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001. email	Scott Busby to Eric Schwartz re: The Cuban-Nica Exchange on Rafters (6 pages)	06/08/1998	P1/b(1)

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NSC Emails

Exchange-Non-Record (Sept 97-Jan 01) ([Scwhartz and Cuba...])

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[08/28/1997-06/17/1998]

2011-1039-F

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RESTRICTION CODES

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

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

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]

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

RR. Document will be reviewed upon request.

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 8/28/97 5:02:59 PM
FROM Wechsler, William F.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Dana Priest Call [UNCLASSIFIED]
TO Crowley, Philip J.

CARBON_COPY Crowley, Philip J.
Johnson, David T.
Luzzatto, Anne R.
Wozniak, Natalie S.
Busby, Scott W.
Malley, Robert
Letts, Kelly J.
Ragan, Richard F.
Schwartz, Eric P.
Hill, Roseanne M.
Rossi, Christopher R.

TEXT_BODY PJ -- one more thing. For the record, Shali did not refer to an "interagency czar" or merely to "humanitarian operations." this is what Shali said, according to Reuters:

``We don't have a system that puts someone in charge of the overall operation, that can coordinate the efforts of the individual departments that contribute to it," he told reporters. "There is someone, I think, needs to be in charge, to coordinate the total effort. And not just be in charge, (to) have some tasking authority."

This is exactly what PDD-56 does.

-----Original

Message-----

From: Wechsler, William F.

Sent: Thursday, August

28, 1997 4:47 PM

To: Crowley, Philip J.; @DEMOCRACY - Dem/Human Affairs; @EXECSEC - Executive Secretary; @GLOBAL - Global Affairs

Cc: @PRESS

- Public Affairs

Subject: RE: Dana Priest Call [UNCLASSIFIED]

You should tell Priest about PDD-56, which was signed by President Clinton in May. Attached is an unclassified white paper on PDD-56 which you can give Priest, if you like. PDD-56 builds on lessons learned from Haiti and other "complex contingency operations" and institutionalizes procedures to improve interagency coordination. Specifically, it mandates that NSC-chaired executive committees be stood up to deal with such crises and that they draft "pol-mil plans" to lay out what each agency is responsible for and to set timetables for reaching their benchmarks. Members of the ExCom are personally responsible for ensuring that their parts of the pol-mil plan are implemented. The Department of Defense was a key proponent of PDD-56, which addresses precisely the issues that Shali spoke about.

-----Original

Message-----

From: Crowley, Philip J.

Sent: Thursday, August 28,
1997 4:10 PM

To: @DEMOCRACY - Dem/Human Affairs; @EXECSEC -
Executive

Secretary; @GLOBAL - Global Affairs

Cc: @PRESS - Public Affairs

Subject: Dana

Priest Call [UNCLASSIFIED]

Dana Priest called regarding a comment from Shali that we need an interagency czar to coordinate response for major humanitarian operations. When do we engage, how to we get Justice involved here and State there, etc. I remember some talk along these lines in the margins, but are we studying this seriously anywhere?

PJ

TRANSLATED_ATTACHMENT

PMP-PDD4UC.doc

WHITE PAPER

The Clinton Administration's Policy
on Managing Complex Contingency Operations:
Presidential Decision Directive - 56
May 1997

Purpose

This White Paper explains key elements of PDD-56, the Clinton Administration's policy on managing complex contingency operations. This unclassified document is promulgated for use by government officials as a handy reference for interagency planning of future complex contingency operations. Also, it is intended for use in U.S. Government professional education institutions, such as the National Defense University and the National Foreign Affairs Training Center, for coursework and exercises on interagency practices and procedures. Regarding this paper's utility as representation of PDD-56, it contains all the key elements of the original PDD that are needed for effective implementation by agency officials. Therefore, wide dissemination of this unclassified White Paper on PDD-56 is encouraged by all agencies of the U.S. Government. Note that while this White Paper explains PDD-56, it does not override the official PDD.

Background

In the wake of the Cold War, attention has focused on a rising number of territorial disputes, armed ethnic conflicts, and civil wars that pose threats to regional and international peace and may be accompanied by natural or manmade disasters which precipitate massive human suffering. We have learned that effective responses to these situations may require multi-dimensional operations composed of such components as political/diplomatic, humanitarian, intelligence, economic development, and security: hence the term complex contingency operations.

PPD-56 defines "complex contingency operations" as peace operations such as the peace accord implementation operation conducted by NATO in Bosnia (1995-present)

and the humanitarian intervention in northern Iraq called Operation Provide Comfort (1991); and foreign humanitarian assistance operations, such as Operation Support Hope in central Africa (1994) and Operation Sea Angel in Bangladesh (1991). Unless otherwise directed, PDD-56 does not apply to domestic disaster relief or to relatively routine or small-scale operations, nor to military operations conducted in defense of U.S. citizens, territory, or property, including counter-terrorism and hostage-rescue operations and international armed conflict.

In recent situations as diverse as Haiti, Somalia, Northern Iraq, and the former Yugoslavia, the United States has engaged in complex contingency operations in coalition, either under the auspices of an international or regional organization or in ad hoc, temporary coalitions of like-minded states. While never relinquishing the capability to respond unilaterally, PDD-56 assumes that the U.S. will continue to conduct future operations in coalition whenever possible.

We must also be prepared to manage the humanitarian, economic and political consequences of a technological crisis where chemical, biological, and/or radiological hazards may be present. The occurrence of any one of these dimensions could significantly increase the sensitivity and complexity of a U.S. response to a technological crisis.

In many complex emergencies the appropriate U.S. Government response will incur the involvement of only non-military assets. In some situations, we have learned that military forces can quickly affect the dynamics of the situation and may create the conditions necessary to make significant progress in mitigating or resolving underlying conflict or dispute. However, we have also learned that many aspects of complex emergencies may not be best addressed through military measures. Furthermore, given the level of U.S. interests at stake in

most of
these situations, we recognize that U.S. forces should not be deployed
in an
operation indefinitely.

It is essential that the necessary resources be provided to ensure that
we are
prepared to respond in a robust, effective manner. To foster a durable
peace or
stability in these situations and to maximize the effect of judicious
military
deployments, the civilian components of an operation must be
integrated closely
with the military components.

While agencies of government have developed independent capacities
to respond to
complex emergencies, military and civilian agencies should operate in
a
synchronized manner through effective interagency management and
the use of
special mechanisms to coordinate agency efforts. Integrated planning
and
effective management of agency operations early on in an operation
can avoid
delays, reduce pressure on the military to expand its involvement in
unplanned
ways, and create unity of effort within an operation that is essential for
success of the mission.

Intent of PDD-56

The need for complex contingency operations is likely to recur in
future years,
demanding varying degrees of U.S. involvement. PDD-56 calls for all
U.S.
Government agencies to institutionalize what we have learned from
our recent
experiences and to continue the process of improving the planning and
management
of complex contingency operations. PDD-56 is designed to ensure that
the lessons
learned -- including proven planning processes and implementation
mechanisms --
will be incorporated into the interagency process on a regular basis.
The PDD's
intent is to establish these management practices to achieve unity of
effort
among U.S. Government agencies and international organizations

engaged in complex contingency operations. Dedicated mechanisms and integrated planning processes are needed. From our recent experiences, we have learned that these can help to:

- * identify appropriate missions and tasks, if any, for U.S. Government agencies in a U.S. Government response;

- * develop strategies for early resolution of crises, thereby minimizing the loss of life and establishing the basis for reconciliation and reconstruction;

- ? accelerate planning and implementation of the civilian aspects of the

operation;

- ? intensify action on critical funding and personnel requirements early on;

- ? integrate all components of a U.S. response (civilian, military, police, etc.)

at the policy level and facilitate the creation of coordination mechanisms at the operational level; and

- ? rapidly identify issues for senior policy makers and ensure expeditious implementation of decisions.

PDD-56 requires all agencies to review their legislative and budget authorities

for supporting complex contingency operations and, where such authorities are

inadequate to fund an agency's mission and operations in complex contingencies,

propose legislative and budgetary solutions.

Executive Committee

PDD-56 calls upon the Deputies Committee to establish appropriate interagency

working groups to assist in policy development, planning, and execution of

complex contingency operations. Normally, the Deputies Committee will form an

Executive Committee (ExCom) with appropriate membership to supervise the

day-to-day management of U.S. participation in a complex contingency operation.

The ExCom will bring together representatives of all agencies that might

participate in the operation, including those not normally part of the NSC structure. When this is the case, both the Deputies Committee and the ExCom will normally be augmented by participating agency representatives. In addition, the chair of the ExCom will normally designate an agency to lead a legal and fiscal advisory sub-group, whose role is to consult with the ExCom to ensure that tasks assigned by the ExCom can be performed by the assigned agencies consistent with legal and fiscal authorities. This ExCom approach has proved useful in clarifying agency responsibilities, strengthening agency accountability, ensuring interagency coordination, and developing policy options for consideration by senior policy makers.

The guiding principle behind the ExCom approach to interagency management is the personal accountability of presidential appointees. Members of the ExCom effectively serve as functional managers for specific elements of the U.S. Government response (e.g., refugees, demobilization, elections, economic assistance, police reform, public information, etc.). They implement the strategies agreed to by senior policy makers in the interagency and report to the ExCom and Deputies Committee on any problems or issues that need to be resolved.

In future complex contingency operations to which the United States contributes substantial resources, PDD-56 calls upon the Deputies Committee to establish organizational arrangements akin to those of the ExCom approach.

The Political-Military Implementation Plan

PDD-56 requires that a political-military implementation plan (or "pol-mil plan") be developed as an integrated planning tool for coordinating U.S. government actions in a complex contingency operation. The pol-mil plan will include a comprehensive situation assessment, mission statement,

agency objectives, and desired endstate. It will outline an integrated concept of operations to synchronize agency efforts. The plan will identify the primary preparatory issues and tasks for conducting an operation (e.g., congressional consultations, diplomatic efforts, troop recruitment, legal authorities, funding requirements and sources, media coordination, etc.). It will also address major functional tasks (e.g., political mediation/reconciliation, military support, demobilization, humanitarian assistance, police reform, basic public services, economic restoration, human rights monitoring, social development, public information, etc.). (Annex A contains an illustrative outline of a pol-mil plan.)

With the use of the pol-mil plan, the interagency can implement effective management practices, namely, to centralize planning and decentralize execution during the operation. The desired unity of effort among the various agencies that is created through the use of the pol-mil plan contributes to the overall success of these complex operations.

When a complex contingency operation is contemplated in which the U.S. Government will play a substantial role, PDD-56 calls upon the Deputies Committee to task the development of a pol-mil plan and assign specific responsibilities to the appropriate ExCom officials.

Each ExCom official will be required to develop their respective part of the plan, which will be fully coordinated among all relevant agencies. This development process will be transparent and analytical, resulting in issues being posed to senior policy makers for resolution. Based on the resulting decisions, the plan will be finalized and widely distributed among relevant agencies.

The PDD also requires that the pol-mil plan include demonstrable milestones and measures of success including detailed planning for the transition of the operation to activities which might be performed by a follow-on operation or by the host government. According to the PDD, the pol-mil plan should be updated as the mission progresses to reflect milestones that are (or are not) met and to incorporate changes in the situation on the ground.

Interagency Pol-Mil Plan Rehearsal

A critical aspect of the planning process will be the interagency rehearsal/review of the pol-mil plan. As outlined in the PDD, this activity involves a rehearsal of the plan's main elements, with the appropriate ExCom official presenting the elements for which he or she is responsible. By simultaneously rehearsing/reviewing all elements of the plan, differences over mission objectives, agency responsibilities, timing/synchronization, and resource allocation can be identified and resolved early, preferably before the operation begins. The interagency rehearsal/review also underscores the accountability of each program manager in implementing their assigned area of responsibility. During execution, regular reviews of the plan ensure that milestones are met and that appropriate adjustments are made.

PDD-56 calls upon the Deputies Committee to conduct the interagency rehearsal/review of the pol-mil plan. Supporting agency plans are to be presented by ExCom officials before a complex contingency operation is launched (or as early as possible once the operation begins), before a subsequent critical phase during the operation, as major changes in the mission occur, and prior to an operation's termination.

After-Action Review

After the conclusion of each operation in which this planning process is

employed, PDD-56 directs the ExCom to charter an after-action review involving both those who participated in the operation and Government experts who monitored its execution. This comprehensive assessment of interagency performance will include a review of interagency planning and coordination, (both in Washington and in the field), legal and budgetary difficulties encountered, problems in agency execution, as well as proposed solutions, in order to capture lessons learned and to ensure their dissemination to relevant agencies.

Training

The U.S. Government requires the capacity to prepare agency officials for the responsibilities they will be expected to take on in a planning and managing agency efforts in a complex contingency operation. Creating a cadre of professionals familiar with this integrated planning process will improve the USG's ability to manage future operations.

In the interest of advancing the expertise of government officials, agencies are encouraged to disseminate the Handbook for Interagency Management of Complex Contingency Operations published by OASD(S&R) Strategy at (703) 614-0421.

With the support of the State and Defense Departments, the PDD requires the NSC to work with the appropriate U.S. Government educational institutions--including the National Defense University, the National Foreign Affairs Training Center and the Army War College--to develop and conduct an interagency training program. This program, which should be held at least annually, will train mid-level managers (Deputy Assistant Secretary level) in the development and implementation of pol-mil plans for complex contingency operations. Those participating should have an opportunity to interact with expert officials from previous operations to learn what has worked in the past. Also, the PDD calls upon

appropriate U.S.
government educational institutions to explore the appropriate way to
incorporate
the pol-mil planning process into their curricula.

Agency Review and Implementation

Finally, PDD-56 directs each agency to review the adequacy of their
agency's
structure, legal authorities, budget levels, personnel system, training,
and
crisis management procedures to insure that we, as a government, are
learning
from our experiences with complex contingency operations and
institutionalizing
the lessons learned.

Annex A: Illustrative Components of a Political-Military Plan for a Complex Contingency Operation

- * Situation Assessment. A comprehensive assessment of the situation
to clarify
essential information that, in the aggregate, provides a multi-
dimensional
picture of the crisis.
- * U.S. Interests. A statement of U.S. interests at stake in the crisis and
the
requirement to secure those interests.
- * Mission Statement. A clear statement of the USG's strategic purpose
for the
operation and the pol-mil mission.
- * Objectives. The key civil-military objectives to be accomplished
during the
operation.
- * Desired Pol-Mil End State. The conditions the operation is intended
to create
before the operation transitions to a follow-on operation and/or
terminates.
- * Concept of the Operation. A conceptual description of how the
various
instruments of USG policy will be integrated to get the job done
throughout all
phases of the operation.
- * Lead Agency Responsibilities. An assignment of responsibilities for

participating agencies.

* Transition/Exit Strategy. A strategy that is linked to the realization of the end state described above, requiring the integrated efforts of diplomats, military leaders, and relief officials of the USG and the international community.

* Organizational Concept. A schematic of the various organizational structures of the operation, in Washington and in theater, including a description of the chain of authority and associated reporting channels.

* Preparatory Tasks. A layout of specific tasks to be undertaken before the operation begins (congressional consultations, diplomatic efforts, troop recruitment, legal authorities, funding requirements and sources, media coordination, etc.).

* Functional Tasks / Agency Plans. Key operational and support plans written by USG agencies that pertain to critical parts of the operation (e.g., political mediation/reconciliation, military support, demobilization, humanitarian assistance, police reform, basic public services, economic restoration, human rights monitoring, social development, public information, etc.).

White Paper on PDD-56

Exchange Mail

DATE-TIME 9/28/97 5:51:34 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Refugee PD package [UNCLASSIFIED]
TO Letts, Kelly J.

CARBON_COPY

TEXT_BODY Here are the documents. You do not need to retype the PD itself; I was able to quickly rework it based on last year's doc. All are on the G drive in my directory. Thanks.

TRANSLATED_ATTACHMENT

6567BERGER.DOC

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Refugee Admissions for FY 1998

Attached at Tab I is a memorandum to the President recommending that the President sign the Presidential Determination on Refugee Admissions for FY 1998.

This determination differs from our original proposal in one significant respect: we have added 5,000 unfunded numbers to the former Soviet Union. This increases the number of slots for this program from 21,000 to 26,000 for FY 1998 and the overall ceiling from 78,000 to 83,000.

This change occurred after Members of the Senate and representatives of the organizations that resettle refugees from the Soviet Union expressed strong opposition to the drop in numbers from 30,000 in FY 1997 to 21,000 in FY 1998 for this program. After discussions with both groups, it was agreed that the addition of 5,000 unfunded numbers would address their concerns. These reserve numbers will be used as needed provided that resources are available to fund the cost of their admission. We have also agreed to meet with representatives from the relevant organizations midway through FY 1998 to evaluate whether we need to use these reserve numbers and, if so, to find the resources to fund them (with help from the relevant Members of the Senate if necessary).

Concurrence by: Will Davis

RECOMMENDATION

That you sign the attached memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

Tab A Memorandum from the Acting Secretary

Tab B Presidential Determination

2

6567

TRANSLATED_ATTACHMENT 6567PD.DOC

Presidential Determination

No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Presidential Determination on FY 1998 Refugee
Admissions Numbers and
Authorizations of In-Country Refugee Status Pursuant to Sections 207
and
101(a)(42), Respectively, of the Immigration and Nationality Act, and
Determination Pursuant to Section 2(b)(2) of the Migration and
Refugee Assistance
Act, as Amended

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

The admission of up to 83,000 refugees to the United States during
FY 1998 is
justified by humanitarian concerns or is otherwise in the national
interest;
provided, however, that this number shall be understood as including
persons
admitted to the United States during FY 1998 with Federal refugee
resettlement
assistance under the Amerasian immigrant admissions program, as
provided below.

The 83,000 funded admissions shall be allocated among refugees of
special
humanitarian concern to the United States in accordance with the
following
regional allocations; provided, however, that the number allocated to
the East
Asia region shall include persons admitted to the United States during
FY 1998
with Federal refugee resettlement assistance under Section 584 of the
Foreign
Operations, Export Financing, and Related Programs Appropriations
Act of 1988, as
contained in Section 101 (e) of Public Law 100-202 (Amerasian

immigrants and
their family members); provided further that the number allocated to
the former
Soviet Union shall include persons admitted who were nationals of the
former
Soviet Union, or in the case of persons having no nationality, who
were habitual
residents of the former Soviet Union, prior to September 2, 1991:

Africa.....	7,000
East Asia.....	14,000
Europe.....	51,000
Latin America/Caribbean.....	4,000
Near East/South Asia.....	4,000
Unallocated.....	3,000

Within the Europe ceiling are 5,000 unfunded reserve numbers
allocated to the
former Soviet Union for use as needed provided that resources are
available to
fund the cost of their admission. The 3,000 unfunded unallocated
numbers shall
be allocated as needed if resources are available to fund the cost of
their
admission. Unused admissions numbers allocated to a particular
region within the
75,000 federally funded ceiling may be transferred to one or more
other regions
if there is an overriding need for greater numbers for the region or
regions to
which the numbers are being transferred. You are hereby authorized
and directed
to consult with the Judiciary Committees of the Congress prior to any
such use of
the unallocated numbers or reallocation of numbers from one region
to another.

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

An additional 10,000 refugee admissions numbers shall be made
available during FY

1998 for the adjustment to permanent resident status under Section 209(b) of the Immigration and Nationality Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under Section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest.

In accordance with Section 101(a) (42) (B) of the Act (8 U.S.C. 1101 (a) (42)) and after appropriate consultation with the Congress, I also specify that, for FY 1998, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam
- b. Persons in Cuba
- c. Persons in the former Soviet Union

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

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

TRANSLATED_ATTACHMENT 6567PRES.DOC

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL R. BERGER
JOHN HILLEY

SUBJECT: Refugee Admissions for FY 1998

Purpose

To sign the Presidential Determination for FY 1998 Refugee Admissions.

Background

The Immigration and Nationality Act requires that you determine, after appropriate Congressional consultations, the number of refugee admissions to the United States that is justified by humanitarian concerns or is otherwise in the national interest.

On July 31, 1997, you authorized the Secretary of State to consult with Congress on a proposed refugee admissions ceiling of 78,000. After consultation, Members of the House expressed general support for the FY 1998 admissions program although several questioned the need for continuing the admissions program for people from the former Soviet Union given changed conditions in that region and the relatively low number of slots allocated to Africa (7,000) in light of the large number of refugees on that continent.

Following its consultation, Members of the Senate queried whether adequate numbers had been allocated for the former Soviet Union, East Asia, and Africa. Contrary to their colleagues in the House, they expressed special concern about the drop in numbers for the former Soviet Union from 30,000 in FY 1997 to 21,000 in FY 1998. After further discussion with these Members and with representatives of the groups that resettle refugees from the former Soviet Union, it was agreed that an additional allocation of 5,000 unfunded reserve numbers to the former Soviet Union would address the concerns raised. These reserve numbers will be used as needed provided that resources are available to fund the cost of their

admission. If needs for additional refugee numbers arise in other regions, these can be drawn from the unallocated reserve of 3,000 provided for in your initial proposal. Thus, given the addition of 5,000 unfunded numbers to the former Soviet Union, the overall refugee admissions ceiling for FY 1998 has been raised from the 78,000 in your proposal to 83,000.

Attached at Tab A is a memorandum to you from Acting Secretary Eizenstat that summarizes the views of Members of Congress and recommends that you sign the Presidential Determination for FY 1998.

RECOMMENDATION

That you sign the Presidential Determination attached at Tab B.

Attachments

Tab A Memorandum from the Acting Secretary

Tab B Presidential Determination

2

6567

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 11/19/97 2:35:39 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT DED for Haitians [UNCLASSIFIED]
TO Hofmann, Karl W.
DeLaurentis, Jeffrey J.
DeSouza, Patrick J.
Dobbins, James F.
Hofmann, Karl W.
Kinser-Kidane, Brenda J.
Piccone, Theodore J.
Williams, Mary C.

CARBON_COPY Busby, Scott W.
Hill, Roseanne M.
Letts, Kelly J.
Malley, Robert
Ragan, Richard F.
Rossi, Christopher R.
Schwartz, Eric P.

TEXT_BODY
Here you go. Please let me know Jim's thoughts ASAP. Need to give to DOJ before telecon at 5:30.

TRANSLATED_ATTACHMENT
DED for Haitians_.doc

November 19, 1997

INFORMATION

MEMORANDUM TO PHIL BARTZ
OFFICE OF THE DEPUTY ATTORNEY GENERAL
JOHN MORTON
OFFICE OF THE DEPUTY ATTORNEY GENERAL
RANDY MOSS
OFFICE OF LEGAL COUNSEL, DOJ

THROUGH: ERIC SCHWARTZ/JIM DOBBINS

FROM: SCOTT BUSBY/KARL HOFMANN

SUBJECT: Foreign Policy Rationale for Granting Deferred Enforced
Departure (DED)
to Certain Haitians in the United States

There are two related foreign policy reasons for deferring the return of
certain
Haitians to Haiti:

(1) The economic and political situation in Haiti is very fragile at this
time,
particularly with the withdrawal of multilateral forces on November
30. The
return of a significant number of Haitians from the United States
would only
contribute to the problems that Haiti now faces.

(2) The United States has devoted substantial military, political, and
economic
resources to restoring democracy and stability to Haiti and continues
to do so.
The United States thus has a powerful interest in contributing in any
way it can
to these developments. Deferring the return of Haitians who fled
political
violence prior to the restoration of stability in Haiti represents one
important
way of doing this.

Current Situation in Haiti

Haiti's economy continues to struggle. Haiti remains by far the poorest
country
in the hemisphere. GDP growth in 1996 was less than 2% and growth
this year is
unlikely to increase significantly. Unemployment and
underemployment are
estimated to run as high as 80%. Parliamentary inaction and weak
public
administration impede efforts to deal effectively with these problems.
A
perceived lack of security also continues to deter private investment.

Given these difficulties, Haiti's economy is simply unable to absorb
large
numbers of job-seeking returnees at this time. Such individuals would
either
join the ranks of unemployed or underemployed or displace currently

employed
Haitians, thereby disrupting the momentum of Haiti's efforts to
modernize its
economy. Moreover, IMF estimates that Haitians in the United States,
including
those who may be subject to deportation, send \$400-500 million in
remittances to
Haiti. These represent an important source of foreign exchange in an
economy
that has difficulty generating such revenues.

In addition, Haiti is presently at a significant political crossroads that
makes
repatriation of a significant number of Haitian nationals potentially
destabilizing. The United Nations peacekeeping mission in Haiti
concludes on
November 30, and Canadian and Pakistani peacekeeping troops will
depart then.
For the first time since the multilateral intervention in 1994, Haiti will
be
without a foreign military security presence. While there is likely to
be an
extension of the UN's successful Civilian Police (CIVPOL) mentoring
mission,
which is responsible for helping to develop the Haitian National
Police, this
process is far from complete. Nonetheless, the HNP will soon assume
primary
responsibility for internal security and stability in Haiti. Against a
backdrop
of political difficulty, a barely functioning government and a
prolonged
electoral crisis, Haiti can ill afford the potential shock to its stability
or
security that the return of a significant number of Haitians would
represent.

U.S. Foreign Policy Interests

Beginning with our intervention in October 1994, the United States
has spent
roughly \$2 billion to help bring about democracy, stability, and
economic reform
in Haiti. The United States continues to devote considerable resources
to these
efforts. Although the return of Haitians by itself may not determine
the
success of these efforts, it represents one important contributing factor
that -
significantly -- is within the control of the U.S. Government. We

believe that
deferring the return of Haitians will help to ensure the realization of
U.S.
foreign policy goals in Haiti.

Scope of Protected Class

We believe that the group Haitians who applied for asylum or were
paroled into
the United States pursuant to our refugee protection efforts is an
appropriate
class for which to defer deportation. Generally, these individuals fled
the
human rights abuses and civil strife that characterized Haiti prior to
the
intervention in 1994. We have offered temporary protection to a
sizeable group
of these individuals consistent with our international commitments to
uphold
refugee protection principles. Deferring their deportation would be a
logical
outgrowth of our decision to provide them with protection.

Exchange Mail

DATE-TIME 12/23/97 11:08:56 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Statement by the President on Certain Haitians [UNCLASSIFIED]
TO Davies, Glyn T.
Friedrich, Mary K.
Helweg, M. Diana
Kale, Dora A.
Kerrick, Donald L.
Malley, Robert
Millison, Cathy L.
Quinn, Mary E.
Scott-Perez, Marilyn L.
Storey, Sharon V.

CARBON_COPY Busby, Scott W.
Hill, Roseanne M.
Letts, Kelly J.
Malley, Robert
Ragan, Richard F.
Rossi, Christopher R.
Schwartz, Eric P.
Williams, Mary C.

TEXT_BODY

Jim -- The second of your two suggested changes left a hole in the second paragraph that needed fixing. Eric and I have crafted something that we think addresses the problem you had with that sentence. Also, Vinca Lafleur has helped us spruce it up with a few stylistic changes. Scott

TRANSLATED_ATTACHMENT

SBTP on Certain Haitians.doc
THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 23, 1997

STATEMENT BY THE PRESIDENT

Today, I have directed the Attorney General and the Immigration and Naturalization Service to defer for one year the deportation of Haitians who were paroled into the United States or applied for asylum prior to December 31, 1995.

This action makes good on the commitment I made to address the situation of Haitians when I signed immigration legislation last month offering relief to Central Americans and others. It will shield these Haitians from deportation while we work with Congress to provide them long-term legislative relief.

Haitians deserve the same treatment we sought for Central Americans. Like Central Americans, Haitians for many years were forced to seek the protection of

the United States because of oppression, human rights abuses and civil unrest at home. Many of them have established strong ties and made significant contributions to our communities. And, while we have been encouraged by Haiti's

progress following the restoration of democratic government in 1994, the situation there remains fragile. Staying the deportation of these Haitians and obtaining for them permanent legislative relief will help support a stable and democratic Haiti - which, in turn, is the best safeguard against a renewed flow of Haitian migrants to the United States.

Exchange Mail

DATE-TIME 12/23/97 2:04:51 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT THE WHITE HOUSE [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY

TEXT_BODY

In case you want to edit.

TRANSLATED_ATTACHMENT

Haitians Fact Sheet.doc
THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 23, 1997

FACT SHEET ON DEFERRED ENFORCED DEPARTURE (DED) FOR
HAITIANS

Today, the President directed the Attorney General and the Immigration Naturalization Service to defer for one year the deportation of Haitians who were paroled into the United States or applied for asylum prior to December 1, 1995.

This action will protect these Haitians against deportation for one year while the Administration works with Congress to provide them long-term legislative relief.

The Immigration and Naturalization Service (INS) estimates that there are approximately 40,000 Haitians who may benefit from the President's action. This

group includes Haitians who were paroled into the United States from Guantanamo Bay Naval Base after the overthrow of President Aristide in 1991, Haitians

who arrived in the United States through other means and were later paroled, and

Haitians who applied for asylum anytime prior to December 31, 1995. Excluded from this relief would be Haitians who have committed serious crimes c whose removal the Attorney General or Secretary of State determine to be in the interest of the United States. This group is very similar to that covered by legislation introduced by Senator Graham and Representative Conyers that would grant permanent relief to these Haitians.

The President's decision to grant DED to this group of Haitians is based on constitutional authority to conduct foreign relations. The President has determined that it is in the foreign policy interest of the United States to grant DED to this group of Haitians. Specifically, he believes that this action will help contribute to Haiti's efforts to build a stable and lasting democracy. This, in turn, will help to safeguard the United States against future outflows of Haitian migrants.

The Bush Administration granted DED three times: first in 1990 to Chileans, then in 1991 to certain Kuwaiti residents evacuated from the Persian Gulf; and finally in 1992 to Salvadorans who had previously registered for Temporary Protected Status (TPS). In 1993, President Clinton extended for 18 months the grant of DED to Salvadorans.

The Department of Justice and INS will decide how the President's directives will be specifically implemented. Questions about implementation should be referred to them.

Exchange Mail

DATE-TIME 12/31/97 5:00:48 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Cuban pitching star Orlando Hernandez, half brother of Marlins pitcher and World Series MVP Livan Hernandez, fled Cuba by raft, was rescued in Bahamians waters and is requesting asylum and is Cuban Livan Hernandez [UNCLASSIFIED]
TO DeLaurentis, Jeffrey J.
CARBON_COPY
TEXT_BODY

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

From: Busby, Scott W.

Sent: Wednesday,

December 31, 1997 4:59 PM

To: Schwartz, Eric P.

Subject: Cuban

pitching star Orlando Hernandez, half brother of Marlins pitcher and World Series MVP Livan Hernandez, fled Cuba by raft, was rescued

in Bahamians waters and is requesting asylum and is Cuban Livan Hernandez [UNCLASSIFIED]

Shorter, sweeter.

TRANSLATED_ATTACHMENT

COS input on Orlando Hernandez_.doc

On Sunday, the Coast Guard rescued eight Cuban migrants in Bahamian waters and transferred them to a detention center in the Bahamas. These individuals include

Cuban pitching star Orlando Hernandez, half brother of Marlins pitcher and World

Series MVP Livan Hernandez, and Alberto Hernandez (not related), a catcher from

the Cuban national team. Both were banned from playing baseball in Cuba as a

result of Livan's defection in 1995. All eight individuals have requested asylum in the United States. Bringing these individuals in as refugees would be inconsistent with our current Cuban migration policy, which calls for us to resettle in third countries Cubans with well-founded fears of persecution and to return to Cuba those who do not have such concerns. Nevertheless, we believe, and Justice and State agree, that the two baseball players and a common-law spouse should be paroled into the United States as quickly as possible. Justice intends to do so on humanitarian grounds, given the family ties these individuals have in the United States and the mistreatment they have already suffered in Cuba, and on the ground that the two baseball players would appear to be otherwise admissible to the U.S. as persons of extraordinary athletic ability. The remaining five, who do not present the same concerns, would remain in the Bahamas and have their refugee claims evaluated under current procedures. We are currently attempting to obtain the agreement of the Bahamian authorities to proceed in this fashion.

Exchange Mail

DATE-TIME 12/31/97 5:26:57 PM
FROM DeLaurentis, Jeffrey J.
CLASSIFICATION UNCLASSIFIED
SUBJECT The eight Cuban nationals located in the Bahamas are safe and well where they are receiving good care from the Bahamian authorities [UNCLASSIFIED]
TO Schwartz, Eric P.
Busby, Scott W.

CARBON_COPY**TEXT_BODY****TRANSLATED_ATTACHMENT**

statement on hernandez.doc
CUBA: CUBAN NATIONALS IN THE BAHAMAS

The eight Cuban nationals located in the Bahamas are safe and well where they are receiving good care from the Bahamian authorities. For humanitarian reasons, we have decided to allow Orlando Hernandez Pedroso, his wife, and Alberto Hernandez Perez. Under ordinary circumstances, these individuals would qualify for U.S. visas issued to persons of extraordinary ability, including in athletics. They have been banned from organized baseball in Cuba and are unable to benefit from regular immigration channels.

The United States wishes again to express its appreciation to the Government of the Bahamas for its continued cooperation and support. We look forward to working together on these important migration matters.

We also wish to reiterate our commitment to the September 1994 and May 1995 migration accords signed with Cuba. We believe that these accords continue to be effective in promoting safe, legal and orderly migration.

Exchange Mail

DATE-TIME 1/6/98 2:59:58 PM
FROM DeLaurentis, Jeffrey J.
CLASSIFICATION UNCLASSIFIED
SUBJECT ORLANDO HERNANDEZ AND COMPANY REPORTEDLY
[UNCLASSIFIED]
TO Busby, Scott W.

CARBON_COPY

TEXT_BODY

Scott -- I see an answer to our prayers in the making...

-----Original

Message-----

From: SitRoom

Sent: Tuesday, January 06, 1998 2:31

PM

To: Busby, Scott W.; DeLaurentis, Jeffrey J.; DeSouza, Patrick
J.; Dobbins, James F.; Hofmann, Karl W.; Jordan, Donald L.; Orfini,
Michael H.; Piccone, Theodore J.; Ragan, Richard F.; Rossi, Christopher
R.; Schwartz, Eric P.; Sigler, Ralph H.

Subject: ORLANDO HERNANDEZ
AND COMPANY REPORTEDLY

UNCLAS NASSAU 000024

DEPT. FOR ARA/AS
DAVIDOW, ARA/CAR FOR K.LANG, AND
ARA/CAA FOR J. JACOBS

E.O. 12958:

N/A

TAGS: PREF, SMIG, PGOV, PREL, CU, BF, CS

SUBJECT: ORLANDO HERNANDEZ

AND COMPANY REPORTEDLY

WILL DEPART BAHAMAS FOR COSTA

RICA BY

JANUARY 9

REF: (A) NASSAU 0022(NOTAL)(B)NASSAU
00013 (NOTAL)

(C) NASSAU 02964 (NOTAL), (D) NASSAU 02955 (NOTAL)

GERARDO

CAPO, CUBAN-AMERICAN BUSINESSMAN WHO HAS
BEEN GUARDIAN FOR ORLANDO
HERNANDEZ AND PARTY,
PHONED AMBASSADOR JANUARY 9 TO SAY THAT COSTA
RICA
HAS AGREED TO ACCEPT HERNANDEZ AND THE OTHER SIX
MIGRANTS
WHO DEPARTED CUBA WITH HERNANDEZ (NOTE:
NORIS BOSCH RAIFA, COMPANION
OF ORLANOO HERNANDEZ
DEPARTED FOR THE US ON JANUARY 4. END NOTE.)
CAPO
SAID THAT THE GROUP WOULD DEPART NASSAU ON OR BY
JANUARY 9
AND THAT THE DEPARTURE MIGHT ENTAIL
CAPO'S CHARTERING A PLANE.
WILL SEEK CONFIRMATION
OF THIS FROM BAHAMIAN AUTHORITIES.
WILLIAMS

Exchange Mail

DATE-TIME 1/30/98 7:13:53 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Package 0314 [UNCLASSIFIED]
TO Letts, Kelly J.

CARBON_COPY

TEXT_BODY

Please prepare. Thx.

TRANSLATED_ATTACHMENT

Ros-Lehtinen response SRB memo.doc

Date

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Response to Letter on Cubans in the Bahamas

Attached is a memorandum to the President and a proposed response on the above subject.

Concurrence by: Jeff Delaurentis; Mara Rudmam

RECOMMENDATION

That you forward the attached memorandum and response.

Attachment

Tab I Memorandum to the President

Tab A Outgoing Correspondence

Tab B Incoming Correspondence

1

TRANSLATED_ATTACHMENT Ros-Lehtinen letter POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Response to letter regarding Cubans in the Bahamas

Purpose

To respond to a letter from Representative Ileana Ros-Lehtinen urging you to grant visas to Cubans in the Bahamas.

Background

Representative Ros-Lehtinen urges you to grant visas to 82 Cuban nationals in the Bahamas. She notes that these individuals intended to reach the United States and deserve to be reunited with their families here.

Your response explains that granting visas to these Cubans would be inconsistent with our Cuban migration policy. You point out, however, that the Bahamas has adopted procedures that ensure that Cubans who deserve protection under international standards receive asylum in that country.

RECOMMENDATION

That you sign the attached letter.

Attachment
Tab A Response to Ileana Ros-Lehtinen
Tab B Incoming Correspondence

2

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT Ros-Lehtinen response on Cuban refugees.doc

Dear Representative Ros-Lehtinen:

Thank you for your letter regarding Cuban asylum seekers in the Bahamas.

As you know, my Administration modified U.S. policy towards Cuban migration following the mass exodus in August 1994. The aim of this policy is to discourage Cubans from undertaking unsafe boat departures and to encourage the use of our in-country migration programs. Granting U.S. visas to Cubans who land in the Bahamas would be inconsistent with this policy.

Nevertheless, Cubans who land in the Bahamas are entitled to seek asylum there.

The Bahamas is a party to the 1951 Convention and 1967 Protocol relating to the Status of Refugees and is actively collaborating with the Office of the United Nations High Commissioner for Refugees in determining which Cuban asylum seekers

are entitled to refugee status there. Under these procedures, the Bahamas has granted asylum to a number of Cuban asylum seekers in recent years. We believe that this process ensures that Cubans deserving of protection under international standards are not returned to Cuba.

I appreciate your interest in this matter.

Sincerely,

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

Exchange Mail

DATE-TIME 3/24/98 6:29:00 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT CUBAN DETAINEES LAUNCH HUNGER STRIKE [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY Busby, Scott W.
Letts, Kelly J.
Malley, Robert
Naplan, Steven J.
Ragan, Richard F.
Rossi, Christopher R.
Schwartz, Eric P.

TEXT_BODY

FYI

UNCLAS NASSAU 000656

DEPT. FOR ARA/CAR K. LANG AND ARA/CCA
J. THEIS

E.O. 12958: N/A

TAGS: PREF, KCRM, CVIS, PREL, CU, BF

SUBJECT:

CUBAN DETAINEES LAUNCH HUNGER STRIKE TO PROTEST
"UNEQUAL" TREATMENT

REF:

A) NASSAU 00646; B) NASSAU 00135

1. CLOSE TO 140 CUBAN MIGRANTS
AWAIT REPATRIATION BEHIND
ONE BARBED WIRE AND TWO CHAIN-LINKED FENCES
AT THE
BAHAMIAN DETENTION CENTER. REPORTERS KEEP A VIGIL
OUTSIDE
THOSE FENCES AS ALL WATCH TO SEE IF AND HOW SOON
NINE CUBAN DEFECTORS,
INCLUDING FOUR BASEBALL PLAYERS,
WILL BE SET FREE.

2. THE CELEBRATED

BAND, WHO WERE FEARED LOST AT SEA LAST WEEK, WERE PICKED UP IN THE BAHAMAS ON SUNDAY, MARCH 22. ALL WERE IN GOOD CONDITION (REF A). THE BALL PLAYERS CLAIMED TO HAVE HIDDEN IN A SAFEHOUSE FOR 10 DAYS BEFORE THEIR ESCAPE FROM CUBA.

3. THIS GROUP OF ATHLETES IS THE SECOND TO ARRIVE IN THE BAHAMAS SINCE LATE DECEMBER WHEN PITCHER ORLANDO "EL DUQUE" HERNANDEZ, HIS WIFE AND FIVE COLLEAGUES WERE QUICKLY GIVEN HUMANITARIAN PAROLE IN THE U.S. AND COSTA RICA (REF B). ALREADY, AN EFFORT TO RELEASE THE LATEST GROUP OF DEFECTORS IS REPORTEDLY UNDERWAY, ACCORDING TO HERNANDEZ' SPORTS AGENT, JOE CUBAS. THE CUBAN-AMERICAN AGENT TOLD THE LOCAL PRESS THAT 23-YEAR OLD FIRST BASEMAN JORGE LUIS TOCA AND THE OTHERS, SIGNED A LETTER ON MARCH 22, WHICH IS BEING SENT TO COSTA RICAN PRESIDENT JOSE MARIA FIGUERAS REQUESTING HUMANITARIAN VISAS. WHEN THE BALL PLAYERS ARRIVED AT THE DETENTION CAMP WITH THE CUBAN-AMERICAN AGENT TWO DAYS AGO, DETAINEES THERE CHANTED "FREEDOM" AND THEN ANOTHER VOICE CRIED OUT, "WE HAVE THE SAME RIGHTS AS THE BALL PLAYERS."

3. ON MARCH 23, THE CUBAN DETAINEES BEGAN A PROTEST HUNGER STRIKE, ACCORDING TO CARLTON WRIGHT, DEPUTY PERMANENT SECRETARY OF THE MINISTRY OF LABOR, IMMIGRATION, AND TRAINING. WRIGHT TOLD POLOFF THE DETAINEES ARE "TRYING TO FORCE OUR HAND, BUT WE DON'T HAVE THE DECISION." HE EXPLAINED THAT IT IS NOT THE BAHAMAS THAT DECIDES IF THE ATHLETES GO TO THE FRONT OF

THE LINE. THEIR FREEDOM, IS INITIATED BY "PERSONS WHO
HAVE
OTHER INTERESTS", NOT THE GOVERNMENT OF THE BAHAMAS.
WHEN ASKED
ABOUT THE CURRENT MOOD OF THE CAMP, WRIGHT
SAID ALL WERE QUIET,
AND ALTHOUGH DETAINEES ARE STILL
REFUSING TO EAT THERE IS NO REAL
TENSION. HE ALSO SAID
THAT SO FAR NO ONE AS APPROACHED THE GCOB
REGARDING VISAS
FOR COSTA RICA OR ASYLUM THE BAHAMAS.

WILLIAMS

Exchange Mail

DATE-TIME 3/25/98 9:34:53 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT More on ballplayers [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY

TEXT_BODY

a2738
^BC-BAHAMAS-CUBA-BALLPLAYERS 1STLD
^Cuban detainees in
protest of ballplayer treatment
(Updates with number of Cubans
fasting, letter from agent
Cubas, adds details)
By Athena
Damianos
NASSAU, Bahamas, March 24 (Reuters) - More than 150
Cubans
held at a Bahamas detention camp have gone on a hunger strike
to
protest alleged preferential treatment for baseball players in
their
midst, immigration officials said on Tuesday.
Four baseball
players and a coach, along with four others
who left Cuba with them,
were brought to Nassau's Carmichael
Road Detention Center on Sunday
after they were picked up by a
Bahamian fishing boat on Friday.

Since their arrival, the five men have drawn a crowd of
international
media to the barbed wire-ringed camp, sparking
fears among the other
detainees that they might be given early
releases or other special
treatment.
Many Cubans have been held in the center for months,
and the
baseball players joined in the hunger strike to demand that
all

of the detainees be treated as political refugees.

Joe

Cubas, a Cuban-American sports agent known for sponsoring baseball

defectors, has been trying to obtain

humanitarian visas from the

Dominican Republic, Costa Rica,

Nicaragua or possibly the United

States for the five -- first

baseman Jorge Luis Toca, catcher Angel

Lopez, second baseman

Jorge Diaz, shortstop Michael Jova, and coach

Enrique China.

Cubas, in a letter to Bahamian Immigration

Director Melvin

Seymour, said they would face grave consequences

if they were

repatriated. He urged the government to give them time to secure

safe haven in the Bahamas or another country.

He

also offered to provide food, clothing and aid to all the detainees,

Cuban and Haitian, in the detention center. ``It is

my position

and that of the Cuban exile community to provide you

and your government

immediate assistance," he said.

The Brothers to the Rescue

Cuban exile volunteer group said

it would fly aid shipments from

Miami to Nassau.

Bahamian officials have said the five, like

other Cubans in

the Bahamas illegally, faced deportation back home.

They said

Cuba had contacted the Bahamas government about them.

They denied the sportsmen were being given special treatment.

``It is not the case," said Luther Smith, permanent

secretary in

the Ministry of Foreign Affairs.

Immigration officials said

all of the 121 Cuban men, 19

women, 11 children at the camp began

refusing to eat on Monday.

``I would think that the basis of the

hunger strike is because

every attention is being paid to the (players),"

an official
said.
The baseball players had been feared lost
at sea for more
than a week before they were found, prompting days
of searching
by the U.S. Coast Guard and Miami-based volunteers.

Carried by currents from the Caribbean, small boatloads of
refugees
from Cuba and Haiti regularly end up in the Bahamas, an
island archipelago
nation of 280,000 that says it lacks
resources to grant them residency.

Fifteen other Cubans and about 40 Haitians have been picked
up
off the Bahamas since the ballplayers' group was found.
In
December, Orlando Hernandez, brother of Florida Marlins
star pitcher
Livan Hernandez, reached the Bahamas by boat and
was released soon
after being taken to Carmichael Road center.
Hernandez had
turned down a U.S. visa in favor of permission
to move to Costa
Rica. The move allowed him to negotiate a deal
as a free agent and
he signed a \$6.6 million contract with the
New York Yankees baseball
team this winter.
The Bahamas has diplomatic relations with
Cuba and regularly
repatriates illegal immigrants from that country.

The U.S. State Department on Monday urged the Bahamas to
make
sure no genuine refugee was returned to Cuba but stopped
short of
saying it should not repatriate the players.
A well-placed
government source said the arrival of the
ballplayers placed the
Bahamas in a difficult position.
``On the one hand, you have
to be mindful that the Cuban
government may look on this with distrust.
And on the other
hand, what do you do with the refugees. And you

have the U.S.
government, which seems to be sitting back and saying,
'Let's
just pick out the good ones and make them millionaire ball
players,'"
he said. ^REUTERS

RB-- 03/24/98 18:28:00

Exchange Mail

DATE-TIME 3/30/98 6:56:18 PM
FROM Busby, Scott W.
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 03/30/1998
DECLASSIFYON 03/30/2008
SUBJECT Revised GTMO memo [~~CONFIDENTIAL~~]
TO Schwartz, Eric P.

CARBON_COPY Letts, Kelly J.

TEXT_BODY

At last. For your reveiw. This draft has the informal approval of DOJ. I'd like to send this forward as soon as you give the green light. Preferably this week.

TRANSLATED_ATTACHMENT Guantanamo Burden-sharing Memo.doc

MEMORANDUM FOR THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE
THE SECRETARY OF THE TREASURY
THE ATTORNEY GENERAL
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: Burden-Sharing for Migrant Operations at Guantanamo
and Other Overseas
Facilities (U)

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By MM NARA, Date 3/28/16

201-1036-f

The Secretary of Defense has raised with me his concerns about the burdens borne by the Department of Defense in the funding and management of migrant operations

at Guantanamo Bay Naval Base and at other overseas military bases. Although the interagency has discussed how to better share these burdens, final agreement on a new arrangement has not yet been achieved. In the interest of moving this process forward, I would like to propose the following burden-sharing scheme regarding migrant operations at Guantanamo and other overseas facilities as they relate to both Cubans and non-Cubans. (U)

1. Cubans

As you know, the absence of an agreement between Cuba and the United States permitting the return of Cuban migrants who reach U.S. soil has required that we interdict and screen Cuban migrants at sea. Those migrants who establish a credible fear of persecution or present other issues requiring further investigation are taken to Guantanamo for further processing. Defense has established and continues to maintain a virtually permanent facility to house and provide for the everyday needs of these migrants. The Department of Justice, through the Immigration and Naturalization Service, has been responsible for providing the staff and resources to determine whether these migrants require protection. The Department of State has been responsible for facilitating the resettlement of those migrants who are deemed to require protection. (C)

Until we have an agreement permitting the return of Cuban migrants from U.S. soil, our current policy requires that we continue to have a migrant facility at Guantanamo for a small number of Cubans. We believe that the Department of Justice has the greatest expertise in detaining migrants and thus should have lead responsibility for managing this facility. This may include contracting with an outside entity. Justice will also bear all incremental costs associated with operating and maintaining the facility. (C)

Because the vast majority of these migrants are either awaiting refugee-like screening or have been deemed to meet the international refugee definition, and thus are being held not for law enforcement but for protection purposes, we propose that the Department of State, which is ordinarily responsible for assisting overseas refugees, contribute half the cost of maintaining this migrant facility. (C)

We further propose that, because of Guantanamo's status as a naval base, the Department of Defense continue to support those activities directly related to the overall operation of the base such as infrastructure (water, electricity, roads, etc.). Given the sensitivity of the U.S. presence at the base, we also propose that the Department of Defense continue to be responsible for maintaining the overall security of the facility. This includes policing the migrants inside the facility as well protecting the perimeter of the facility. (C)

2. Non-Cubans

The management and funding of interdicted non-Cuban cases has posed serious challenges for the interagency process in recent years. The recent enactment of new expedited removal procedures, however, provides us with greater flexibility than existed previously. As we have done in the past, we should first seek the prompt return of such migrants to their country of origin or to the flag-state of their vessels, with adequate safeguards to ensure against return of bona fide refugees. In the event that these migrants cannot be returned from the interdicting vessel to the country of origin or the flag-state of their vessel, they will normally be brought into the United States for processing under the new procedures. Nevertheless, decisions on doing so will have to take into account litigation risks, the availability of detention space and adjudication resources, and the effect of such a decision on our overall deterrence message.

~~(C)~~

In cases where the interagency determines that it is not feasible or advisable to bring the migrants to the United States, it may be necessary to bring them temporarily to Guantanamo or another overseas facility. Again, because of Justice's detention expertise and experience, we recommend that Justice be primarily responsible for establishing and maintaining a facility for such migrants (through contingency arrangements, if necessary). Justice would also be responsible for conducting any necessary screening and repatriating those migrants who are found not to warrant protection. As with the proposed Cuban facility, Defense would provide the necessary infrastructure for the operation as well as overall security. State would be charged with facilitating the transport or resettlement of any persons found to require protection. ~~(C)~~

It is important to note that these proposed arrangements are not intended to apply to mass migrations. In such cases, the Administration will draw upon the resources of various relevant agencies, as the President deems appropriate. (U)

We believe this proposed burden-sharing scheme begins to address, in a manner that is consistent with the mandates of each of your agencies, the concerns that have been raised. We suggest that the interagency meet to finalize the arrangements described above. We welcome your thoughts and reactions. (U)

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

3
~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL 5114~~

~~CONFIDENTIAL~~

Classified by: Samuel R. Berger

Reason: 1.5 (d)

Declassify On: 07/25/07

Exchange Mail

DATE-TIME 5/21/98 7:59:59 AM
FROM DeLaurentis, Jeffrey J.
CLASSIFICATION UNCLASSIFIED
SUBJECT CubanRefugees [UNCLASSIFIED]
TO Busby, Scott W.

CARBON_COPY**TEXT_BODY**

Scott -- this is CANF at work. CANF leaders made an appeal to Aleman yesterday in Miami. Jeff

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

From: WHSR

Sent: Wednesday, May 20, 1998 9:49 PM

To: Busby, Scott W.; DeLaurentis, Jeffrey J.; DeSouza, Patrick J.; Dobbins, James F.; Hofmann, Karl W.; Jordan, Donald L.; Lawson, Chappell H.; Naplan, Steven J.; Orfini, Michael H.; Piccone, Theodore J.; Ragan, Richard F.; Schwartz, Eric P.

Subject: CubanRefugees

D0542

^BC-Cuban Refugees, 1st Ld-Writethru,0529<

^Nicaragua

grants temporary asylum to Cuban refugees held in Bahamas<

^Eds:

Leads throughout to UPDATE with reaction from Cuban exiles, group

offering to pay relocation costs; Bahamas foreign ministry saying

it has not heard from Nicaragua. ADDS byline.<

^By RODOLFO GARCIA=

^Associated

Press Writer=

MANAGUA, Nicaragua (AP) Nicaragua has said it will grant

temporary asylum to 196 Cubans at a Bahamas refugee camp, a day

before some of them were scheduled to be deported to Cuba.

``In a humanitarian gesture, we are giving temporary asylum to

the
last group of Cubans who are detained in the Bahamas," Foreign
Ministry
spokesman Cesar Ubeda told The Associated Press on
Wednesday.

He said President Arnaldo Aleman made the announcement Wednesday
during
a visit to Miami, and that the Bahamas' attorney general,
Janet
Bostwick, had been informed.
A senior official in the Bahamas'
foreign ministry, however,
said late Wednesday that the Bahamas
had heard nothing from
Nicaragua and that repatriations would continue.

"The Bahamian government is prepared to live up to the 1996
agreement
which obligates us to repatriate all Cubans in the
Bahamas," said
the official, speaking on condition of anonymity.
"This group will
be repatriated as planned."
Despite the Bahamas reaction, Cuban
exiles in Miami were
jubilant over Nicaragua's announcement.

"This is fantastic news," said Rene Guim, spokesman for sports
agent
Joe Cubas, who in recent weeks had asked Nicaragua, Costa
Rica,
Honduras, Ecuador, Venezuela and Spain to take in the
refugees,
who are being held at a camp in Nassau.
Aleman was in Miami
to receive an award from the Cuban American
National Foundation.
Aleman was a friend of the late founder of the
powerful anti-Fidel
Castro lobby, Jorge Mas Canosa, and the
president attended a Mass
held in Mas Canosa's honor Wednesday,
Cuba's independence day.

Fernando Rojas, spokesman for the foundation, said the group was
offering
to pay resettlement costs for the Cubans in Nicaragua.
Ubeda
did not specify how many Cubans were involved, but there

are 196
Cubans at the refugee camp. The Bahamas had rejected all of
the
Cubans for political asylum after U.N. refugee workers
determined
they were economic refugees, and had not been subject to
political
persecution.
Hundreds of refugees flee Cuba by raft or boat
every year.
Nearby countries including the United States are
increasingly
cooperating with Cuba in repatriating boat people,
rather than granting
the automatic political asylum of the past.
On Monday, the Bahamas
deported 65 of the Cubans including
three baseball players and
a coach and said it would deport the
others soon. Another flight
was scheduled to leave on Thursday.
The government said it couldn't
afford to house a growing
refugee population, and cited its agreement
with Cuba to return
illegal immigrants.
The shift has angered
Cuban exile groups, who say those returned
to Cuba face retaliation.

None of the Cubans remaining in the Bahamas are baseball stars.

APE-

05/20/98 21:34:00

Exchange Mail

DATE-TIME 6/1/98 11:21:35 AM
FROM Busby, Scott W.
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 05/22/1998
DECLASSIFYON 05/22/2008
SUBJECT RE: Burden-sharing in Migrant Operations [~~CONFIDENTIAL~~]
TO DeLaurentis, Jeffrey J.

CARBON_COPY Allen, Charles A.
DeRosa, Mary B.

TEXT_BODY

Jeff, Chuck (or Mary -- don't know which of you wants to handle now that Mary's back) --

Here is a revised memo based on Jeff's and Jim Dobbins' comments. Would appreciate your clearances by COB tomorrow.

Jeff
-- While I modified references to our Cuban migration policy consistent with your comments, I retained a reference to it in first sentence of second para in Cuba section. I realized that our inability to return Cubans is what makes our Cuban migration distinct from our policy for other nationalities. Otherwise, we could apply expedited removal to Cuban interdictees the same way we say we intend to for other nationalities.

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

From: DeLaurentis,
Jeffrey J.
Sent: Tuesday, May 26, 1998 7:28 PM
To: Busby, Scott
W.
Cc: Allen, Charles A.
Subject: RE: Burden-sharing in Migrant

DECLASSIFIED
E.O. 13526

White House Guidelines, September 11, 2006

By M NARA, Date 3/28/16

2011-1034-F

Operations [~~CONFIDENTIAL~~]

Scott -- sorry for the delay. The actual scheme makes sense to me but the opening sentence of the first two paragraphs under "I. Cubans" is factually inaccurate. We interdict and screen Cuban migrants at sea because of the May 1995 agreement, and because of the Cuban Adjustment Act which enables them to seek

asylum upon landing in the U.S. It does not have much to do with whether we have an agreement with Cuba for Cubans who end up in the

U.S. In the second para, we need a migrant facility at Gtmo to hold those for third country re-settlement, or for further processing if INS personnel deem it appropriate after preliminary interviews at sea -- not because we need an agreement permitting the return of Cuban migrants from U.S. soil. Make sense? Can you adjust the language accordingly? Jeff

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

From: Busby,

Scott W.

Sent: Tuesday, May 26, 1998 5:59 PM

To: Allen, Charles

A.; DeLaurentis, Jeffrey J.

Cc: @INTERAM - Inter-American; @LEGAL

- Legal Advisor

Subject: FW: ~~Burden-sharing~~ in Migrant Operations
[~~CONFIDENTIAL~~]

Need your clearances on this one.

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

From: Busby, Scott W.

Sent: Friday, May 22, 1998

2:06 PM

To: Allen, Charles A.; DeLaurentis, Jeffrey J.

Cc: @LEGAL

- Legal Advisor; @INTERAM - Inter-American; Williams, Mary C.

Subject: Burden-sharing
in Migrant Operations [~~CONFIDENTIAL~~]

Jeff, Chuck --

This memo

has been long in the works. Would appreciate your clearances.

Justice,

Defense, and State have all seen various versions of the memo, offered

comments and are ok (we think) with the basic scheme we propose here.

Since the memo is a proposal, we anticipate that there will be lots more reactions.

<< File: 5114 BERGER.doc >> << File: 5114 MIGRANT MEMO.doc >>

TRANSLATED_ATTACHMENT 5114 BERGER.doc

May 21, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Burden-sharing in Migrant Operations

Last year, in response to concerns raised by the Department of Defense, you informally circulated to Secretaries Cohen and Albright a draft memorandum proposing a burden-sharing framework for migrant operations. We received comments from DoD and State and have had extensive discussions on this issue with staff from these agencies as well as the Department of Justice. The attached revised proposal represents our best effort to resolve the competing interests of these agencies.

The critical elements of the proposal are:

- * Justice will assume lead responsibility for managing overseas migrant facilities, including the one at Guantanamo;

- * State will reimburse Justice for the costs associated with maintaining migrants deemed to require protection; and

* Defense will be responsible for providing infrastructural support and maintaining overall security at these facilities.

All agencies have been consulted on this proposal and we anticipate all will accept or acquiesce in its basic contents.

Concurrence by: Jeff DeLaurentis, Chuck Allen

RECOMMENDATION

That you forward the attached memorandum.

Attachment

Tab I Memorandum on Burden-Sharing in Migrant Operations

2

5114

TRANSLATED_ATTACHMENT 5114 MIGRANT MEMO.doc

MEMORANDUM FOR THE SECRETARY OF STATE
THE ATTORNEY GENERAL
THE SECRETARY OF DEFENSE
THE SECRETARY OF COMMERCE
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: Burden-Sharing for Migrant Operations at Guantanamo
and Other Overseas
Facilities (U)

The Secretary of Defense has raised with me his concerns about the burdens borne by the Department of Defense in the funding and management of migrant operations at Guantanamo Bay Naval Base and at other overseas military bases. Although agencies have discussed how to better share these burdens, final

agreement on a new arrangement has not yet been achieved. In the interest of moving this process forward, I would like to propose the following burden-sharing scheme regarding migrant operations at Guantanamo and other overseas facilities as they relate to both Cubans and non-Cubans. (U)

1. Cubans

As you know, our current policy requires that we interdict and screen Cuban migrants who depart Cuba by boat. Those migrants who establish a credible fear of persecution or present other issues requiring further investigation are taken to Guantanamo for processing. Defense has established and continues to maintain a facility to house and provide for the everyday needs of these migrants. The Department of Justice, through the Immigration and Naturalization Service, has been responsible for providing the staff and resources to determine whether these migrants require protection. The Department of State has been responsible for facilitating the resettlement of those migrants who are deemed to require protection. (C)

Until we have the ability to repatriate Cubans from U.S. soil, we will continue to need a migrant facility at Guantanamo for a small number of Cubans. We believe that the Department of Justice has the greatest expertise in detaining migrants and thus should have lead responsibility for managing this facility. (This may include contracting with an outside entity.) Justice would bear all incremental costs associated with operating and maintaining such a facility. (C)

Because many of the migrants at the facility have been deemed to meet the international refugee definition and are awaiting resettlement in a third country, we believe that the Department of State, which is ordinarily

responsible
for assisting and providing protection to overseas refugees, should
bear the cost
of maintaining these migrants. State will also continue to be
responsible for
facilitating the resettlement of these individuals in third countries. (C)

We further propose that, because of the terms under which we lease
Guantanamo
from the Cuban government and its status as a naval base, the
Department of
Defense continue to support the infrastructure on which the facility
depends
(e.g, water, electricity, roads, etc.). Given the sensitivity of the U.S.
presence at the base, we also believe that the Department of Defense
should
continue to be responsible for maintaining the overall security of the
facility.
This includes continuation of current arrangements regarding security
at the
perimeter of the facility. Defense and Justice will discuss how best to
manage
the immediate security of the migrants inside the facility. (C)

2. Non-Cubans

The management and funding of interdicted non-Cuban cases has
posed serious
challenges for the interagency process in recent years. The recent
enactment of
expedited removal procedures, however, provides us with greater
flexibility than
existed previously. As we have done in the past, we should first seek
the prompt
return of interdicted migrants to their country of origin or to the flag-
state of
the vessels transporting them, with adequate safeguards to ensure
against return
of refugees. In the event that these migrants cannot be returned to
either such
country, they will ordinarily be brought into the United States for
processing
under expedited removal procedures. Nevertheless, before such a
decision is
made, consideration should be given to litigation risks, the availability
of
detention space and adjudication resources, and the effect of such a
decision on
our overall immigration policy. (C)

In cases where the interagency determines that it is not feasible or advisable to bring the migrants to the United States, it may be necessary to bring them temporarily to Guantanamo or another overseas facility. Again, because of Justice's detention expertise and experience, we recommend that Justice be primarily responsible for establishing and maintaining a facility for such migrants (through contingency arrangements, if necessary). Justice would also be responsible for conducting any necessary screening of the migrants. As with the proposed Cuban facility, Defense would provide the necessary infrastructure for the operation as well as overall security. State would be charged with facilitating the resettlement of any persons found to require protection and with the repatriation of those migrants found not to require protection. (C)

It is important to note that these proposed arrangements are not intended to apply to mass migrations. In such cases, the Administration will draw upon the resources of various relevant agencies, including the Department of Defense, as the President deems appropriate. (U)

We believe this proposed burden-sharing scheme begins to address, in a manner that is consistent with the mandates of each of your agencies, the concerns that have been raised. We suggest that the interagency meet to define with greater specificity the arrangements described above. We welcome your thoughts and reactions. (U)

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

3
~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL 5114~~

~~CONFIDENTIAL~~

~~Classified by: Samuel R. Berger~~

~~Reason: 1.5 (d)~~

~~Declassify On: 07/25/07~~

Exchange Mail

DATE-TIME 6/3/98 6:56:58 PM

FROM Barks-Ruggles, Erica

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: Clearances Please: Refugee Admissions for FY 1999
[UNCLASSIFIED]

TO Prendergast, John P.

CARBON_COPY Barks-Ruggles, Erica
Battenfield, Pat A.
Prendergast, John P.
Sanders, Robin R.
Wilson, Joseph C.

TEXT_BODY

They seem to finally be moving the Africa numbers up. I suppose we should not complain, but 45,000 for Europe still seems outrageous.

Considering that over 1/2 the world's refugees are in Africa, it does not make sense that MORE than 1/2 our quota goes to Europe! At the end of the day, it's not worth the fight, but we might note in clearance that we expect similiar percentage increases next year for Africa as E. Europe numbers come down to reflect better the worldwide refugee reality. - Erica

-----Original Message-----
From: Prendergast,
John P.
Sent: Wednesday, June 03, 1998 5:58 PM
To: @AFRICA - African
Affairs
Subject: FW: Clearances Please: Refugee Admissions for
FY 1999 [UNCLASSIFIED]

I have no problem with this. Anyone else?

-----Original
Message-----
From: Busby, Scott W.
Sent: Wednesday, June 03, 1998
5:50 PM
To: @AFRICA - African Affairs; @ASIA - Asian Affairs;
@BOSNIA

- Bosnian Affairs; @CEE - Central/Eastern Europe; @EUROPE - European Affairs; @INTERAM - Inter-American; @LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs; @NESASIA - NE/South Asia; @PLANNING - Strat Plan & Comm
Cc: @DEMOCRACY - Dem/Human Affairs
Subject: Clearances
Please: Refugee Admissions for FY 1999 [UNCLASSIFIED]

Need your clearances by COB tomorrow (Thurs.) on this package. Numbers in this proposal are consistent with e-mail I sent around a month or so ago. Thank you.

TRANSLATED_ATTACHMENT 3282 Berger memo.doc

June 3, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Proposed Refugee Admissions for FY 1999

Attached is memorandum to the President covering a memorandum for the Secretary of State on the above subject. The memorandum for the Secretary of State authorizes her to consult with the Congress on the FY 1999 Refugee Admissions program.

The most significant changes in this year's proposal as compared to last year's -- an increase in the numbers for Africa and decreases in the numbers for East Asia and the former Soviet Union - reflect the Administration's efforts to gradually shift the focus of the program to those who are most in need of

resettlement.

The Department of State has conducted extensive consultations with the nongovernmental community in developing this year's proposal. Thus, we do not expect significant opposition.

Concurrence by: All NSC Regional Offices, Jamie Baker, Anthony Blinken, Mara Rudman

RECOMMENDATION

That you sign the attached memorandum to the President.

Attachment

Tab I Memorandum to the President

Tab A Memorandum for the Secretary of State

Tab B Incoming Materials Provided by the Department of State

1

3282

TRANSLATED_ATTACHMENT 3282 POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Proposed Refugee Admissions for FY 1999

Purpose

To obtain your approval to consult with Congress on proposed refugee

admissions
for FY 1999.

Background

INA Requirement: The Immigration and Nationality Act requires you to determine, before the beginning of each fiscal year, the number and allocation of refugees who will be authorized to be admitted and resettled in the United States. If you so authorize, a process of formal congressional consultation will begin shortly and will lead to a Presidential Determination regarding the program for FY 1999.

Refugee Program: The Refugee Program is designed to identify and provide protection to refugees located overseas by bringing such persons to the United States and granting them permanent status here. It is distinct from the asylum process, which permits persons who are already within the United States to seek the permanent protection of our country.

Criteria: We have traditionally based our annual allocations on criteria that include historical and familial associations between the affected population and the United States, foreign policy/national security concerns, congressional sentiment and the threats faced by the affected population. In recent years, we have increased our collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR) in identifying those persons in greatest need of resettlement.

Proposal: The Departments of State, Justice, and Health and Human Services propose a refugee admissions ceiling of 75,000 for FY 1999. Although this represents a reduction from the 1998 ceiling of 83,000, it is not significantly different than the 76,000 we expect actually to admit in FY 1998.

Regional Breakdown of FY '99 Numbers: The FY 1999 numbers would be allocated by

region as follows: 12,000 for Africa; 9,000 for East Asia; 45,000 for Europe;
3,000 for Latin America and the Caribbean; 4,000 for the Near East and South Asia
and 2,000 for an unallocated reserve.

There are three notable differences between these proposed regional ceilings and the projected admissions for the current fiscal year. First, there is a substantial increase from 7,000 to 12,000 of the number of slots available to Africans, a change aimed at providing greater resettlement opportunities to the region with the highest number of refugees in the world. Second, there is a decrease from 14,000 to 9,000 for East Asia. This is the result of the winding down of our in-country refugee admissions program in Vietnam. Third, our ceiling for Soviet Jews and Evangelical Christians will be reduced from 26,000 to 20,000. This decrease is the consequence of a declining applicant pool (in fact, we will this year resettle only 21,000 of the 26,000 included in the FY 1998 ceiling), as well as the post-Cold War political evolution in the former Soviet Union. State has consulted with a broad array of non-governmental organizations, and we do not anticipate significant opposition to this proposal.

RECOMMENDATION

That you sign the attached memorandum to the Secretary of State authorizing congressional consultations on the FY 1999 Refugee Admissions Program.

Attachments

Tab A Memorandum to the Secretary of State

Tab B Materials Provided by the Department of State

2

2

3282

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 3282 SecState memo.doc

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: FY 1999 Refugee Admissions Consultations

In accordance with Section 207 of the Immigration and Nationality Act (INA), you are authorized to consult with the appropriate committees of the Congress concerning refugee admissions as follows:

1. The authorization of 75,000 refugee admissions during FY 1999, which would be allocated by specific region as follows: 12,000 for Africa; 9,000 for East Asia (including Amerasians); 3,000 for Latin America and the Caribbean; 4,000 for the Near East and south Asia; 45,000 for Europe; and 2,000 for the Unallocated Reserve. The recommended level of funded admissions is equal to the level assumed in the FY 1999 budget request.
2. The authorization of an additional 10,000 refugee admission numbers to be made available for the adjustment to permanent resident status of persons who have been granted asylum in the United States.
3. The designation, pursuant to section 101(a) (42) (B) of the INS, of persons in Cuba, Vietnam, and the former Soviet Union, who if they otherwise qualify for admission as refugees, may be considered refugees under the INA even though they are still within their country of nationality or habitual residence.

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

Exchange Mail

DATE-TIME 6/4/98 5:47:06 PM
FROM Marty, Joseph H.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Clearances Please: Refugee Admissions for FY 1999
[UNCLASSIFIED]
TO Countryman, Thomas M.
Busby, Scott W.

CARBON_COPY

TEXT_BODY Looks fine to me, Scott.
Tom, if you have problems, let Scott
know. We only got 4,000 this year...

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

From: Busby,
Scott W.

Sent: Wednesday, June 03, 1998 5:50 PM

To: @AFRICA -

African Affairs; @ASIA - Asian Affairs; @BOSNIA - Bosnian
Affairs;

@CEE - Central/Eastern Europe; @EUROPE - European Affairs;
@INTERAM

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

Affairs; @NESASIA - NE/South Asia; @PLANNING - Strat Plan &
Comm

Cc: @DEMOCRACY

- Dem/Human Affairs

Subject: Clearances Please: Refugee Admissions
for FY 1999 [UNCLASSIFIED]

Need your clearances by COB tomorrow
(Thurs.) on this package. Numbers in this proposal are consistent
with e-mail I sent around a month or so ago. Thank you.

TRANSLATED_ATTACHMENT

3282 Berger memo.doc

June 3, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Proposed Refugee Admissions for FY 1999

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Concurrence by: All NSC Regional Offices, Jamie Baker, Anthony Blinken, Mara Rudman

RECOMMENDATION

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Tab A Memorandum for the Secretary of State

Tab B Incoming Materials Provided by the Department of State

1

3282

TRANSLATED_ATTACHMENT 3282 POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Proposed Refugee Admissions for FY 1999

Purpose

To obtain your approval to consult with Congress on proposed refugee admissions for FY 1999.

Background

INA Requirement: The Immigration and Nationality Act requires you to determine, before the beginning of each fiscal year, the number and allocation of refugees who will be authorized to be admitted and resettled in the United States. If you so authorize, a process of formal congressional consultation will begin shortly and will lead to a Presidential Determination regarding the program for FY 1999.

Refugee Program: The Refugee Program is designed to identify and provide protection to refugees located overseas by bringing such persons to the United States and granting them permanent status here. It is distinct from the asylum

process, which permits persons who are already within the United States to seek the permanent protection of our country.

Criteria: We have traditionally based our annual allocations on criteria that include historical and familial associations between the affected population and the United States, foreign policy/national security concerns, congressional sentiment and the threats faced by the affected population. In recent years, we have increased our collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR) in identifying those persons in greatest need of resettlement.

Proposal: The Departments of State, Justice, and Health and Human Services propose a refugee admissions ceiling of 75,000 for FY 1999. Although this represents a reduction from the 1998 ceiling of 83,000, it is not significantly different than the 76,000 we expect actually to admit in FY 1998.

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we will
this year resettle only 21,000 of the 26,000 included in the FY 1998 ceiling), as well as the post-Cold War political evolution in the former Soviet Union. State has consulted with a broad array of non-governmental organizations, and we do not anticipate significant opposition to this proposal.

RECOMMENDATION

That you sign the attached memorandum to the Secretary of State authorizing congressional consultations on the FY 1999 Refugee Admissions Program.

Attachments

Tab A Memorandum to the Secretary of State
Tab B Materials Provided by the Department of State
2

2

3282

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 3282 SecState memo.doc

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: FY 1999 Refugee Admissions Consultations

In accordance with Section 207 of the Immigration and Nationality Act (INA), you are authorized to consult with the appropriate committees of the Congress concerning refugee admissions as follows:

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3. The designation, pursuant to section 101(a) (42) (B) of the INS, of persons in Cuba, Vietnam, and the former Soviet Union, who if they otherwise qualify for admission as refugees, may be considered refugees under the INA even though they are still within their country of nationality or habitual residence.

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

Exchange Mail

DATE-TIME 6/5/98 9:09:47 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Latest on the Cuban-Nicaraguan migration stand-off [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY**TEXT_BODY**

PREC: RUSH CLASS: INTERNATIONAL DOCID: R0048011

FM:
Reuters

Cuba stops baseball tour to Nicaragua amid tension

By Andrew Cawthorne
HAVANA, June 3 (Reuters) - Cuba on Wednesday called off scheduled tours to Nicaragua by its two main national baseball teams due to a political squabble between Managua and Havana over the fate of some 200 Cuban asylum-seekers. National baseball director Carlos Rodriguez told local state-run media that the recent tensions did not create "a propitious climate" for the series of games the Cuban teams had planned this month in Managua.

"Given the somewhat unrespectful decisions by the Nicaraguan authorities relating to the granting of visas to (Cuban) rafters and other dissidents from Cuba, a climate has emerged which does not favour at all going ahead with these encounters," he said.

Cuba and Nicaragua have engaged in a sarcastic war of words in recent days over roughly 200 Cuban exile-seekers who escaped

the
communist-run island in flimsy boats earlier this year but
were
repatriated from the Bahamas last month.
Nicaragua's right-wing
President Arnoldo Aleman had offered
asylum to the would-be exiles
whom he said were merely seeking
``freedom." But Havana rejected
that, and made a sarcastic
counter-offer ``if Mr. Aleman is so generous"
to send to
Nicaragua any other Cubans wishing to leave the island
legally.
Aleman responded Monday by saying that Cuba's problems
could
``be easily resolved" if just two people -- President Fidel
Castro,
and his powerful brother Raul -- took asylum in
Nicaragua instead.

Rodriguez added that ``therefore, due to the Nicaraguan
authorities'
attitude, hardly one of solidarity, we have decided
not to attend
these games."
State news agency Prensa Latina, also announcing
the
cancellation on Wednesday, condemned Nicaragua's ``unrespectful
treatment
and lack of gentlemanliness"
Cuba's and Nicaragua's baseball
federations had planned two
series of games, with the Caribbean
nation's B team due to leave
Wednesday for Managua, and the A team
at the end of June.
Among the Cubans deported last month from
the Bahamas were
Cuban baseball players Angel Lopez, Jorge Diaz
and Michael Jova,
and coach Orlando Chinae, who had dreamed of making
it into the
U.S. professional leagues.
Nicaragua's Embassy
in Havana offered them entry visas at a
meeting Friday, but a Cuban
communique released Saturday said
none of those Cubans recently
returned from the Bahamas would be

allowed to leave the country.

Since the weekend, Cuban authorities have maintained tight security around the Nicaraguan embassy in Havana's upscale Miramar district, with uniformed and plain clothes policemen guarding the road. Branches cut from trees on each side of the diplomatic mission have been stacked on the pavement outside. The deportations of the Cubans in May honoured a 1996 immigration accord between Nassau and Havana and reflected new efforts by the Bahamas not to become a one-way station for Cubans hoping to reach the United States. But they infuriated Cuban exiles in Miami, who said the escapees faced reprisals in their country and should be treated as political refugees. Diplomats in Cuba say the resulting spat between Havana and Managua is hardly surprising, given past enmity between the two countries. Aleman is a sworn enemy of Castro, who in turn has strongly supported Nicaragua's left-wing Sandinista movement.

RB-- 06/04/98 12:05:00

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Scott Busby to Eric Schwartz re: The Cuban-Nica Exchange on Rafters (6 pages)	06/08/1998	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Non-Record (Sept 97-Jan 01) ([Scwhartz and Cuba...])
OA/Box Number: 630000

FOLDER TITLE:

[08/28/1997-06/17/1998]

Rob Seibert
2011-1039-F
rs1863

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 6/12/98 6:35:16 PM
FROM Busby, Scott W.
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 06/12/1998
DECLASSIFYON 06/12/2008
SUBJECT Please Prepare Package [~~CONFIDENTIAL~~]
TO Kale, Dora A.

CARBON_COPY
TEXT_BODY Dora -- Please prepare the attached package in final on Monday morning.
Thanks. (I have the file.)

TRANSLATED_ATTACHMENT 5114 BERGER.doc

June 12, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Burden-sharing in Migrant Operations

Last year, in response to concerns raised by the Department of Defense, you informally circulated to Secretaries Cohen and Albright a draft memorandum proposing a burden-sharing framework for migrant operations. We received comments from DoD and State and have had extensive discussions on this issue with

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By M NARA, Date 3/29/16

2011-1031-F

staff from these agencies as well as the Department of Justice. The attached revised proposal represents our best effort to resolve the competing interests of these agencies.

The critical elements of the proposal are:

- * Justice will assume lead responsibility for managing overseas migrant facilities, including the one at Guantanamo;
- * State will reimburse Justice for the costs associated with maintaining migrants deemed to require protection; and
- * Defense will be responsible for providing infrastructural support and maintaining overall security at these facilities.

All agencies have been consulted on this proposal and we anticipate all will accept or acquiesce in its basic contents.

Concurrence by: Jeff DeLaurentis, Chuck Allen

RECOMMENDATION

That you forward the attached memorandum.

Attachment
Tab I Memorandum on Burden-Sharing in Migrant Operations
2

5114

TRANSLATED_ATTACHMENT 5114 MIGRANT MEMO.doc

MEMORANDUM FOR THE SECRETARY OF STATE
THE ATTORNEY GENERAL
THE SECRETARY OF DEFENSE

THE SECRETARY OF COMMERCE
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: Burden-Sharing for Migrant Operations at Guantanamo
and Other Overseas
Facilities (U)

The Secretary of Defense has raised with me his concerns about the burdens borne by the Department of Defense in the funding and management of migrant operations at Guantanamo Bay Naval Base and at other overseas military bases. Although agencies have discussed how to better share these burdens, final agreement on a new arrangement has not yet been achieved. In the interest of moving this process forward, I would like to propose the following burden-sharing scheme regarding migrant operations at Guantanamo and other overseas facilities as they relate to both Cubans and non-Cubans. (U)

1. Cubans

As you know, our current policy requires that we interdict and screen Cuban migrants who depart Cuba by sea or enter our base unlawfully. Those migrants who establish a credible fear of persecution or present other issues requiring further investigation are taken to Guantanamo for processing. Defense has established and continues to maintain a facility to house and provide for the everyday needs of these migrants. The Department of Justice, through the Immigration and Naturalization Service, has been responsible for providing the staff and resources to determine whether these migrants require protection. The Department of State has been responsible for facilitating the resettlement of those migrants who are deemed to require protection. (C)

Until we have the ability to repatriate Cubans from U.S. soil, we will continue to need a migrant facility at Guantanamo for a small number of

Cubans. We believe that the Department of Justice has the greatest expertise in detaining migrants and thus should have lead responsibility for managing this facility. (This may include contracting with an outside entity.) Justice would bear all incremental costs associated with operating and maintaining such a facility. (C)

Because many of the migrants at the facility have been deemed to meet the international refugee definition and are awaiting resettlement in a third country, we believe that the Department of State, which is ordinarily responsible for assisting and providing protection to overseas refugees, should bear the cost of maintaining these migrants. State will also continue to be responsible for facilitating the resettlement of these individuals in third countries. (C)

We further propose that, because of the terms under which we lease Guantanamo from the Cuban government and its status as a naval base, the Department of Defense continue to support the infrastructure on which the facility depends (e.g, water, electricity, roads, etc.). Given the sensitivity of the U.S. presence at the base, we also believe that the Department of Defense should continue to be responsible for maintaining the overall security of the facility. This includes continuation of current arrangements regarding security at the perimeter of the facility. Defense and Justice will discuss how best to manage the immediate security of the migrants inside the facility. (C)

2. Non-Cubans

The management and funding of interdicted non-Cuban cases has posed serious challenges for the interagency process in recent years. The recent enactment of expedited removal procedures, however, provides us with greater flexibility than existed previously. As we have done in the past, we should first seek the prompt

return of interdicted migrants to their country of origin or to the flag-state of the vessels transporting them, with adequate safeguards to ensure against return of refugees. In the event that these migrants cannot be returned to either such country, they will ordinarily be brought into the United States for processing under expedited removal procedures. Nevertheless, before such a decision is made, consideration should be given to litigation risks, the availability of detention space and adjudication resources, and the effect of such a decision on our overall immigration policy. (C)

In cases where the interagency determines that it is not feasible or advisable to bring the migrants to the United States, it may be necessary to bring them temporarily to Guantanamo or another overseas facility. Again, because of Justice's detention expertise and experience, we recommend that Justice be primarily responsible for establishing and maintaining a facility for such migrants (through contingency arrangements, if necessary). Justice would also be responsible for conducting any necessary screening of the migrants. As with the proposed Cuban facility, Defense would provide the necessary infrastructure for the operation as well as overall security. State would be charged with facilitating the resettlement of any persons found to require protection and with the repatriation of those migrants found not to require protection. (C)

It is important to note that these proposed arrangements are not intended to apply to mass migrations. In such cases, the Administration will draw upon the resources of various relevant agencies, including the Department of Defense, as the President deems appropriate. (U)

We believe this proposed burden-sharing scheme begins to address, in a manner that is consistent with the mandates of each of your agencies, the concerns that have been raised. We suggest that the interagency meet to define with

greater
specificity the arrangements described above. We welcome your
thoughts and
reactions. (U)

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

2

~~CONFIDENTIAL~~

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~~CONFIDENTIAL 5114~~

~~CONFIDENTIAL~~

Classified by: Samuel R. Berger

Reason: 1.5 (d)

Declassify On: 07/25/07

Exchange Mail

DATE-TIME 6/14/99 11:40:05 AM
FROM Busby, Scott W.
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 06/08/1999
DECLASSIFYON 06/08/2009
SUBJECT FW: Migrant burden-sharing memo [~~CONFIDENTIAL~~]
TO Schwartz, Eric P.

CARBON_COPY

TEXT_BODY Here's revision of Berger memo consistent with what is in my TPs to you.

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

From: Busby, Scott W.
Sent: Tuesday,
June 08, 1999 12:12 PM
To: Schwartz, Eric P.
Subject: Migrant burden-sharing
memo [~~CONFIDENTIAL~~]

Here's my re-draft. Note that I have charged State with all care and maintenance costs of detaining the migrants (we had discussed only doing so for refugees or people with a credible fear). To give them only the expense of the protect cases is too little (and too hard, in my view, to parse out from the C & M for non-protect cases).

TRANSLATED_ATTACHMENT 5114 MIGRANT MEMO2.doc

DECLASSIFIED
E.O. 13526

White House Guidelines, September 11, 2006

By M NARA, Date 3/28/16

2011-1031-F

MEMORANDUM FOR THE SECRETARY OF STATE
THE ATTORNEY GENERAL
THE SECRETARY OF DEFENSE

THE SECRETARY OF COMMERCE
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: Burden-Sharing for Migrant Operations at Guantanamo
and Other Overseas
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I. Cubans

As you know, our current policy requires that we interdict and screen Cuban migrants who depart Cuba by sea or enter our base unlawfully. Those migrants who establish a credible fear of persecution or present other issues requiring further investigation are taken to Guantanamo for processing. Defense has established and continues to maintain a facility to house and provide for the everyday needs of these migrants. The Department of Justice, through the Immigration and Naturalization Service, has been responsible for providing the staff and resources to determine whether these migrants require protection. The Department of State has been responsible for facilitating the resettlement of those migrants who are deemed to require protection. (C)

Until we have the ability to repatriate Cubans from U.S. soil, we will continue to need a migrant facility at Guantanamo for a small number of

Cubans. We believe that the Department of Justice has the greatest expertise in detaining migrants and thus should have lead responsibility for managing this facility. (This may include contracting with an outside entity.) Justice would bear all incremental costs associated with operating and maintaining such a facility. (C)

Because many of the migrants at the facility have been deemed to meet the international refugee definition and are awaiting resettlement in a third country, we believe that the Department of State, which is ordinarily responsible for assisting and providing protection to overseas refugees, should bear the cost of maintaining these migrants. State will also continue to be responsible for facilitating the resettlement of these individuals in third countries. (C)

We further propose that, because of the terms under which we lease Guantanamo from the Cuban government and its status as a naval base, the Department of Defense continue to support the infrastructure on which the facility depends (e.g, water, electricity, roads, etc.). Given the sensitivity of the U.S. presence at the base, we also believe that the Department of Defense should continue to be responsible for maintaining the overall security of the facility. This includes continuation of current arrangements regarding security at the perimeter of the facility. Defense and Justice will discuss how best to manage the immediate security of the migrants inside the facility. (C)

2. Non-Cubans

The management and funding of interdicted non-Cuban cases has posed serious challenges for the interagency process in recent years. The recent enactment of expedited removal procedures, however, provides us with greater flexibility than existed previously. As we have done in the past, we should first seek the prompt

return of interdicted migrants to their country of origin or to the flag-state of the vessels transporting them, with adequate safeguards to ensure against return of refugees. In the event that these migrants cannot be returned to either such country, they will ordinarily be brought into the United States for processing under expedited removal procedures. Nevertheless, before such a decision is made, consideration should be given to litigation risks, the availability of detention space and adjudication resources, and the effect of such a decision on our overall immigration policy. (C)

In cases where the interagency determines that it is not feasible or advisable to bring the migrants to the United States, it may be necessary to bring them temporarily to an overseas location while they are being processed.. In cases where it is necessary to establish a temporary facility to house the migrants, we propose that the Department of Defense assume responsibility for establishing such a facility. Defense would also be responsible for providing perimeter security. We recommend that Justice assume responsibility for maintaining immediate custody of the migrants, for conducting any necessary screening of the migrants and for carrying out the return of those migrants found not to require protection. State would be charged with providing for the care and maintenance of the migrants during their detention and with facilitating through diplomatic channels the repatriation process. (C)

Under these proposals, each agency would bear the cost of those activities assigned to it.

It is important to note that these proposed arrangements are not intended to apply to mass migrations. In such cases, the Administration will draw upon the resources of various relevant agencies, including the Department of

Defense, as
the President deems appropriate. (U)

We believe this proposed burden-sharing scheme begins to address, in
a manner
that is consistent with the mandates of each of your agencies, the
concerns that
have been raised. We suggest that the interagency meet to define with
greater
specificity the arrangements described above. We welcome your
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Samuel R. Berger
Assistant to the President
for National Security Affairs

3

~~CONFIDENTIAL~~

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~~CONFIDENTIAL 5114~~

~~CONFIDENTIAL~~

Classified by: Samuel R. Berger

Reason: 1.5 (d)

Declassify On: 07/25/07

Exchange Mail

DATE-TIME 6/17/98 5:23:49 PM

FROM Busby, Scott W.

CLASSIFICATION UNCLASSIFIED

SUBJECT Cubans in the Caymans [UNCLASSIFIED]

TO Schwartz, Eric P.

CARBON_COPY

TEXT_BODY

You asked whether they were screened. This report suggests that they were but I have called UNHCR to make sure that it is comrtable with the result.

PREC: RUSH CLASS: INTERNATIONAL DOCID:
R0092194

FM: Reuters

a3111

^BC-CAYMANS-CUBA

^Caymans

send 30 Cuban migrants home

GEORGE TOWN, Cayman Islands (Reuters)

- The Cayman Islands

Wednesday repatriated 30 Cuban migrants who sailed to the

British territory in March looking for jobs, the government said.

The decision to repatriate the group, which included five women

and two infants, was ``in keeping with the agreement reached between

the government of Cuba and the Cayman Islands following the massive

arrivals of illegal Cuban migrants in

1995," Caymans Chief Secretary

James Ryan said in a statement.

That year, 1,200 Cuban refugees

came to the Cayman Islands

during an exodus in August and September.

Ryan said the repatriated Cubans had originally not sought

political
asylum but had arrived by boat March 31 looking for
jobs. They officially
sought political refugee status only two
weeks ago, and the applications
were denied, he said.
He said the Cayman government had followed
United Nations'
guidelines on the refugee applications and Cuba
had assured the
government no harm would come to the migrants on
their return.
``We trust that (the repatriation) will reinforce
the
message that the Cayman Islands are not prepared to be either
a
destination or a corridor for persons who seek to migrate
illegally
for economic reasons," he said.
Witnesses at the airport said
it appeared several of the
Cuban men were handcuffed as they were
escorted by uniformed
Cayman Islands' police aboard the aircraft
taking them home.
^REUTERS

RB-- 06/10/98 20:43:00