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NSC/RMO PROFILE

RECORD ID: 9501033
RECEIVED: 14 FEB 95 16

TO: PRESIDENT

FROM: LAKE

DOC DATE: 15 FEB 95
SOURCE REF:

KEYWORDS: CUBA MIGRATION

IMMIGRATION

PERSONS:

SUBJECT: CUBA MIGRATION

ACTION: OBE PER WH STAFF SECRETARY

DUE DATE: 17 FEB 95 STATUS: C

STAFF OFFICER: MALLEY

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

BAKER
HALPERIN
MALLEY
NSC CHRON
ROCHA
SCHWARTZ

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSDRS

DOC 2 OF 2

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E.O. 13526
White House Guidelines, September 11, 2006
By *MM* NARA, Date *4/11/06*
201-1234-F

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ACTION DATA SUMMARY REPORT

RECORD ID: 9501033

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE
002 PRESIDENT
002

Z 95022108 FOR SIGNATURE
Z 95021514 FOR INFORMATION
X 95022714 OBE PER WH STAFF SECRETARY

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 950215
002 950215

VICE PRESIDENT
WH CHIEF OF STAFF

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National Security Council
The White House

PROOFED BY: _____ LOG # 1033

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BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Reed	_____	_____	_____
Dohse	<u>1</u>	_____	_____
Sens	_____	_____	_____
Soderberg	_____	_____	_____
Berger	_____	_____	_____
Lake	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>2</u>	_____	<u>N/R</u>
NSC Secretariat	_____	_____	_____
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_____	_____	_____	_____

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: _____

COMMENTS:

Exec Sec Office has diskette _____

2-27-95

OBE

~~DO~~ send back
to records

**per
Todd Stern**

rec'd 2/15 10:45am

National Security Council
The White House

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URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT
BYPASSED WW DESK: _____ DOCLOG PRS A/O _____

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Lake	<u>3</u>	Natl Sec Advisor has seen	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>4</u>	<u>MSN 2/5</u>	<u>D PRS</u>
NSC Secretariat	_____	_____	_____
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A = Action I = Information D = Dispatch R = Retain N = No Further Action

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COMMENTS:

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PROOFED BY: _____ LOG # 1033
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BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
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Sens	_____	_____	_____
Soderberg	_____	_____	_____
Berger	_____	_____	_____
Lake	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>2</u>	_____	<u>N/R</u>
NSC Secretariat	_____	_____	_____
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A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: _____

COMMENTS:

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rec'd 2/15 10:45am

National Security Council
The White House

PROOFED BY: _____

LOG # 1033

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG AB A/O _____

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	SEQUENCE TO	HAS SEEN	DISPOSITION
Reed	_____	_____	_____
Dohse	<u>1</u>	<u>D</u>	_____
Sens	_____	_____	_____
Soderberg	_____	_____	<u>done</u>
<i>wa</i> Berger	<u>2</u>	<u>AW</u>	<u>REDO asap</u>
Lake	<u>3</u>	Nat Sec Advisor has seen	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>4</u>	<u>MSN 2/5</u>	<u>J Pres</u>
NSC Secretariat	_____	_____	_____
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A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: _____

COMMENTS:

Exec Sec Office has diskette no

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1033

THE WHITE HOUSE
WASHINGTON

February 15, 1995

INFORMATION

95 FEB 15 P7:22

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE 

SUBJECT: Cuban migration

On February 14, the Coast Guard apprehended a group of Cubans trying to come ashore after having been in the Cayman Islands since last summer. Since some of the Cubans were apprehended within our territorial waters, we need to make some new decisions, described below, about how to deal with such situations. At the same time, this episode and some other evidence has triggered an interagency look at what steps we need to take to insure that there is not a renewal of the raft exodus this spring.

I. February 14 Incident

- On February 14, a group of 59 Cubans made it to Western Florida. They all set off from the Cayman Islands, where they apparently had been staying for several months and from where they were reportedly smuggled into the United States.
- Of the 59, 43 were able to swim to shore and have been placed in detention by INS. Sixteen were intercepted by a U.S. Coast Guard cutter about half a mile from the coast and are being held on the cutter. Among the 16 on the cutter are 7 Cubans whose relatives successfully swam ashore and are among those being detained by the INS.
- There is interagency agreement not to admit into the U.S. the remaining 16 Cubans who did not make it to the shore. They will not be provided an exclusion hearing. The State Department will urge the Cayman Islands to take them back. If they refuse, the Cubans will be brought to Guantanamo. We should expect a legal challenge to this action, since the Department of Justice's view that the right to an exclusion hearing under the Immigration and Nationality Act does not apply to persons interdicted within our territorial sea, but only to persons who reach U.S. soil, has not yet been tested in the courts.

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E.O. 13526

White House Guidelines, September 11, 2006

By  NARA, Date 

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Declassify on: OADR

cc: Vice President
Chief of Staff

~~CONFIDENTIAL~~

II. Policy Issues

A. Cubans who Make it to the United States

Under current United States policy, Cubans who make it to U.S. territory at first are detained, but ultimately are paroled. Under the Cuban Adjustment Act, the Attorney General then typically exercises her discretion to adjust their status after one year.

INS will be preparing a paper to discuss possible adjustments to this policy in order to reduce any incentive for Cubans to come to the United States through irregular means. Among other options, INS will consider whether to stop adjusting the status of all Cubans (other than criminals) who make it to U.S. territory.

B. Cubans who Make it to Guantanamo

There is some concern that, as weather conditions change, we could face increased attempts by Cubans to come to Guantanamo in the hope of benefiting from our humanitarian parole policy. Under current policy, the Attorney General has stated that she would only parole Cubans who were at Guantanamo at the time of the United States/Cuban agreement and who meet your humanitarian criteria.

NSC is preparing an options paper to address how we should deal with new arrivals at Guantanamo -- specifically,

(1) whether we want to reaffirm that they would not be paroled into the United States even if they qualified under existing programs, and, if so, how we can best get this message out to Cubans in sovereign Cuba.

(2) whether we should consider returning to sovereign Cuba (after having obtained the agreement of the Cuban government) all new arrivals who do not qualify for political refugee status.

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

1033

February 14, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: MORTON HALPERIN *RM 1*

FROM: ROBERT MALLEY *RM*

SUBJECT: Cuban Migration

The Coast Guard today apprehended a group of 59 Cubans trying to come ashore after having been in the Cayman Islands. Since some of the Cubans were apprehended within our territorial waters, we needed to make some new decisions, described below, about how to deal with such situations. At the same time this episode and some other evidence has triggered an interagency look at what steps we need to take to insure that there is not a renewal of the raft exodus this spring.

The attached information memorandum to the President describes the above-mentioned incident and some of the policy issues that are under consideration.

Concurrence by: *RM 1* Eric Schwartz; *Not available* Manuel Rocha; *RM 1* Jamie Baker

RECOMMENDATION

That you send the attached information memorandum to the President.

Attachment
Tab I Memorandum to the President

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Declassify on: OADR

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E.O. 13526
White House Guidelines, September 11, 2006
By *W* NARA, Date *4/11/16*
241-1034-F