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OA/ID Number: 9578

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Folder Title:

Cuban/Haitian Mass Migration etc. [2]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. discussion paper	re: Cuban migrants (3 pages)	03/13/1995	P1/b(1)
002. discussion memo	re: Long-term options for Guantanamo (11 pages)	12/11/1994	P1/b(1)
003. memo	Anthony Lake to President Clinton re: Long-term options for Guantanamo safehaven (4 pages)	00/00/0000	P1/b(1)
004a. memo	Todd Stern to President Clinton re: Anthony Lake decision memo (1 page)	11/26/1994	P1/b(1)
004b. memo	Anthony Lake to President Clinton re: Cuban children and families (2 pages)	11/23/1994	P1/b(1)
005. discussion paper	re: Status of children in safehavens (3 pages)	00/00/0000	P1/b(1)
006. memo	Anthony Lake to President Clinton re: Long-term options for Guantanamo safehaven [Duplicate of 003] (4 pages)	00/00/0000	P1/b(1)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Stephen Warnath
OA/Box Number: 9578

FOLDER TITLE:

Cuban / Haitian Mass Migration etc. [2]

2011-1039-F

jml492

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]
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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.

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concerning wells [(b)(9) of the FOIA]

MEMORANDUM

August 1, 1994

TO: Doris Meissner, Commissioner
FROM: Robert Bach
SUBJECT: Cuban Migration Emergency

The goal of U.S. policy toward Cuban migration should be to prevent an Immigration Emergency. Elements of an effective strategy to reduce *short-term* dangers exist that are consistent with Administration policy toward reducing tensions with Cuba. As pressures for migration increase, the task is to respond in a way that does not incite political reactions from Havana or Miami, and does not create a migration expectation among families in Cuba or in the United States.

DANGERS OF A CUBAN IMMIGRATION EMERGENCY

An emergency can create an international political crisis that undermines US interest in managing a stable transition beyond Castro. A large Cuban outflow could also greatly complicate US policy toward Haiti.

An emergency can be politically catastrophic. President Carter attributes part of his electoral defeat in 1980 to the Mariel crisis; former Governor Clinton also lost political support because of his agreement to open Ft. Chaffee as a holding center for Mariel entrants.

An emergency can threaten the lives and safety of large numbers of refugees and citizens of both countries. Kidnappings, hijackings, violent seizures of vessels, and the dangers of crossing the Florida Straits in rafts are now all-too-frequent aspects of illegal departures.

An emergency can undermine the Administration's overall immigration policy, especially the forthcoming asylum and expedited exclusion reforms. The Mariel episode launched years of anti-immigration sentiment around the country. Another emergency would certainly fan the anti-immigrant flames burning in California.

CURRENT US MIGRATION POLICY TOWARD CUBA

USG has a comprehensive migration policy toward Cuba. Cuban migration falls under the normal migration preference system that regulates flows from all other countries. Use of these normal channels, however, is very low. Last year, only 1,600 Cubans immigrated to the United States through family reunification. The primary problem is that Cuban American families do not petition for their family members.

USG grants 3,000 refugees each year from Cuba. The number does not appear to be too low. DOS reports some difficulties with weak refugee claims within the existing number, not large backlogs.

USG also issues roughly 10,000 nonimmigrant visas (NIV) a year. With an estimated 10% overstayer rate, approximately 1,000 Cubans remain in the United States each year through illegal entry.

The problem is illegal departures from Cuba by raft, increasingly by larger vessel, and by an occasional hijacking. Illegal departures are dangerous to the rafters and to Cuban citizens and guards who are sometimes physically attacked.

In the first seven months of 1994, total illegal departures who reach the United States (the number who die in the attempt is unknown) already surpass the total for 1993. Department of State reports as of July 26 a total of 4,623 rafters.

PREVENTIVE ACTION

The current rafter flow, if it was not so dangerous and politically inflammatory, is one component of an otherwise modest migration flow. Total Cuban migration, including illegal departures, is only slightly more than 10,000 a year. Now is the time to act moderately and cautiously to prepare for a larger flow either as the Cuban economy continues to deteriorate or a political transition occurs.

- o Do Not Create an Emergency

The Mariel crisis began with problems inside Cuba, but Castro turned it to his advantage when President Carter publicly embraced -- or at least was perceived to embrace -- the need for unrestricted emigration. The Cuban Government's current sensitivities include the continued special treatment of illegal departures as political heroes in the United States. Their concern is heightened by the US decision not to prosecute hijackers.

Periodic meetings between US and Cuban officials provide a foundation for maintaining and building confidence. US officials should take care not to make illegal departures a target of condemnation of Cuban activities. Such statements will be sought by Cuban

American and other community and Congressional leaders in the United States.

With some level of quiet official assurance, the Government of Cuba, which is well acquainted with the Cuban American community's reactions, is capable of distinguishing and accepting the difference between US Government and the local Miami responses.

- o Support Action to Reduce Illegal Departures

The U.S. has strong interests in reducing illegal departures and channeling them toward legal emigration. Currently, the Cuban Coast Guard is still working to stop illegal departures, although during a recent episode the Coast Guard reportedly trailed a vessel into international waters. The Cuban Coast Guard is the primary and perhaps only means of preventing another larger outflow. The U.S. should help make it possible for the Cuban Coast Guard to continue to patrol the waters to stop rafters.

- o Monitor Interdicted Rafters

Rafters are not human rights activists or victims of recent political crackdowns. US officials have the information to monitor the situation if Cuban Coast Guard interdiction prevents people with bona fide claims to persecution from fleeing.

- o Prepare for and Prevent a Boatlift from the U.S.

A large migration outflow can probably not be repeated with the current supply of vessels in Cuba. Emergency preparations should include a clear decision and action plan to prevent a boatlift originating from South Florida.

CUBAN ADJUSTMENT ACT

The Attorney General should use her discretionary authority to qualify, but not eliminate, eligibility under the Cuban Adjustment Act of 1966. A blanket decision to eliminate the special adjustment could be politically provocative in Florida and New Jersey. Such action could also lead to Congressional reactions to create a special legal status for Cuban migrants that would contradict the Administration's general immigration policy.

Still, several reasons argue for use of discretionary authority in a new way. If the Act serves as an incentive to immigrate, a change in both the expectation of automatic qualification and curtailment of public assistance benefits will help over time to reduce the flow.

If the Act makes illegal departures an alternative to normal family sponsorship, its effective termination may increase applications and promote legal immigration.

If the Act represents a political lightning rod for charges of discrimination between Haitian and Cuban migrants, abolition will still allow Cubans the full range of immigration benefits without providing exceptional group-specific treatment.

PROPOSAL TO REDIRECT MIGRATION INCENTIVES BY INCREASING NIVs

The current denial rate of nonimmigrant visas (tourists, visitors) is roughly 75% in Havana. Of those who come, roughly 10% overstay their visa and, after one year in the United States, adjust to legal status under the Cuban Adjustment Act of 1966.

These figures indicate a willingness among most Cuban travelers to return to Cuba after visiting relatives in the United States. Cuban Government restrictions on who can travel (e.g., they set age limits) and USG's own screening provide considerable control over the process.

A temporary increase in the NIV acceptance rate may help to channel some of the pressure away from illegal departures, especially if coupled with sustained Cuban efforts to patrol the coast. The goal would be to open a possibility for more people to visit families, gain foreign currency, and return home. USG would be able to screen those who are coming and have a ready mechanism to regulate the volume if necessary (e.g., if the overstayer rate increased sharply). The critical assumption to monitor, though, is whether any connection exists between decisions to attempt illegal departure and the rate of NIV denials.

A channeled nonimmigrant flow, even with a 10-15% overstayer rate, is much less visibly contradictory to Haitian policy than the current practice of picking up all rafters and releasing them into Miami. Efforts to prevent illegal departures, ensure safety, and facilitate controlled, legal processing would be clearly consistent with the general goals of Haitian policy.

Another, closer look at the reasons Cuban American families do not petition for their relatives would complement this strategy. Perhaps Federal authorities, through public education or removing any processing obstacles, could help redirect the deep emotional commitment to family reunion from support for rafters to a regularized petitioning process.

POLITICAL CONSIDERATIONS

Political resistance is likely to any effort to alter the Cuban Adjustment Act. The Act reinforces the political theme of defection and condemnation of the Cuban Government. The Act also provides Federal aid after only one-year of stay in the United States. The original purpose of the Cuban Adjustment Act of 1966, however, was to provide a legal status for Cubans to facilitate and to encourage rapid transition into resettlement. The context involved an effort to move the Cuban refugee program from a temporary exile situation (in which the refugees expected to go home) to a permanent resettlement process in the United States.

The Act is outdated because of the comprehensive immigration system which applies to Cuban and all other nationalities. The Refugee Act of 1980 provides a clear legal status and transitional support for those who qualify. Currently 3,000 refugees from Cuba are admitted annually. Asylum reforms also provide a mechanism that did not exist in 1966 for responding to new Cuban arrivals. The political context has also changed dramatically. The Cuban American community clearly has the capacity to resettle newcomer family members. For instance, despite the controversies, even the Mariel Cuban flow has adjusted well to communities in South Florida and New Jersey.

Electoral interest in Florida, of course, makes any action on Cuban migration extremely sensitive. Any new policy initiative should expect political reactions that contain several positions that directly constrain migration options. Strong sensitivities include the following issues:

- o perhaps the most important is the strong belief that no one, including most prisoners, should be returned to Cuba. This position fundamentally constrains U.S. migration policy, undermines the asylum process, and encourages outmigration.
- o no overt, official cooperation with Castro.
- o Congressional members' explicit defense of special treatment for Cuban migrants.
- o belief that U.S. is only legitimate destination for people leaving Cuba.
- o possible connections to Florida's lawsuit against the Federal Government for Federal aid for illegal immigration, and Governor Chiles' request for release of resources from the Migration Emergency Fund.
- o some U.S. groups seem ready to push a crisis to promote more aggressive action leading to Castro's demise.

CUBAN MIGRATION SITUATION

AGENDA

Monday August 22, 1994

11:30 A.M.

1. Update of detainees & intercepted migrants.....INS/USCG

- arrivals on our shore this weekend
- intercepted at sea, heading for Guantanamo

2. Intelligence.....INS/USCG

- U.S. vessel movement? boat trailers?
- Any word on #'s leaving Cuba?

3. Safe haven stand ups.....DOD/State

- Guantanamo, TCI, Surinam, Panama: capacity, timeline

4. Camp Management.....All

Identify all issues for the subgroup on camp management (for Guantanamo and other safe havens): conditions, security, processing, health issues.

5. Voluntary return to Cuba.....State

- What is the status of contact with the UNHCR and are there any concerns/problems with making this happen?

6. Movement of migrants.....All

- Which migrants will be moved from Guantanamo and how?

7. Worst case scenario.....USCG/DOD

- Let's begin discussing what will we do in the event that the flow of Cuban migrants remains high, or if there is an increase of Haitian migration, or if a hurricane heads toward the safe havens?

IWG - CUBAN MIGRATION - March 14, 1995

3:30 - 5:00 - WH SitRoom

AGENDA

- I. Steps to Forestall Cuban Migration.....All Agencies
[See attached discussion paper]
- II. Psychiatric Cases at Guantanamo.....All Agencies
[PHS will report on visit to GTMO]
- III. Safehaven Civilianization.....JCS
[JCS will make brief presentation on current plans]

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Stephen Warnath
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Cuban / Haitian Mass Migration etc. [2]

2011-1039-F

jm1492

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FROM Bruce Wharton OFFICE/DESK AR PHONE NBR 619-6835SUBJECT Draft Public Affairs Strategy for U.S. Cuban Migrant Policy

DELIVERY INSTRUCTIONS:

PAGES 5

(INCLUDING COVER)

☒ HOLD FOR NORMAL DUTY HOURS/ROUTINE☐ IMMEDIATELY/URGENTNOTE: FURNISH AFTER DUTY HOUR CONTACT TELEPHONE NUMBER
FOR EACH ADDEE REQUIRING AFTER DUTY HOUR DELIVERY

TRANSMIT TO

AGENCY	INDIVIDUAL (NAME)	OFFICE	ROOM NBR	PHONE NBR
NSC	Morton Halperin			456-9241
	Eric Schwartz			456-9351
	Manuel Rocha			456-9137
	Robert Malley			456-9246
	Michael Longoria			456-9241
	John Lennon			456-9247
	Steve Warnath			456-5576

REMARKS: Attached is PA strategy for U.S. Cuban Migrant Policy revised to reflect comments received from NSC, INS, DOJ, Joint Staff, DOD, CIA, State and USCG. Please review and call Bruce Wharton or Capie Polk at 619-6835 with further comments no later than COB Mon Mar 13.

WASHFAX COVER SHEET

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**PUBLIC AFFAIRS STRATEGY
FOR U.S. CUBAN MIGRANT POLICY
March 3, 1995**

A public affairs strategy to address the problem of illegal migration from Cuba to the United States should have a primary and two secondary goals. It must serve to minimize attempts by Cubans to come to the U.S. illegally. When possible, it must work to build international support for efforts to minimize illegal migration and smuggling of human beings. And, it should seek to build international support for U.S. policies toward Cuba.

Faced with the threat of another large-scale illegal movement of Cubans to the U.S., the first goal must have primacy. That may necessitate temporary suspension of the last goal. Achievement of the first goal would be immeasurably aided by official Cuban assistance. That assistance could be in the form of access for USINT Havana officials to Cuban media or by public statements made by Cuban officials. There is some precedent for this sort of official Cuban cooperation on the issue of migration. Such cooperation, however, would be far more difficult if the U.S. were vigorously pursuing a public affairs campaign to build support for its Cuba policy and publicly blaming the Castro regime for the outflow of illegal migrants.

Coupled with a clear policy on immigration and law enforcement, public affairs programs can have a significant effect on curbing illegal migration from Cuba. However, success in public affairs will depend upon coherent and consistent policies borne out by USG actions. Special exceptions, reversals, or inconsistencies in policy will undercut any public affairs program's credibility and render it ineffective.

RATIONALE

The Government of the United States has three strong arguments for discouraging illegal migration from Cuba to the U.S.: humanitarian, national security, and economic. These arguments provide the basis for the messages the public affairs strategy will communicate.

Humanitarian

Transit of the Straits of Florida in small, old, or improvised vessels is extremely dangerous. U.S. policy must work to minimize the tragedies of drownings, separated families, and life threatening cases of exposure, dehydration, and severe sunburn which characterize sea crossings from Cuba to the U.S. The USG also has a humanitarian responsibility to stop organized smugglers of illegal immigrants and the trafficking in human suffering in which they engage.

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DECLASSIFIED E.O. 13526
Department of State Guidelines,
September 11, 2006

By N1 NARA, Date 4/29/16

7df-1039-F

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National Security

The U.S. has the sovereign right, and responsibility to its citizens, to control its border and the flow of undocumented migrants across them. Illegal migration into the U.S. undermines the system of legal migration and popular support for it. Furthermore, large-scale illegal migration is an international problem with the potential to create regional political and economic destabilization. The U.S. has a broad interest in working with other nations to discourage uncontrolled migration.

Economic

Neither the Federal nor state or local governments can afford to support the rescue, transportation, medical treatment, housing, feeding, clothing, or educational costs of sustained, large-scale, uncontrolled illegal migration from Cuba. The economic burdens of these programs provoke negative reactions among U.S. taxpayers and hurt the causes of legal immigration and bona fide refugees.

TIMEFRAME

Implementation of this strategy depends on projections of Cuban attempts to reach the U.S. by sea with or without the help of smugglers. In any event, the USG must be prepared and should proceed to implement this strategy in 1995 over a period of several months, with the option of accelerating the timetable as events occur.

STRATEGY

This proposal identifies several distinct audiences, suggests priority lists of messages, interlocutors, means of delivery and responsible USG agencies.

I. AUDIENCE: Cuban public.

A. Message: "Stay home, stay alive, boatpeople will not be admitted to the U.S." Provide factual information and descriptions, in detail as necessary, on the dangers of attempting to reach the U.S. by sea. Stories, reports, and interviews should discuss the inappropriateness of small, home-built vessels, weather factors, USCG experiences with rescues and finding empty vessels, shark attacks, health conditions, difficulties in reaching desired destination. Explain clearly and forcefully U.S. policy on Cuban boatpeople. Explain the process of legal migration and how the refugee program works.

Interlocutors: Use Spanish-speaking USG officials (e.g., Michael Skol) when possible; Doris Meissner and other INS officials; Administration officials; NSC; USCG officers; USINT Principal Officer Joe Sullivan and PAO Gene Bigler

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Delivery: Radio and TV Marti (USIA); VOA (USIA); USINT Havana (State, USIA); Cuban media (USIA); Regional U.S. media (State, NSC); Repeat messages through information dissemination system in place at Guantanamo Bay (DoD)

B. Message: "Immigrant smugglers are dangerous criminals." Describe risks for would-be immigrants of dealing with these criminals and their unscrupulous and unsafe operations; detail legal and civil penalties for smugglers.

Interlocutors: Use Spanish-speaking USG officials (e.g., Michael Skol) when possible; Doris Meissner and other INS officials; Administration officials; NSC; USCG officers; USINT Principal Officer Joe Sullivan and PAO Gene Bigler

Delivery: Radio and TV Marti (USIA); VOA (USIA); USINT Havana (State, USIA); Cuban media (USIA); Regional U.S. media (State, NSC); Information dissemination system in place at Guantanamo Bay (DoD)

C. Message: "There is a legal, safe way to immigrate to the U.S." Provide clear, concise, accurate description of legal immigration processes, including realistic information about waiting times, USINT capacity to process applications, best times to apply, required documentation, function of sponsor system, U.S. efforts to improve legal immigration process. Describe continuing U.S.-Cuba migration talks.

Interlocutors: Use Spanish-speaking USG officials (e.g., Michael Skol) when possible; Attorney General Reno; Doris Meissner and other INS officials; Administration officials; NSC; USCG officers; USINT Principal Officer Joe Sullivan and PAO Gene Bigler

Delivery: Radio and TV Marti (USIA); VOA (USIA); USINT Havana (State, USIA); Cuban media (USIA); Regional U.S. media (State, NSC); Information dissemination system in place at Guantanamo Bay (DoD)

II. AUDIENCE: Caribbean and Latin American publics and media.

A. Message: "Smuggling human beings into the U.S. is despicable, illegal, and will be prosecuted." Emphasize U.S. success in identifying and prosecuting smugglers and interception at sea or in third countries. Look to examples from Fukian-Chinese alien smuggling incident. Smuggling can be dangerous for the smugglers as well as the migrants.

Interlocutors: Use Spanish-speaking USG officials when possible; INS officials; Department of Justice officials; USCG officials; State Department officials; PAOs and Ambassadors

Delivery: VOA (USIA); Press guidance for PAOs (State, USIA); articles, including some with high-level officials' by-

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lines, for distribution to international media via Wireless File (USIA); Foreign Press Center briefings (USIA); Worldnet, including Newsfile pieces and a series of "interactives" with high-level Administration officials (USIA); commercial news media (State, NSC, DoD)

III. AUDIENCE: Latin America, Caribbean, Canadian and other international publics and media.

A. Message: "Illegal immigration is a global problem which creates international instability and domestic problems." Discuss the global implications of uncontrolled and illegal migrations; cite problems created by specific cases (e.g., smuggling of Chinese into the U.S.) The U.S. is dealing in the most humane manner possible with a difficult problem not of its creation, and that the U.S. believes that changes in the government of Cuba would quickly alleviate the problem of Cuban migration in the region.

Interlocutors: Administration officials; NSC; State Department officials; PAOs and Ambassadors

Delivery: VOA (USIA); Press guidance for PAOs (State, USIA); articles, including some with high-level officials' by-lines, for distribution to international media via Wireless File (USIA); Worldnet, including Newsfile pieces and "interactives" with high-level officials (USIA); commercial news media (State, NSC, DoD); Foreign Press Center briefings with high-level officials (USIA)

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TIME RECEIVED (LOCAL)

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	John Lennon			456-9247
	Domestic Policy Council - Steve Warnath			456-5576

REMARKS:

Please call Bruce Wharton or Capie Polk, 619-6835, with clearance or comments no later than 10:00 am, Tuesday, February 21.

WASHFAX COVER SHEET**WASHFAX OPERATOR**

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DRAFT
PUBLIC AFFAIRS STRATEGY
FOR U.S. CUBAN MIGRANT POLICY

A public affairs strategy to address the problem of illegal migration from Cuba to the United States should have three goals. First, it must serve to minimize attempts by Cubans to come to the U.S. illegally. Second, it must work to build international support for efforts to minimize illegal migration and smuggling of human beings. Third, it should seek to build international support for U.S. policies toward Cuba.

Faced with the threat of another large-scale illegal movement of Cubans to the U.S., the first goal must have primacy. That may imply temporary suppression of the third goal. Achievement of the first goal would be immeasurably aided by official Cuban assistance. That assistance could be in the form of access for USINT Havana officials to Cuban media or by public statements made by Cuban officials. There is some precedent for this sort of official Cuban cooperation on the issue of migration. Such cooperation, however, would almost certainly be impossible if the U.S. was vigorously pursuing a public affairs campaign to build support for its Cuba policy and publicly blaming the Castro regime for the outflow of illegal migrants.

Coupled with a clear policy on immigration, government-to-government cooperation, and national and international law enforcement, public affairs programs can have a significant effect on curbing illegal migration out of Cuba. However, success in public affairs will depend upon coherent and consistent policies borne out by USG actions. Special exceptions, reversals, or inconsistencies in policy will destroy any public affairs program's credibility and render it ineffective.

RATIONALE

The Government of the United States has three strong arguments for discouraging illegal migration from Cuba to the U.S.: humanitarian, national security, and economic. These arguments provide the basis for the messages the public affairs strategy will communicate.

Humanitarian

Transits of Straits of Florida in small, old, or improvised vessels are extremely dangerous. U.S. policy must work to minimize the tragedies of empty rafts, drownings, separated families, and life threatening cases of exposure, dehydration, and severe sunburn which characterize sea crossings from Cuba to the U.S. The USG also has a humanitarian responsibility to stop organized smugglers of would-be immigrants and the trafficking in human suffering in which they engage.

DECLASSIFIED E.O. 13526

Department of State Guidelines,
September 11, 2006

By MI NARA, Date 4/21/16

2011-1034-F

~~CONFIDENTIAL~~

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National Security

The U.S. has the sovereign right, and responsibility to its citizens, to control its border and the flow of immigrants across them. Illegal migration into the U.S. jeopardizes legal migration, prejudices those who would follow procedures to migrate legally, and undermines the U.S. legal system and popular support for it. Furthermore, large-scale illegal migration is an international problem with the potential to create regional political and economic destabilization. The U.S. has a broad responsibility to work with other nations to discourage uncontrolled migration.

Economic

Neither the Federal nor state or local governments can afford to support the rescue, transportation, medical, housing, feeding, clothing, or educational costs of sustained, large-scale illegal migration from Cuba. The economic burdens of these programs provokes negative reactions among U.S. taxpayers and hurts the causes of legal immigration and bona fide refugees.

TIMEFRAME

Implementation of this strategy depends on projections of Cuban attempts to reach the U.S. by sea with or without the help of smugglers. In any event, the USG must be prepared and should proceed to implement this strategy in 1995 over a period of several months, with the option of accelerating the timetable as events occur.

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Interlocutors: Doris Meissner and other INS officials, Administration officials, NSC, USCG officers, USINT Principal Officer Joe Sullivan and PAO Gene Bigler; Cuban Government officials (?); Prominent Cuban-Americans (?)

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~~CONFIDENTIAL~~

Delivery: Radio and TV Marti (USIA), VOA, USINT Havana (State, USIA), Cuban media (?), Regional U.S. media (State, NSC), Loudspeaker system - Guantanamo (?) (DoD)

B. Message: "Immigrant smugglers are dangerous criminals." Describe risks for would-be immigrants of dealing with these criminals and their unscrupulous and unsafe operations; detail legal and civil penalties for smugglers.

Interlocutors: Doris Meissner and other INS officials, Administration officials, NSC, USCG officers, USINT Principal Officer Joe Sullivan and PAO Gene Bigler; Cuban Government officials (?); Prominent Cuban-Americans (?)

Delivery: Radio and TV Marti (USIA), VOA, USINT Havana (State, USIA), Cuban media (?), Regional U.S. media (State, NSC), Loudspeaker system - Guantanamo (?) (DoD)

C. Message: "There is a legal, safe way to immigrate to the U.S." Provide clear, concise, accurate description of legal immigration processes, including realistic information about waiting times, USINT capacity to process applications, best times to apply, required documentation, function of sponsor system, U.S. efforts to improve legal immigration process. Describe continuing U.S.-Cuba migration talks.

Interlocutors: Attorney General Reno, Doris Meissner and other INS and Administration officials, USCG officers, USINT Principal Officer Joe Sullivan and PAO Gene Bigler; Cuban Government officials (?); Prominent Cuban-Americans (?)

Delivery: Radio and TV Marti (USIA), VOA, USINT Havana (State, USIA), Cuban media (?), Regional U.S. media (State, NSC), Loudspeaker system - Guantanamo (?) (DoD)

II. AUDIENCE: Caribbean and Latin American publics and media.

A. Message: "Smuggling human beings into the U.S. is despicable, illegal, and will be prosecuted." Emphasize U.S. success in identifying and prosecuting smugglers and interception at sea or in third countries. Look to examples from Fukian-Chinese alien smuggling incident. Smuggling can be dangerous for the smugglers as well as the migrants.

Interlocutors: INS officials, Department of Justice officials, State Department officials, PAOs and Ambassadors

Delivery: VOA (USIA), Press guidance for PAOs (State, USIA), articles, including some with high-level officials' by-lines, for distribution via Wireless File (USIA), Foreign Press Center briefings, Worldnet, including Newsfile pieces and a series of "interactives" with high-level Administration officials (USIA), commercial news media (State, NSC, DoD)

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

III. AUDIENCE: Latin America, Caribbean, Canadian and other international publics and media.

A. Message: "Illegal immigration is a global problem which creates international instability and domestic problems." Discuss the global implications of uncontrolled and illegal migrations; cite problems created by specific cases (e.g., smuggling of Chinese into the U.S.) If official Cuban cooperation is not forthcoming of messages IA, IB, IC and IIA, emphasize that the government of Cuba is responsible for the Cuban migrant problem, that the U.S. is dealing in the most humane manner possible with a difficult problem not of its creation, and that the U.S. believes that changes in the government of Cuba would quickly alleviate the problem of Cuban migration in the region.

Interlocutors: Administration officials, NSC, State Department officials, PAOs and Ambassadors

Delivery: VOA (USIA), Press guidance for PAOs (State, USIA), articles, including some with high-level officials' by-lines, for distribution via Wireless File (USIA), Worldnet, including Newsfile pieces and "interactives" with high-level officials (USIA), commercial news media (State, NSC, DoD), Foreign Press Center briefings with high-level officials (USIA)

~~CONFIDENTIAL~~

PLEASE WASHFAX THE ATTACHED DOCUMENT FROM MORTON HALPERIN,
NATIONAL SECURITY COUNCIL, 202-456-9241 TO THE FOLLOWING PERSONS:

Defense

John Deutch 703-695-6352

JCS

Admiral Owens 703-614-8948

A.J. Torres 703-695-8162

State

Peter Tarnoff 202-647-2471

INS

Doris Meissner 202-514-1900

Justice

Janet Reno 202-514-2002

CIA

Admiral Studeman 703-482-6464

HANDCARRIED:

OMB -- Gordon Adams, 238 OEOB

DOMESTIC POLICY COUNCIL -- Steve Warnath, 224 OEOB

VICE PRESIDENT'S OFFICE -- Rich Wilhelm, 290 OEOB

PUBLIC LIAISON -- Alexis Herman

DISCUSSION PAPER FOR CUBA MEETING, THURSDAY, DECEMBER 15, 1994
5:30PM, WHITE HOUSE SITUATION ROOM

PLEASE EXPEDITE

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. discussion memo	re: Long-term options for Guantanamo (11 pages)	12/11/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Stephen Warnath
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FOLDER TITLE:

Cuban / Haitian Mass Migration etc. [2]

2011-1039-F
jml492

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]
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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]

The Dallas Morning News

Saturday, December 3, 1994

CUBAN REVERSAL

Policy flip-flop undermines U.S. interests

It happened Aug. 18. Striking a pose straight out of *High Noon*, Attorney General Janet Reno summoned her most authoritative voice and gravely spoke into the microphones. Cubans seeking to crash U.S. borders would not be processed for entry into this country, she promised.

But now the pose looks more like Barney Fife than Gary Cooper. The Clinton administration has effectively said that Ms. Reno was making a "King's X" at the time. After having struck a deal with the government of Fidel Castro to dramatically raise the number of visas for Cubans wishing to resettle here — up to a minimum of 20,000 — the administration will now permit thousands of children and adults interdicted at sea to enter, after all.

The Reno reversal could be a manifestation of holiday generosity. More likely, however, it is a response to threats of public protest by some Cuban-Americans in Miami on the eve of the Summit of the Americas, scheduled to begin Friday. At any rate, it is proof positive that administration policymakers at the highest levels of government are a fickle lot, who may not shoot straight.

In resorting to the politics of expediency, Mr. Clinton is encouraging Cubans still on the island to think about fleeing their country on unseaworthy craft, and to bring their children along, now that these have effectively been validated as poker chits in the game of chance now being run by Justice Department croupiers. A cooling-off period at Guantanamo naval station is a small price to pay for eventual resettlement in the United States.

As a practical matter, the administration is running the risk that the Castro government will see the new policy as a breach of the recent immigration agreement. If so, Mr. Castro could feel justified in promoting yet another wave of boat people. Last but not least, the new policy will inevitably stimulate renewed criticism that the United States is affording Cuban asylum seekers special treatment, to the disadvantage of Haitians in the same category.

By encouraging the self-endangerment of Cubans who want entry into the United States, the administration has once again undermined U.S. immigration policy. And once again revealed a lack of backbone.

The Miami Herald

JOHN S. KNIGHT (1894-1981)

JAMES L. KNIGHT (1909-1991)

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Senior Managing Editor

Don't forget human rights

The Justice Department's attitude toward the 32,000 Cuban rafters being held in detention camps calls to mind the banker scrutinizing a loan application from a young man who wanted a loan without collateral. "I'll give you the loan if you can tell which of my eyes is glass," the banker offered. "That's easy," the applicant shot back. "It's your right eye." "Amazing!" said the banker. "How could you tell?" "Well, sir," explained the applicant, "I saw a gleam of sympathy in it."

No sympathy is discernible in the government's view of the detainees' rights. "The Cubans who are in safe haven at Guantanamo do not have rights under the U.S. Constitution," Justice Department attorney Allen W. Hausman told U.S. District Judge C. Clyde Atkins at a hearing on Wednesday. "Outrageous!" said Yale law professor Harold Hongju Koh later.

A noted human-rights advocate, Mr. Koh heads a pro-bono team of 24 mostly Cuban-American lawyers from Miami. They sued the government on Monday, seeking access to detainee clients and asking that all detainees be allowed to apply for political asylum.

The contrast between the government's and the plaintiffs' views couldn't be more stark. Mr. Hausman's blunt statement relies on U.S. Supreme Court

IN DETAINEES' LAWSUIT Whether or not the U.S. Constitution covers Cuban detainees, they *do* have basic human rights.

rulings that Haitians interdicted at sea have no U.S. constitutional rights. (The Constitution protects anyone, not just citizens, on U.S. soil.) Ergo, Mr. Hausman argues, the Haitian precedent applies equally to

Cubans interdicted at sea.

Wrong, argues Professor Koh. The Constitution protects the Cubans because the Coast Guard took them to the Guantanamo base. It's under exclusive U.S. jurisdiction and control, he reasons. Therefore, the Constitution's protections extend there, too.

No matter how Judge Atkins rules, it's sure to be appealed. And no matter which view ultimately prevails, or to what degree, U.S. policy toward Cuban rafters is likely to be altered. If the government prevails, the radical shift begun in August — when President Clinton ordered rafters detained instead of paroled, as they had been for decades — will become not just policy but statutory law. If the plaintiffs prevail, then August's sea change could be reversed, and the Cuban Adjustment Act's prior application could be renewed.

Either way, this unprecedented situation calls neither for excessive sympathy nor excessive flintiness. It calls instead for fealty to the human rights due all human beings. For even if the Constitution's mantle doesn't cover these detainees, humanity's mantle must.

MEETING ON CUBA: Invitees

Nancy Soderberg

Carol Rasco

Harold Ickes

Mack McLarty

Mort Halperin

Alexis Herman

Joan Baggett

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503

September 29, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-3916

TO: Legislative Liaison Officer -

JUSTICE - Sheila F. Anthony - (202) 514-2141 - 217
STATE - Julia C. Norton - (202) 647-4463 - 225
NSC - William H. Itoh - (202) 395-3723 - 249

FROM: JAMES J. JUKES (for) *J. Schroeder for*
Assistant Director for Legislative Reference

OMB CONTACT: Ingrid SCHROEDER (395-3883)
Secretary's line (for simple responses): 395-3454

SUBJECT: HHS Proposed Report RE: HR 783, Nationality
and Naturalization Amendments

DEADLINE: TODAY - 4PM September 29, 1994

COMMENTS: This deadline is firm. If we do not receive your
comments we will assume that you have no comments on the
report.

OMB requests the views of your agency on the above subject before
advising on its relationship to the program of the President, in
accordance with OMB Circular A-19.

Please advise us if this item will affect direct spending or
receipts for purposes of the the "Pay-As-You-Go" provisions of
Title XIII of the Omnibus Budget Reconciliation Act of 1990.

CC:

Chris Ellertson
Stephen Warnath
Jeff Ashford
Steve Aitken
- Tracey Thornton
- Karen Hancox
Margaret Shaw
Eric Schwartz

RESPONSE TO LEGISLATIVE REFERRAL MEMORANDUM

If your response to this request for views is simple (e.g., concur/no comment) we prefer that you respond by faxing us this response sheet. If the response is simple and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a secretary.

You may also respond by (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); (2) sending us a memo or letter; or (3) if you are an OASIS user in the Executive Office of the President, sending an E-mail message. Please include the LRM number shown above, and the subject shown below.

TO: Ingrid SCHROEDER
Office of Management and Budget
Fax Number: (202) 395-3109
Analyst/Attorney's Direct Number: (202) 395-3883
Branch-Wide Line (to reach secretary): (202) 395-3454

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

SUBJECT: HHS Proposed Report RE: HR 783, Nationality
and Naturalization Amendments

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur

_____ No objection

_____ No comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this
response sheet

The Honorable Edward M. Kennedy
Chairman
Subcommittee on Immigration and Refugee Affairs
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

Dear Mr. Chairman:

We take this opportunity to inform you of the Department's support for H.R. 783, the "Immigration and Nationality Technical Corrections Act of 1994". Specifically, the legislation contains a three-year authorization of appropriations for refugee and entrant assistance for fiscal years 1995, 1996 and 1997.

Reauthorization of the refugee assistance program for a three-year period will help assure States and service providers of our commitment to provide transitional assistance and services to persons who are admitted to our Nation as refugees under section 207 of the Immigration and Nationality Act or granted asylum under Section 208, or who are Cuban or Haitian entrants as defined in section 501 of the Refugee Education Assistance Act of 1980. These funds offset costs that might otherwise fall upon States or localities.

Therefore, we recommend that H.R. 783 be promptly enacted by the Senate. We understand that the Secretary of State has sent a letter to the Senate also urging prompt enactment of this legislation.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

Donna E. Shalala

DRAFT ANNOUNCEMENT (FOR CUBA AND US)

The U.S. is announcing today steps that are being taken to implement the September 9 migration agreement with Cuba and to address some of the needs of Cuban migrants at Guantanamo.

Pursuant to the agreement, the US will allow a minimum of 20,000 Cubans to migrate legally to the US each year. This goal will be met through a variety of means:

- o First, public interest parole will be offered to "attached family of Cubans issued immigrant visas and Cubans granted refugee status. "Attached family" will be defined to include (1)unmarried sons and daughters of immigrants or refugees and (2) family members who reside in the same household and are part of the same economic unit as immigrants or refugees.

- o Second, as a one-time, extraordinary measure, public interest parole will be offered to preference visa petition beneficiaries on the immigrant visa waiting list as of September 9, 1994, and who would not have been eligible to receive an immigrant visa by the end of FY 95 (September 30, 1995).

- o Third, the USG will review pending and previously denied refugee cases in order to identify cases qualifying under FY 1995 expanded criteria.

- o Fourth, the U.S. will be operating a new parole lottery that will substantially broaden avenues of immigration for those Cubans without direct family ties in the U.S. Candidates selected through the lottery will be allowed to bring their spouses and minor children with them to the U.S. This random selection process is designed to benefit Cubans with strong reasons to migrate and who can become self-sufficient.

All initial processing for these programs will take place at USINT in Havana. Cubans who currently are in safehavens in Guantanamo or Panama must return to Cuba to benefit from them. Personnel from the Departments of State and Justice will be available to advise Cubans at Guantanamo and in Panama as to their eligibility for immigrant, refugee and parole status and to assist them with the lottery forms. All applicants for these programs will be screened for medical, criminal, and public charge requirements of U.S. immigration law.

USINT is already in the process of identifying potential candidates for parole under the various programs and for expanded refugee processing. USINT has received the names and addresses of all those on the immigrant visa waiting list. Candidates for parole and expanded refugee processing, along with those Cubans

on the waiting list, will be contacted directly by USINT. Cubans to whom it is possible to issue immigrant visas in FY 95 already are being informed by USINT of their new opportunity to bring their attached family with them to the United States. All parole, refugee, and immigrant visa cases will be handled on an accelerated basis using new streamlined procedures.

In order to speed implementation of this plan, the Immigration and Naturalization Service and the Department of State will each have in place five new officers at the USINT in Havana on or about October 17. Additional local staff has already been hired as part of the implementation process. A State Department team will arrive in Havana on October 15 to begin identifying new facilities to accommodate the expanded immigrant visa and refugee processing.

[IF FULLY WORKED OUT]: Also in fulfillment of the September 9 agreement, the U.S. and Cuba have agreed to the return of an initial group of twenty volunteers from Guantanamo to Cuba. The group is departing Guantanamo on x ... (details to be provided).

With regards to Cubans currently in safehavens, we are announcing several new developments:

First, [IMPROVEMENT LIST TO BE PROVIDED BY JCS]

Second, the Attorney General has decided to parole into the U.S. (x) Cubans with long-term medical conditions who cannot be adequately treated at Guantanamo. They will be accompanied by immediate family members who also will be paroled.

DRAFT ANNOUNCEMENT (FOR GTMO AND PANAMA)

The U.S. is announcing today a series of measures affecting Cubans in safehavens at Guantanamo and in Panama.

[IF FULLY WORKED OUT] First, an initial group of individuals who wish to return home from Guantanamo are being returned to Cuba. [Those of you who wish to remain in safehavens can do so. If you who wish to return to Cuba you should make this known, and proper arrangements will be made.]

Second, the Attorney General has decided to parole into the U.S. (x) Cubans with long-term medical conditions who cannot be adequately treated at Guantanamo. They will be accompanied by immediate family members who also will be paroled.

Third, we are expanding our legal migration program pursuant to the September 9 agreement with Cuba. A minimum of 20,000 Cubans will be allowed to migrate legally to the U.S. each year. Cubans currently in safehavens are eligible for the various programs but they must return to Cuba to benefit from them:

You may be eligible for public interest parole if you are an unmarried son or daughter of a Cuban who is issued an immigrant visa or who is granted refugee status. You also may be eligible for parole if you belong to the family of, reside in the same household and are part of the same economic unit as, someone who gets an immigrant visa or qualifies as a refugee. US government representatives will be available to counsel you as to your eligibility under these programs.

You may be eligible for public interest parole if you were on the USG's immigrant waiting list as of September 9, 1994, and you otherwise would not have been able to receive an immigrant visa by September 30, 1995. USG officials will be available to counsel you as to your eligibility under this program.

You also may be paroled into the US if you are selected under a new parole lottery. The lottery will substantially broaden avenues of immigration for Cubans without direct family ties to the U.S, who have a strong desire to migrate, and who can quickly become self-sufficient. Selected candidates will be screened for medical, criminal, and public charge requirement of US immigration law. All Cubans offered parole under the lottery will be entitled to bring their spouse and minor children to the U.S. Application forms will be available in Guantanamo and Panama, [however they will only be entered into the program upon your voluntary return to Cuba OR and they will be considered together with other forms, but you must return to Cuba before you can be notified and selected.] If your return is delayed through

no fault of your own, you will not suffer any disadvantage in the lottery. Officials will be available to assist you with the lottery forms.

US officials in Havana also will be reviewing pending and previously denied refugee cases in order to identify candidates qualifying under the expanded criteria. If you had applied for this program, you should inform a USG official and seek advice.

Candidates for these programs will be screened for medical, criminal, and public charge requirements of US immigration law as applicable.

USINT in Havana is already in the process of identifying potential candidates for parole under the various programs and for expanded refugee processing. USINT has received the names and addresses of all those on the immigrant visa waiting list. Every effort will be done to notify you if you are eligible for parole and the expanded refugee processing, along with those who are on immigrant visa waiting list. All parole, refugee, and immigrant visa cases will be handled on an accelerated basis using new streamlined procedures.

In order to speed implementation of this plan, the Immigration and Naturalization Service and the Department of State will each have in place five new officers at the USINT in Havana on or about October 17. Additional local staff has already been hired as part of the implementation process. A State Department team will arrive in Havana on October 15 to begin identifying new facilities to accommodate the expanded immigrant visa and refugee processing.

NATIONAL SECURITY COUNCIL

FAX COVER SHEET

NATIONAL
SECURITY
COUNCIL

17th & Penn, N.W.
Washington, D.C.
20506

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To: STEVE WARMUTH

Agency:

Fax Number: 67028

Date/Time: 2/9

No. of pages to follow: 2

Message:

MTG. NO TIME

Summary of Conclusions

Interagency Working Group

Cuban Psychiatric Cases

7 Feb 95 1:00-2:00 PM

White House Situation Room

The following are conclusions reached and the associated requirements of each agency involved. Please note the timeline for each action.

Conclusions:

1. The policy decision(s) associated with the mental care of Cuban migrants will require a deputies-level review, projected for (Wednesday/Thursday) 15/16 Feb 95.
2. The actions of the interagency prior to the deputies-level meeting must be to prepare a robust options paper to include a migrant population patient profile, a facilities and staff requirements model, operational views on applying the requirements within the United States and in Guantanamo and a view of the legal basis for detention.
3. The next IWG will be on Monday 13 February; 3:00-4:00 PM; WH Sit Room. Please confirm your attendance with Kathy Cooper (202) 456-9241.

Specific Actions:

4. OSD/HA will provide to PHS and NSC a patient profile that quantifies and describes the current migrant patient population (as outlined by NSC Options Paper--7 Feb 95; categories 1-3) in such a manner as to ascribe a requirements model to it. No later than Thurs 9 Feb 95.
5. PHS will develop a requirements model (facilities, staff, resources) that could be applied in the United States or at Guantanamo and pass to OSD, INS and NSC. No later than Fri 10 Feb 95.
6. OSD and INS will then provide an operational assessment of the model as it applies (a) to Guantanamo for OSD and (b) to the United States for INS. DOD would be required to include in their assessment possible existing facilities in which to house the patients and the medical staff (an option that would not include additional construction beyond the \$1.5 M threshold). INS would need to determine the responsible agent and the possible locations for detaining and caring for this group of patients.

7. OMD will work along with OSD and INS during the development of their operational assessments to develop a cost analysis of the two options (maintaining patients in Guantanamo or paroling them into the US). OSD and INS will pass to OMB the pertinent data required to develop such a cost analysis.

8. NSC Staff will prepare in coordination with Justice a *Summary of the Legal Issues* that will include the legal basis for detention in the United States, the concurrent legal risks associated with detention (i.e. possible litigation challenges), to be completed by Monday 13 Feb 95.

9. NSC Staff will collect all work and develop another options paper that will be distributed to the interagency prior to the deputies-level meeting.

Steve Warrath
224 OEOB

PLEASE WASHFAX THE ATTACHED DOCUMENT/S FROM MORTON HALPERIN,
NATIONAL SECURITY COUNCIL, 202-456-9241 TO THE FOLLOWING PERSONS:

Defense

John Deutch 703-695-6352

JCS

Admiral Owens 703-614-8948

State

Strobe Talbott 202-647-9640

INS

Doris Meissner 202-514-1900

Justice

Janet Reno 202-514-2002

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PUBLIC LIAISON -- Alexis Herman WW

AGENDA FOR CUBA MEETING, WEDNESDAY, NOVEMBER 9, 1:00-2:00PM, WH SIT.
RM.

FINAL VERSION!

**AGENDA ISSUES
CUBA MEETING
1:00 PM, 9 November, 1994
White House Situation Room**

This meeting will identify a number of high priority issues relating to the situation in the safehavens. One set of issues concerns short-term problems that have been identified by Cuban migrants and the Cuban-American community in Miami and that need to be addressed immediately. The other set concerns longer-term issues and policy choices, but they too need to be addressed quickly to forestall any dangerous developments in the camps.

The memorandum makes recommendations as to both the agency that ought to be in charge of each particular issue and the timeline pursuant to which the issues need to be addressed.

SHORT-TERM ISSUES

1. MAIL

ISSUE

There is a three-phased program for mail delivery. Phase I was the initial start-up program, DOD is the responsible agency sharing responsibility with Department of State. Defense manages delivery and State is responsible for transportation. Phase II is the assumption of responsibility by Department of State for transportation and delivery. Phases I and II include only letter-type mail, Phase III is package delivery.

AGENCY RESPONSIBILITY

State should develop a detailed transition plan for assuming responsibility for mail delivery program from Dec 15 onwards.

DUE DATE

The plan must be agreed upon with DOD and presented by November 23, 1994.

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By M1 NARA, Date 4/24/16

2011 1031-P

2. MILK SUPPLY

ISSUE

We need to have a constant supply of milk for children in the camps. At this point, we are not even matching the Cuban government's guaranteed allotment of milk for children 7 and younger. This is a point of particular sensitivity for Cubans.

RECOMMENDED AGENCY RESPONSIBILITY

For the immediate future, our priority is to bring in large quantities of milk. For this initial surge, DOD must ensure a daily availability and supply of milk to all children under 10 in the safehavens.

After this initial surge, State needs to put in place a system ensuring the sustained, steady flow of milk to all children under the age of 10.

TIMETABLE

For the initial push: Milk sufficient to feed all 10 year-olds and under needs to be available in the camps by November 23, 1994.

For the longer-term supply: State needs to present its system to ensure a sustained supply of milk (which it will have coordinated with DOD) by November 23. It should be ready to operate by December 15, 1994.

3. SUPPLY OF OVER THE COUNTER MEDICINE

ISSUE

There is a serious deficiency in over the counter medicine for Cuban migrants. Like the availability of milk, this is a priority issue. We need to ensure adequate supplies of medicine, as identified by the medical teams in the safehavens, in the next two weeks. After this initial surge, a more sustainable long-term proposal needs to be in place.

AGENCY RESPONSIBILITY

For the initial surge, DOD.
For the longer-term plan, State.

TIMETABLE

DOD will ensure that adequate supplies of over the counter medicine are available in the camps by November 23, 1994.

For the longer-term supply: State will present its plan for a sustained supply of over-the-counter medicine (which it will have coordinated with DOD) by November 23, 1994. The plan should be operable by December 15, 1994.

4. CIGARETTES SUPPLYISSUE

We need to have adequate supplies of cigarettes for the migrants on an urgent basis. As with the former two categories, we should have an initial surge followed by a longer-term sustainable plan.

AGENCY RESPONSIBILITY

For the initial surge, DOD.
For the longer-term supply, State.

TIMETABLE

For the initial surge: DOD will ensure that adequate supplies of cigarettes are available in the camps by November 23, 1994.

For the longer-term supply: State will present its plan for a sustained supply of cigarettes (which it will have coordinated with DOD) by November 23. The plan should be operable by December 15, 1994.

5. MIAMI MEDICAL TEAMISSUE

A team of doctors from Miami has expressed its willingness to go to GTMO to ensure constant care for the migrants. They have been unable to do so up to this point. We need to make sure that they have access to GTMO as quickly as possible.

AGENCY RESPONSIBILITY

DOD/JCS will provide access to the Miami medical team.

TIMETABLE

The medical team should be at Guantanamo no later than November 14, 1994.

6. DECISION ON CHILDREN IN SAFEHAVENSISSUE

In his October 14, 1994, announcement, the President stated that the Administration would review the status of all children in the camps. We need to decide whether we will parole all children and their immediate relatives into the US.

AGENCY RESPONSIBILITY

All.

TIMETABLE

We need to reach closure on this issue at this meeting.

7. PAROLESISSUE

Pursuant to the President's October 14, 1994, announcement, we have begun to parole into the US medical hardship cases. In the next several days and weeks, we will be paroling migrants over 70 and unaccompanied children.

Justice/CRS has allocated \$100,000 to fund the transportation of these paroles. That will not suffice to cover all parolees.

AGENCY RESPONSIBILITY

DOD needs to fund the cost of transportation for any paroled Cuban over and above the initial \$100,000.

TIMETABLE

We need immediate closure on this issue.

8. DEMOGRAPHIC SURVEY OF CHILDREN

ISSUE

If we decide to parole in all children, we will need data on the children and their immediate families immediately, as well as a plan for their parole.

AGENCY RESPONSIBILITY

Assuming the decision to parole all children is made, Justice/CRS needs to conduct a survey of the camps in Panama and GTMO to identify all children and their immediate families. They also need to come up with a plan to implement this decision, including transportation and funding.

OMB should develop transportation funding options.

TIMETABLE

If the decision to parole all children is made, Justice/CRS need to provide the results of the survey by November 23, 1994. By that time OMB should have a plan covering the financing of the operation.

9. THIRD COUNTRY RESETTLEMENT

ISSUE

We need to try to resettle significant numbers of Cuban migrants in third countries. State has approached a number of countries, and estimates that it can resettle approximately 1,500 Cubans. To implement the plan, however, it needs demographic data (including family ties, job skills, and language abilities) on the migrants.

AGENCY RESPONSIBILITY

Justice/CRS needs to conduct a survey of the camps in order to identify individuals interested in third country resettlement, their job skills, family ties, and language ability. This may require increasing the CRS staff.

Once this data is available, State needs to go back to the countries it already has contacted and try to contact others. State also needs to estimate the cost of resettlement.

TIMETABLE

Justice/CRS will have conducted the demographic survey by November 23, 1994.

State will have contacted third countries that have expressed an interest, and engage others with this data on hand. State should have completed its effort by December 14, 1994. At that time, it also will present its cost estimate.

10. VOLUNTARY REPATRIATIONISSUE

Recent events in the camps (attempted flights to Cuba) have highlighted the urgent need for rapid return of Cubans who wish to go home. With the court injunction now out of the way, we need to contact Cuban authorities and convey the importance of moving forward quickly and on a regular basis.

AGENCY RESPONSIBILITY

State should report on the efforts that already have been made vis a vis the Cuban government to facilitate the process. State also should propose further steps that could be taken to accelerate it. In particular, it should provide its views as to whether we need to escalate the level of contact with Cuban authorities.

TIMETABLE

Resolution is needed at the meeting.

LONG-TERM ISSUES

1. CIVILIANIZATION OF GTMO

ISSUE

We need to move forward on the plan to turn over administration of the Guantanamo safehaven to civilians.

AGENCY RESPONSIBILITY

DOD and JCS need to propose a detailed plan regarding how they propose to divide responsibility over the camp between the civilian administration of camp management and military administration of the base.

Once this division of responsibility is made clear, State should come up with a plan as to how to manage the civilian component of the administration. The plan might propose direct management by State, co-management with other agencies, or contracting it out.

OMB should work with State, DOD and JCS on the financial aspects of the plans. OMB should set up a working group to cost out the plans.

TIMETABLE

DOD needs to present its plan, with which it was tasked several weeks ago, by November 23, 1994 at the latest.

State needs to present its plan for management of the civilian component of the camp by December 2, 1994.

OMB-chaired working-group should work in parallel and have its cost analysis and financing proposal ready by December 2, 1994.

2. LONG-TERM IMPROVEMENTS

ISSUE

We need to have plan for the "hardening" of GTMO in order to turn it into a camp capable of housing between 20,000 and 25,000 migrants indefinitely. We need details of the camp layout and of its financing.

AGENCY RESPONSIBILITY

DOD needs to come up with a detailed plan, which it will cost out with OMB

TIMETABLE

DOD should present its plan, with which it was tasked several weeks ago, by November 23, 1994.

At that time, OMB also will have available its cost-analysis and financing proposal.

Time of Transmission

Time of Receipt

~~CONFIDENTIAL~~
**WHITE HOUSE
SITUATION ROOM**

PRECEDENCE: IMMEDIATE
PRIORITY
ROUTINE

RELEASE: _____

DTG: _____

MESSAGE NO: _____ CLASSIFICATION:

~~CONFIDENTIAL~~

PAGES: 1

FROM: ERIC SCHWARTZ
(Name)

456-9351
(Phone Number)

302, OEOB
(Room No.)

TO (Agency)	DELIVER TO:	DEPT/ROOM NO.	PHONE NUMBER
-------------	-------------	---------------	--------------

INS/Commissioners Offc	Chris Sale	514 1900
INS/Gen Counsel	Alex Aleinikoff	514 1270
JCS/J-3	Col. Rick Coffin	703 614 5988
JCS/J-3	General Jerry Bates	703 697 4546
JCS/J-5	Col. Mike Hostage	703 695 8161
Justice/CRS	Jeff Weiss	301 492 5929
Justice	Phyllis Coven	514 3392
Justice/Depy AG	Seth Waxman	514 4560
NSC Staff	Mike Longoria	69241 (HANDCARRIED)
NSC Staff	Rob Malley	69247 (HANDCARRIED)
OSD	Pat Irvin	703 693-7805
OSD/HRA	Mike Myers	703 693 9848
OSD	Cecil Bailey	703 697-3024
State/ARA/Cuban Affairs	Chuck Brayshaw	647-9272
State/ARA/Cuban Affairs	Dennis Hays	647 9272
State/ARA	John Hamilton	647-4010
State/PRM	Brunsen McKinley	647 5822
State/PRM	Terry Rusch	663 1047
DPC	Steve Warnath	456-5526 (HANDCARRIED)

REMARKS:

THE ATTACHED MEMO ON PANAMA SAFE HAVEN IS FOR THE SVTS TELECONFERENCE SCHEDULED FOR TOMORROW, DECEMBER 20, 1994, AT 4:30 - 6:00 p.m.

PLEASE CALL MARCIA AT 202 456-9351 TO CONFIRM RECEIPT OF FAX. THANK YOU.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

December 19, 1994

MEMORANDUM TO Brunsen McKinley, State/PRM 647 5822
 Terry Rusch, State/PRM 663 1047
 Dennis Hays, State/ARA/Cuban Affairs 647 9272
 Chuck Brayshaw, State/ARA/Cuban Affairs 6479272
 John Hamilton, State/ARA 647 4010

 Pat Irvin, OSD/HRA 703 695 7805
 Mike Myers, OSD/HRA 703 693 9848
 Cecil Bailly, OSD/Interamerican Affrs. 703 697 3024

 Jerry Bates, JCS/J-3 703 697 4546
 Rick Coffin, JCS/J-3 703 614 5988
 Mike Hostage, JCS/J-5 703 695 8161

 Seth Waxman, Justice/Depy AG 514 4560
 Jeff Weiss, Justice/CRS 301 492 5929

 Phyllis Coven, INS/IA 633-1100
 Alex Aleinikoff, INS/Gen Counsel 514 1270
 Chris Sale, INS/Commissioners Ofc 514 1900

 Steve Warnath, DPC staff x65576
 Mike Longoria, NSC staff x69241
 Rob Malley, NSC staff x69247

FROM Eric Schwartz, NSC staff

SUBJECT SVTS TELECONFERENCE ON PANAMA

There will be an SVTS meeting on Panama safe haven on Tuesday, December 20, at 4:30 - 6:00 p.m. Agencies are requested to attend and to be prepared to answer the following questions:

DOD:

What is the preferred schedule for a drawdown of Cubans from Panama? Please keep in mind the possibility that we will have some considerable number of Haitians at GTMO until about March 1, assuming we adopt a screening procedure early in the year.

This information is essential to determine what kind of negotiating needs to be done with the Panamanians.

~~CONFIDENTIAL~~

Declassify on: OADR

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *N* NARA, Date *4/29/16*

2011-1029-F

~~CONFIDENTIAL~~

STATE (ARA/PRM):

What is the prospect that the Panamanians can be persuaded to read the MOU as permitting us to begin a drawdown of Cubans prior to March 1 but not to complete it by that date?

What do we need to offer them?

How do we make the offer?

Upon transfer of migrants to GTMO, how can we best ensure continued availability in GTMO of the education and training programs that the Cubans in Panama have received. IRC is conducting those programs in Panama. Can World Relief conduct them in GTMO?

~~CONFIDENTIAL~~

The most likely scenario would be somewhere between #2 and #3, probably a split of 75% AFDC/Medicaid and 25% RCA/RMA.

	75% Florida	100% Florida
TOTAL FEDERAL COSTS:	\$12 million	\$10.6 million
TOTAL STATE COSTS:	\$9.4 million	\$8.4 million

NOTE:

1. ORR's budget will not be able to accommodate these extra numbers; we would have to ask Congress for a supplemental to cover the costs of the 7,800 from Guantanamo or risk having to reduce the RCA/RMA eligibility period below the current 8-month period.
2. ORR's has estimated that it would be able to accommodate an estimated 19,500 from Cuba within its FY 1995 budget. But we assume the 7,800 numbers are in addition to the 19,500.
3. ORR believes it could handle the extra 7,800 within its current FY 1995 appropriation if the 19,500 from Cuba were staggered for arrival late in the fiscal year.
4. Valid sponsorship is assumed for 53.8% of all new arrivals, based on historical experience. The remainder, 46.2%, will access cash and medical assistance.
5. Estimates are based on the following per capita costs:
 - o RCA : \$2,006
 - o RMA: \$2,753
 - o State Admin.: 17.5% of combined RCA & RMA costs
 - o Social Services: \$180
 - o AFDC (Federal): 55% of \$2,006
 - o Medicaid (Federal): 55% of \$2,753
 - o Admin.: 17.5% of combined AFDC and Medicaid Federal costs

Income Assistance + Medicaid + Some social services

These amounts may or may not be budgeted. May need to go back to Congress

Children wait 90 for paying

Estimated Federal/State Costs for 7,800 Cubans from Guantanamo
(Children and their families)

The following estimates are based on the following assumptions for FY 1993:

- o Arrives in U.S. as one group beginning in December 1994, instead of being phased in during the year.
- o A 46.2% participation rate under scenario #1 for refugee cash assistance (RCA), or refugee medical assistance (RMA), or a combination of both RCA and RMA, based on historical data on refugee utilization. The same participation rate is assumed under scenario #2 for AFDC and Medicaid.
- o Includes a cost for State administration.
- o Includes Federal costs of social services under the refugee program since all adults would be eligible for services through the refugee program.
- o Does not include the costs of education and social services for children.
- o Assumes two situations: (1) that 75% of the 7,800 Cubans resettle in Florida; and (2) that 100% resettle in Florida. The first is calculated on the basis of an average cash and medical assistance cost nationally and the second is calculated on the basis of an average cash and medical assistance cost in the State of Florida.

Scenario #1: Assumes eligibility limited to the RCA/RMA program.

	<u>Assumes 75% to Florida</u>	<u>Assumes 100% to Florida</u>
	(in millions)	
RCA:	\$5.7	
RMA:	\$8.3	
Admin:	\$2.5	
5% margin:	\$0.8	
Soc. Services:	\$1.0	
TOTAL FEDERAL COSTS:	\$18.2 million	\$15.8 million

Scenario #2: Assumes eligibility limited to the AFDC/Medicaid program.

Assumes 75% to Florida

Assumes 100% to Florida

AFDC (Federal share): \$3.1

Medicaid (Federal share): \$4.6

5% margin: \$0.5

Admin. (Federal share): \$1.2

Refugee Social Services: \$1.0

TOTAL FEDERAL COSTS: \$10.4 million

\$9.0 million

TOTAL STATE COSTS: \$7.8 million

\$6.8 million

Florida has a lower AFDC rate than other states

(Medicaid maybe a little lower)

Scenario #3: Assumes 50/50 split in eligibility between AFDC/Medicaid and RCA/RMA

TOTAL FEDERAL COSTS: \$13.6 million

\$12.1 million

TOTAL STATE COSTS: \$4.6 million

\$3.7 million

→ will have to go back for more to Congress or reduce months eligibility
→ likely somewhere between 2+3
→

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TOTAL STATE COSTS: \$4.6 million

\$3.7 million

(Medicaid maybe a little lower)

→ will have to go back ^{to Congress} for more or reduce months eligibility
→ likely somewhere between 2+3
→

Steve Waruath

Rm. 224

Cuban Parolees Funding Options Paper

Issue #1:

How to cover the Federal costs of assistance and services for approximately 27,300 Cuban parolees expected to arrive in the U.S. in FY 1995 under the Bilateral Agreement from Cuba and from Guantanamo/Panama.

Background/Discussion

Cuban parolees are eligible for refugee program assistance and services on the same basis as refugees. ORR reimburses States for 100% of the costs of refugee cash assistance (RCA), refugee medical assistance (RMA), and State administration. ORR also allocates funding to States to provide social services to refugee and Cuban/Haitian entrant adults. Cuban parolees, if determined eligible, may also access the aid to families with dependent children (AFDC) and Medicaid programs. HHS reimburses States for 55% of AFDC and Medicaid costs; States pay the remaining costs.

ORR also reimburses States for maintenance costs, child welfare services, and medical care for unaccompanied minors. Resettlement agencies place children requiring foster care with their local childcare-licensed affiliates in States throughout the U.S. Legal responsibility is established by local courts in such a way as to make the children eligible for the same range of child welfare and medical services as non-refugee children in that State. Any children arriving from Guantanamo and needing foster care would be resettled in this way.

A monthly average of 46.2% of Cuban parolees are expected to require cash and medical assistance in FY 1995. ORR estimates that it will be able to accommodate a maximum of 19,500 of the 27,300 expected Cuban parolees within its FY 1995 appropriation level without having to reduce cash and medical assistance to the approximately 110,000 refugee arrivals expected in FY 1995.

An additional \$5 million is needed to cover the refugee program costs for the remaining 7,800 parolees.

Options

1. Seek an FY 1995 supplemental from Congress for \$5 million to enable the refugee program to cover the costs that will not be able to be accommodated within the refugee program's current level of available funds.
2. No supplemental; absorb the full 27,300 within the refugee

program at the current funding level.

With no supplemental:

- o It is likely that the RCA/RMA eligibility period would have to be reduced from the current 8-month level.
 - o In order to accommodate the additional numbers of Cuban parolees, services and assistance to the other populations served by the refugee program would have to be reduced, creating a potential conflict between groups, and causing negative reactions from States.
3. No supplemental; instead use the DOJ Immigration Emergency Fund or other emergency funding to absorb the cost of parolees that the ORR budget is not able to accommodate.

The Emergency Fund, which consists of \$35 million, may be used if the President has determined that an immigration emergency exists and has certified this fact to the Judiciary Committees of the House and Senate, or the Attorney General may provide reimbursement to State and local governments for assistance to meet urgent demands arising from the presence of aliens in a State or local government's jurisdiction.

4. No supplemental; absorb the full 27,300 at the current funding level; but stagger the arrivals from Cuba for late in the fiscal year. **Recommended.**

Florida would undoubtedly prefer staggered arrivals.

By delaying the arrival of a substantial portion of parolees from Cuba, the costs of providing assistance and services to these individuals during FY 1995 would be reduced sufficiently to enable ORR to maintain assistance and services to refugees at current levels, without reductions.

Additional support would be needed in the FY 1996 budget to accommodate the increased RCA/RMA costs that would accrue in FY 1996 as a result of late arrivals in FY 1995.

Issue #2: Impacts and costs to States

Background/Discussion

1. AFDC and Medicaid: The States' share of costs for eligible parolees is estimated at \$9.4 million.
2. Education: Florida, especially Dade county, is heavily

impacted with foreign-born children. ORR has provided special funding, currently \$8.6 million annually, for the impact of Mariel children.

3. Services: Florida received a special \$6 million allocation for services in September 1994 in addition to the new arrival per capita given to all other States. This increased their core services money for refugees by 115%. The services will be in place during FY 1995.
4. Health care: ORR awards more than \$10 million annually to Jackson Memorial Hospital for non-entitlement care to refugees--another legacy of the Mariel boatlift. The funding offsets costs of care to indigent refugees who do not qualify for Medicaid or RMA.

Florida believes, even with the earmarked appropriations, which no other State receives, that the State is underfunded for the refugee/entrant program. Florida will react very negatively if it receives no new money. On the other hand, the other 47 States that participate in the refugee program see Florida as having an unfair advantage and will be equally unhappy if additional funding is given to Florida in a preferential way. This is especially true for California which recently lost its earmark.

Options

1. No new money, but encourage the State of Florida to reprogram its various earmarks to serve these new arrivals.
2. Use the DOJ Immigration Emergency Fund to pay Florida's costs.
3. Pay Florida's share of AFDC and Medicaid through the refugee program.

We would be setting a bad precedent that would put us at risk of legal challenges for giving preferential treatment to one State and for only one group. If ORR reimbursed Florida for its share of AFDC and Medicaid costs for Cuban parolees, it would be at the detriment of reducing assistance to refugees in all other States. It is likely that sufficient funds would not be available to continue to provide 8 months of RCA and RMA to refugees.

Issue #3

Need for Reception and Placement Services to Cubans

Background/Discussion

Reception and placement (R & P) services enable resettlement agencies to transport refugee/entrants to resettlement sites and to provide initial lodging, basic necessities, and orientation and referral to service and assistance programs. These services are provided to Cuban and Haitian entrants through funding from the Community Relations Service/DOJ (CRS). R & P services constitute initial placement activities for only the first 30 to 90 days after resettlement in the U.S. However short in duration, these services are vital to successful initial resettlement. After initial placement, refugees/entrants are eligible for assistance and services provided through the State-administered program funded by the Office of Refugee Resettlement (ORR). R & P services include the costs of dispersing entrants without family in Florida to other locations, thereby alleviating the impact on Florida. An estimated 20% of family reunification cases break down in Florida and such cases, under certain circumstances, also are eligible to be relocated. If no basic R & P services are provided, these cases could not be dispersed nationwide.

Options

1. Fund R&P through CRS under established procedures. The estimated cost would be \$1,000 per capita or \$27.3 million if 27,300 Cubans are resettled through CRS. Provide funding through the Immigration Emergency Fund. **Recommended.**
2. Provide no funding and rely on the State and the private agencies to absorb the impact.

**Estimated Costs for Cuban Parolees
in FY 1995**

	Estimated Cost (in millions)
27,300 admitted as refugees and parolees from Cuba, Guantanamo, and Panama:	
A. Refugee Resettlement Program	
Refugee cash assistance (RCA) and Refugee medical assistance (RMA) at the current 8-month eligibility period	\$20.7
Care for unaccompanied minor children	0.6
Social services resettlement costs	4.4
State program administration (17.6%)	3.6
Subtotal	\$29.3
B. Categorical Assistance Programs	
AFDC/Medicaid benefits	18.3
State program administration (12.7%)	2.3
Subtotal	\$20.6
C. Grand Total	
Refugee Resettlement Program	29.3
Categorical Assistance Programs	20.6
Total	\$49.9
Federal Funds	40.5
State	9.4
D. CRS grants for R&P services	\$27.3

COST ESTIMATES FOR CUBAN PAROLEES EXPECTED IN FY 1995

Assumptions

27,300 Cubans will be paroled into the U.S. during FY 1995. Cuban parolees are eligible under the refugee program and will be an added cost to the program.

7,800 of the parolees from Guantanamo are expected to be minor children, aged 17 and under, and their families. These families are expected to be eligible for AFDC and Medicaid and are expected to access these programs at about the same rate (46.2%) as newly arrived refugees and Cuban/Haitian entrants in general.

The remaining parolees (19,500) are expected to access the programs of refugee cash assistance (RCA) and refugee medical assistance (RMA) and the AFDC and Medicaid programs at about the same rate (46.2%) as newly arrived refugees and Cuban/Haitian entrants in general.

The parolees who will be released from safe havens (Guantanamo and Panama) are assumed to arrive at a regular monthly rate over a 4-month period beginning December 1994 - March 1995.

The remaining parolees are assumed to arrive in the U.S. at a regular monthly rate during the period from December 1994 - September 1995.

The parolees are expected to be concentrated in Florida (about 75%) and New York and New Jersey (25%).

The unit costs for RCA, RMA, AFDC, and Medicaid are based on a weighted average for Florida, New York, and New Jersey combined.

Cuban parolees are eligible to receive services under the refugee social services program.

Sixty-five percent of the approximately 170 unaccompanied children at Guantanamo are expected to join families in the U.S.; the balance will require foster care: 60 children @ \$10,625 for 10 months.

THE WHITE HOUSE
WASHINGTON

November 18, 1994

MEMORANDUM

TO: Marcia Hale
Alexis Herman
Carol Rasco
Jennifer Palmieri
Reta Lewis
Mort Halperin
Jeremy Ben-Ami

FROM: Keith Mason

Attached is a revised draft of the State of Florida cost projections for Cuban entrants.

Attachment

CUBAN.XLS

STATE COST PROJECTIONS FOR CUBAN ENTRANTS

Assuming the Clinton policy effects only families, the following cost projections may approximate the cost to Florida's state and local governments. This analysis assumes that every family unit has an average family size of 3 individuals -- 2 adults and 1 child.

	Annual Unit Cost	Population	Utilization	Total Cost	State/* Local	Federal
AFDC (((\$180 x 2) + 82) x 12)	\$5,064	2,667	100.00%	\$13,605,688	\$5,842,603	\$7,563,185
Food Stamps (\$304 x 12)	\$3,648	2,667	100.00%	\$9,729,216		\$9,729,216
Medicaid (\$335 x 12)	\$4,020	8,000	100.00%	\$32,160,000	\$14,150,400	\$18,009,600
Child Care (\$3,000 x pop x 10%)	\$3,000	3,000	10.00%	\$900,000	\$800,000	
Health Screenings (\$164 x pop x 82.26%)	\$164	8,000	82.26%	\$1,079,251	\$1,079,251	
Immunizations (\$78 x pop)	\$78	3,000	100.00%	\$228,000	\$228,000	
Mental Health (1,250 x pop x 20%)	\$1,250	8,000	20.00%	\$2,000,000	\$2,000,000	
Education (4,758 x pop x 80%)	\$4,758	3,000	80.00%	\$12,846,600	\$12,846,600	
Education (Classroom Const.)	\$12,120	3,000	100.00%	\$36,630,000	\$36,630,000	
Employment (\$1,270 x pop)	\$1,270	5,000	100.00%	\$6,350,000	\$6,350,000	
SUB-TOTAL				\$115,428,755	\$80,126,764	\$35,302,001
Criminal Justice (15,634 x pop x 5%)	\$15,634	8,000	5.00%	\$6,213,600	\$6,213,600	
Prison Construction (\$19,865 x 400 (5%))	\$19,865	400	5.00%	\$7,946,000	\$7,946,000	
TOTAL				\$123,374,755	\$88,072,764	\$35,302,001

*The state/local costs could be shifted to federal funds if funding is available.

POTENTIAL CUBAN ENTRANT COSTS

Background:

The Clinton Administration previously denied entry into the United States the thousands of Cuban boat people transferred to Guantanamo Bay. Due to intense pressure from Cuban-American groups, the Administration is considering reversal of this policy for humanitarian reasons. Entry would be granted to an estimated 8,000 Cubans - 3,000 of which are children. This policy is expected to be announced within 10 days. Providing for the care and needs of these persons impacts costs to both the state and federal government. There are many social services, educational and health care needs of the individuals that must be met.

Cost Elements:

- **AFDC (state share 44%) - population x annual cost**
(Cost: \$180 per adult/first child plus \$62 for each additional child per month)
- **Food Stamps - population x annual cost**
(Cost: \$115 per recipient individual recipient per month or \$304 for a family of three)
- **Medicaid (state share 44%) - population x annual cost**
(Cost: \$335 per month per recipient)
- **Child Care - population aged 0-5 years x utilization rate (20%) x annual cost per slot (Cost: \$3,000 per slot)**
- **Health Screenings - population x utilization rate (82.26%) x average cost per screening (Cost: \$164 per recipient)**
- **Immunizations - population x annual cost per immunizations**
(Cost: \$76 per recipient)
- **Mental Health - population x utilization rate (20%) x average annual mental health services cost (Cost: \$1,250 per recipient)**
- **Education - population x DOE annual total cost per child**
(Cost: \$4,758 per child in Dade county)
- **Education - (Classroom Construction) Represents an approximate average for elementary school construction in Dade County and middle/high school construction. (\$12,210 x 3000 school age children)**
- **Employment - population aged 18+ years x statewide average annual refugee employment service cost**
(Cost: \$1,270 per recipient)
- **Criminal Justice System - incarcerated population x DOC annual operating cost (Cost: \$15,534 per inmate)**
- **Prison Construction - anticipated incarcerated population (\$19,865 per cell x 400)**

PLEASE WASHFAX THE ATTACHED CONFIDENTIAL DOCUMENT FROM
MORTON HALPERIN, NSC, 202-456-9241, TO THE FOLLOWING:

From: Morton Halperin

To: Amb. Alex Watson/State/647-5780

Amb. Brunson McKinley/State/647-5822

Jan Lodal/DoD/703-695-7114

Gen. Clark/J-5/703-695-5618

Gen. Estes/J-3/703-697-3702

Seth Waxman/Justice/514-4560

Jeff Weiss/CRS/301-492-5929

Doris Meissner/INS/514-1900

Hand Carry:

Steve Warnath/Domestic Policy Council

Manuel Rocha/NSC

Bill Danvers/NSC

No. of Pages Attached: One

Message: PLEASE EXPEDITE. MEETING NOTICE AND
AGENDA ATTACHED. PRINCIPAL PLUS ONE INVITED.

Please call Kathy Cooper at 202-456-9241 to confirm
attendance and provide clearance information.

Thanks.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004a. memo	Todd Stern to President Clinton re: Anthony Lake decision memo (1 page)	11/26/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Stephen Warnath
OA/Box Number: 9578

FOLDER TITLE:

Cuban / Haitian Mass Migration etc. [2]

2011-1039-F

jm1492

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- 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]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004b. memo	Anthony Lake to President Clinton re: Cuban children and families (2 pages)	11/23/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Stephen Warnath
OA/Box Number: 9578

FOLDER TITLE:

Cuban / Haitian Mass Migration etc. [2]

2011-1039-F

jm1492

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~~CONFIDENTIAL~~

CUBA IWG

Friday, January 6, 1995 -- 3:30 PM -- Rm 476 OEOB

AGENDA

- I. Returning Cubans from Panama to GTMO.....All agencies
[Timetable, logistics, coordination with paroles into U.S.]
- II. Services for Cubans in GTMO.....State/Justice(CRS)
[Assuring that all services now provided in Panama will be available in GTMO prior to the return of the Cubans, including family visits, vocational training and English as a second language. Providing continuity in courses underway].
- III. Voluntary Return from Safehavens to Cuba Proper....State/JCS
[Status report, approaching Cuban government, seeking new volunteers in camp]
- IV. Third Country Resettlement.....State
[Status report, State paper identifying target countries and considering compensation to third countries]
- V. Parole into the U.S......Justice/INS
- VI. Congressional Consultation.....NSC

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By ML NARA, Date 9/29/16

201-1039-F

WARNATH

TIME OF TRANSMISSION

TIME OF RECEIPT

WHITE HOUSE SITUATION ROOM

PRECEDENCE:

IMMEDIATE~~ROUTINE~~
ROUTINE

RELEASER: _____

DTG: _____

MESSAGE NO. _____ CLASSIFICATION _____ PAGES _____

FROM MORTON HALPERIN - NSC 202-456-9241 393 0E0B
 (NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION NOTICE OF CUBA IWG, WED. NOV. 16, 10AM.
WH SIT. RM. REVISED AGENDA

<u>TO (AGENCY)</u>	<u>DELIVER TO</u>	<u>DEPT/ROOM NO.</u>	<u>PHONE NUMBER</u>
<u>DOJ</u>	<u>SETH WAXMAN</u>	_____	<u>514-4560</u>
<u>DOJ/INS</u>	<u>POBIS MEISSNER</u>	_____	<u>514-1900</u>
<u>J-5</u>	<u>LTG CLARK</u>	_____	<u>703-695-5618</u>
<u>J-3</u>	<u>GEN. ESTES</u>	_____	<u>703-697-3702</u>
<u>DO D</u>	<u>JAN LODAL</u>	_____	<u>703-697-8360</u>
<u>STATE</u>	<u>DENNIS HAYS</u>	_____	<u>647-9272</u>
<u>STATE</u>	<u>PHYLLIS OAKLEY</u>	_____	<u>647-7360</u>
<u>DOJ</u>	<u>KEN LEUTBECKER</u>	<u>PLEASE HOLD FOR PICK-UP.</u>	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

REMARKS: PRINCIPLES + ONE. PLEASE VERIFY

ATTENDANCE W/KATHY COOPER, 202-456-9241

~~CONFIDENTIAL~~

CUBA/SAFEHAVEN IWG

November 16, 1994 -- 10:00 A.M. -- WW Sit. Room

AGENDA (Updated/New Items Underlined)

I. MIGRATION/PAROLE ISSUES

1. Status of Children in the Camps.....All Agencies

2. Paroles.....Justice
[Status report on parole of elderly, unaccompanied children,
and hardship cases]

3. Pre-August 19 CubansAll Agencies
[Discussion of 94 Cubans who were at GTMO prior to change
in policy]

4. Legal Migration Update.....Justice/State

5. Voluntary Repatriation.....State
[Status report on Cubans, Haitians and Aristide message - Issue
of Cuban voluntary repats who live near GTMO] *Received of Cuban repats
last week for resettlement*

6. Third Country Resettlement.....State

7. Demographic Surveys.....Justice

8. Extending Panama.....State

9. Medevacs..... Justice/DOD
[Protocol - Policy on returning medevaced migrants -- PHS Issue]

II. CAMP CONDITIONS

1. Supply of Priority GoodsDOD, State
[Status report on mail, medicine, milk, cigarettes]

2. Miami Medical Team.....DOD

3. CivilianizationDOD/JCS/State

4. Long-Term Improvements.....DOD

5. Package Deliveries.....State/DOD

6. Visits by Cuban-Americans.....DOD/JCS

7. Standardizing Procedures - Panama/GTMO.....DOD/JCS

III. LAWSUIT

1. Status Report..... Justice

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By M NARA, Date 4/19/16
2011-634-P

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

CUBA/SAFEHAVEN IWG

November 16, 1994 -- 10:00 A.M. -- WW Sit. Room

AGENDA

I. MIGRATION/PAROLE ISSUES

1. Status of Children in the Camps.....All Agencies
[See attached discussion memorandum]
2. Paroles.....Justice
[Status report on parole of elderly, unaccompanied children,
and hardship cases]
3. Pre-August 19 CubansAll Agencies
[Discussion of 94 Cubans who were at GTMO prior to change
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[Status report on mail, medicine, milk, cigarettes]
2. Miami Medical Team.....DOD
3. CivilianizationDOD/JCS/State
4. Long-Term Improvements.....DOD

III. LAWSUIT

1. Status Report..... Justice

Morton Halperin will chair.

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *W* NARA, Date *9/29/16*

2-11 1234-F

~~CONFIDENTIAL~~

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. discussion paper	re: Status of children in safehavens (3 pages)	00/00/0000	P1/b(1)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Stephen Warnath
OA/Box Number: 9578

FOLDER TITLE:

Cuban / Haitian Mass Migration etc. [2]

2011-1039-F
jml492

RESTRICTION CODES

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

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. memo	Anthony Lake to President Clinton re: Long-term options for Guantanamo safehaven [Duplicate of 003] (4 pages)	00/00/0000	P1/b(1)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Stephen Warnath
OA/Box Number: 9578

FOLDER TITLE:

Cuban / Haitian Mass Migration etc. [2]

2011-1039-F
jml492

RESTRICTION CODES

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E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

16-Nov-1994 03:49pm

TO: Carol H. Rasco
TO: Jeremy D. Benami

FROM: Stephen C. Warnath
Domestic Policy Council

SUBJECT: cuba meeting

It was an interesting meeting. Most of the meeting was dominated by a discussion of the children and family issue. There was for the first time strong views expressed by agency representatives that it would probably be preferable not to announce a mass, blanket parole of children and accompanying family, but to have a more measured, orderly and controlled bringing out of the children without alot of fanfare. Seth stated that the A.G. believes strongly that the camps are not an appropriate place for the children but that it is best to "trickle" the children out without major public announcements. Alex (INS General Counsel) also made this argument and added that the blanket use of paroles puts the A.G. in a more vulnerable position regarding litigation and Congressional hearings challenging the A.G.'s use of parole that will be scheduled when Congress returns. DOD and HHS echoed the concern about a wholesale parole. Problems with the President's credibility, the magnet effect, costs, disparate treatment for Haitians etc. were all mentioned.

Also, it was the consensus that the decision about the children and their families is a watershed decision that cannot be made in a vacuum, but must be considered as part of the policy determination that encompasses a long-term view of how this fits into what we do from now until the end with everyone at GTMO. It was clear that the group did not think that such a comprehensive vision exists.

Interestingly, State (the Cuba Desk) stated that it was also important to assess the issue of bringing the children and families in as a whole in the context of how it would be viewed across the U.S. and not just from the perspective of South Florida.

Justice's preference would be to look at bringing children in on a case-by-case basis, meaning that they would come out as places are identified for them to go, sponsors are identified,

etc. in contrast to just announcing that they are all coming out.

Defense reiterated that as time passes the potential for violence and security problems increases. A man drowned yesterday trying to leave GTMO.

I don't know what to make of this:

Outside of the meeting I was told that Sandy Berger called the President late last night (woke him up) to present the children with family issue. Basically, I was told that the decision was inevitable that they would be out by the Summit. A lot of issues were raised yesterday in the meeting with Leon and again today it was clear that the A.G. and others expressed views that were not consistent with NSC's recommendation. My info is obviously secondhand and perhaps a particular decision is not inevitable based upon NSC's discussion with the President, but IF IT IS TRUE, WHAT THE HELL ARE WE DOING PRETENDING THAT WE ARE VETTING ISSUES IN A PROCESS THAT INCLUDES INTERAGENCY INPUT AND THE PARTICIPATION OF OTHER WHITE HOUSE (NON-NSC) OFFICES IN RECOMMENDING COURSES OF ACTION TO THE PRESIDENT?

There is a deputies meeting in the Situation Room on Friday. The children with families issue will be on the agenda. I raised again the issue of notifying Carol about all of these meetings and I was assured that Carol would be invited. Although Carol will not be in town, somebody from DPC must attend this meeting.

Lavinia was asked to do a "blue-sky" memo that considers possibilities of tapping into funds anywhere in the government to help with this. She was asked to have it ready Friday morning. Our role is to make sure to get a copy and be prepared to participate in the decisionmaking process at the appropriate decisionmaking points, assuming that certain decisions have not already been made.

Also, Jeremy, I think you should call Nancy Sonderberg as a follow-up on yesterday's activities and acquire a copy of the memo that NSC (Mort) was preparing for the President last night. I don't know if that was completed or whether the phone call to the President replaced it.

So Carol and Jeremy, that is about it. Any thoughts or comments? Sorry about the language, but we all have plenty to do without this continuing dance with NSC. But it keeps things interesting.

Thanks. steve

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

September 30, 1994

September 30, 1994

Presidential Determination
No. 94-56

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination Pursuant to Section 2(c)(1) of
the Migration and Refugee Assistance Act of
1962, as Amended

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$30,000,000 be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet the unexpected, urgent needs of refugees, returnees, and conflict victims from Rwanda and Burundi. These funds may be contributed to international and nongovernmental organizations, as appropriate.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority and to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

#

- Norm Saunders

Emily

OSC

Terri

Adm. Moore

JCS

Michael Solomon

Dave Piver

Chris Sale

Seth Waxman

SUN 7/3

588 in 17 boats

Bad weather

190

183 repatriation aboard C.G cutter

54 GITMO

858 on ship (Confort) 139 below the 1000 capacity

3461 unscreened

347 screened in

923 arriving today

GITMO

Hold-up trying to get equipment, forms etc. down to GITMO

[616-5000 Justice/INS Command Center]

TOMORROW - new interpreters arriving

July 14 we can be up to 14,000 capacity

Panama

Panama President receptive to using island

Bahamas

Nothing new - MOU dt look good.

Monday

21 incidences 684 Hs pick-up weather

No report of death or injury

183 enroute for repatriation

J. processing

Processed - 92
Sat

2670 a

Processed Sun 140 90 out 50 in

CRITMO

Supplies arrive end of day tomorrow

7/21 will get to 20,000 capacity

4,875 are there now

~~1547~~ 1180 is coming

Capacity now 6500

Parame has agreed to establish
a safe haven under UNHCR
+ on bases / capacity up to 10,000

Tonight announcement if Pres approves

Need to anticipate unrest at GITMO upon announcement

Guyana

likely outcome: only in-country screening
would lead to U.S. entry.

State Dept.

647-6614
- 6616
- 6617

Expect Panama will make an announcement
to we will not

Bill Gray is negotiating for
safe haven, no U.S. resettlement

White House announcement expected tomorrow
Bill Gray is expected to

plus 2 more countries

dispute in figures either 700 something or
1600 migrants today according JCS
a lot more boats out

Panama is intended for "genuine" refugees not migrants

What will slow the flow

(1) Panama

(2) INS says that it will not slow if interviews
continue in Panama

Issue: More screening than UNHCR?

No (Hs) at Panama after one year

Policy makes decisions constrained by legal considerations
Further away from U.S. the better

Intelligence
Defense etc.
I.N.S. - ~~is~~
Furc — Pick your expert

i.e. who determines logic
of assumption of what
is greater deterrent