

* We simply cannot take the position that because the government of a country denies its citizens human rights, parents in that country must lose their right to raise their child.

What is the US government doing about the altercation outside the Cuban Interests Section in Washington?

* The matter is being investigated by the Washington DC police department.

Why did you wait so long to act in reuniting Elian with his father? In retrospect, do you think the government should have taken steps earlier to resolve this case? Do you think the Attorney General was too hesitant?

* The Justice Department followed a deliberate and careful process in order to reunite this child with his father safely and with as little disruption as possible. It is very unfortunate that Elian's Miami relatives made the enforcement action necessary by their intransigence in handing the boy over to his father voluntarily.

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