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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	re: Summary of conclusions of Cuban Migration Structure meeting (2 pages)	08/17/1994	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

Cuban / Haitian Migration etc. [3]

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RESTRICTION CODES

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

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

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

RR. Document will be reviewed upon request.

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

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

Date: 12/3/94

The Washington Post

Page: A3

Column: _____

Salvadorans Get Reprieve as U.S. Amnesty Ends

By Roberto Suro and Pamela Coastable

Washington Post Staff Writers

The Clinton administration announced yesterday it will end a temporary amnesty program for about 200,000 Salvadorans living in this country, but officials measured the refugees they will not face massive deportations and extended their permission to work here for nine months.

Doris Meissner, commissioner of the U.S. Immigration and Naturalization Service, said the protection could no longer be continued because the human rights situation in El Salvador has "improved significantly" since its civil war ended in a 1992 truce.

But Meissner said the measure would be implemented in a "delayed and gradual" way. "There is no reason to fear large scale and immediate deportations," she told reporters at the Justice Department.

Salvadoran authorities and refugees alike reacted with grateful relief to the news, which they had feared would be worse. The administration has been under pressure to curb illegal immigration, and many Salvadorans had anticipated they might lose their legal right to be here on Jan. 1, when the protection expired.

"All Salvadorans here should spend a peaceful Christmas with their children and not dread the coming year," said Ambassador Ana Cristina Sol, the Salvadoran envoy in Washington. "We have nine months, and we will work hard to find a permanent solution for all of them."

"This is a great relief. We have a nice house in Hyattsville, we all have jobs, and I am going to college. We were afraid we would lose all of that and maybe be deported as well," said Nelsy Parada, a 21-year-old secretary.

An estimated 26,000 Salvadorans in the Washington area have been living here under the amnesty program, which was first approved in 1990 by President Bush. The protection has been extended twice since.

In San Salvador, President Armando Calderon Sol called the reprieve "a true diplomatic success" for his country. The ailing economy cannot absorb tens of thousands of returnees, and it depends heavily on about \$825 million sent home annually by Salvadorans working in this country.

Meissner said work authorization for all refugees in the temporary program will be extended for nine months. She stressed that employers should continue to honor existing work papers.

During the period, officials said, about 190,000 refugees will be able to apply for political asylum under the terms of a 1990 court settlement. It was reached after a class action suit alleged that some Central Americans had been unfairly denied asylum during the 1980s.

Salvadorans also can try to avoid deportation by

claiming it would pose a special hardship. Meissner said a large number would likely have valid claims because they have been in the United States for years and have children born here.

"People have made their lives and families here," said Ambassador Sol. "Any Salvadoran who wants to come home will be welcomed with open arms, but we still cannot offer them the same economic opportunities they find here."

Refugee advocates in the D.C. area said their agencies are preparing to handle a flood of paperwork. They also warned against unscrupulous lawyers who may take advantage of desperate or uninformed refugees.

"We now have a window of opportunity to help people find a permanent solution. Our greatest fear was a total cutoff. Now we can get to work," said Saul Solerzano, director of Carecen, a refugee agency in Mount Pleasant.

Some refugee advocates said they were not relieved by the nine-month grace period, pointing out that nervous employers may begin firing affected Salvadorans anyway.

"People are still desperate and anguished," said the Rev. Jorge Morales, a minister in Arlington. "I hear some bosses are saying after Dec. 31, there is no work. Everything is still very uncertain."

Correspondent Douglass Farah contributed to this story from San Salvador.

DATE

12/3/94

THE ORANGE COUNTY

Register

PAGE

A24

NS rules: Cubans win, Salvadorans lose

IMMIGRATION: The rules could affect up to 3,000 Cuban children at Guantanamo and 20 percent of Salvadorans in the United States.

by STEWART M. POWELL

Herald Newspapers

WASHINGTON — The Clinton administration announced plans Friday to welcome more Cuban refugees and terminate four years of political asylum for 190,000 refugees from El Salvador.

The Immigration and Naturalization Service's decision to terminate political asylum for Salvadorans will affect about 20 percent of the estimated 1 million legal and illegal Salvadoran immigrants, half of whom live in California. The INS decision curtails a program started in 1991 and renewed annually by both Clinton and President Bush.

INS Commissioner Doris Meissner said the asylum program will expire Dec. 31 "because the political and human-rights situation in El Salvador has improved significantly and no longer serves as a basis for continuing" temporary asylum.

The Justice Department said it will consider the "humanitarian" admission of additional Cuban children and guardians facing "extraordinary hardship" at a tent city at the U.S. military base at Guantanamo Bay, Cuba.

The Cubans have been detained at the base since being seized by American ships on the high seas as they attempted to flee to Florida in rafts and small boats in August. The powerful Cuban-American community in Florida has been lobbying the White House to admit the 23,390 Cuban refugees held at the base.

The timing of the Justice Department's announcement appeared designed to blunt threatened demonstrations by Cuban-American activists when President Clinton attends the 34-nation Latin American summit in Miami next weekend.

Meissner denied that the administration as part of its preparations for the 1996 re-election campaign was courting Cuban-American support in Florida or

anti-immigrant sentiment in California with decisions affecting the Cubans and Salvadorans.

"I don't think there is a political dimension to the decisions," Meissner told a news conference.

California voters approved a referendum on Nov. 8 that clamped new restrictions on educational, social and medical services for illegal immigrants. The measure, Proposition 187, has subsequently become tied up in the courts.

The policy changes were not the first reversals by the Clinton administration on politically ticklish questions over refugees.

First came Clinton's decision last August to close U.S. shores to refugees from communist Cuba for the first time in three decades. The president acted in response to demands by Florida Gov. Lawton Chiles, a Democrat who was locked in a close race for re-election.

The Clinton administration then began relaxing its ban shortly before Chiles' re-election.

The new rules could affect up to 3,000 Cubans under 18 and their estimated 5,000 guardians at the U.S. naval base.

The INS official said the case-by-case review of Cubans' circumstances would take "some time" to make sure that emigrants have financial sponsorship in the United States.

Fernando Rojas, a spokesman for the Cuban-American National Foundation in Miami, said his organization "welcomes" the Justice Department action as "a very important, positive first step toward ending this terrible tragedy of detaining political refugees."

Rojas said his organization, which has helped finance the resettlement of 10,000 Cuban refugees over the past 35 years, has raised \$15 million in private pledges to underwrite the resettlement of an additional 10,000 Cuban refugees.

The expiration of asylum on New Year's Eve will not immediately force Salvadoran refugees to leave the country, Meissner emphasized.

"The impact of the expiration will be delayed and gradual," Meissner said. "There is no reason to fear large scale or imma-

diate deportations."

Officials said they had no estimate of the number of Salvadoran refugees who may qualify for permanent political asylum by showing that they have a "well-founded fear of persecution" if they return home.

Continued from 7

difficult to win political asylum under U.S. law—fewer than one in 10 Salvadorans were granted asy-

lum even while the civil war was raging—activists say it is crucial that Salvadorans file in order to prolong the process and possibly gain permanent residence status at a future date.

"Right now we're trying to win time," acknowledged Juan Carlos Cristales, who is coordinating asylum applications at El Rescate, taking statements from scores of applicants about their fears of returning home.

Times staff writers Tracy Wilkinson in El Salvador and Robert Jackson in Washington contributed to this report.

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

09-Nov-1994 06:41pm

TO: Stephen C. Warnath

FROM: Carol H. Rasco
 Economic and Domestic Policy

SUBJECT: RE: cuba meeting; asylum regs

Thanks so much for alerting me to that story. Remind me some time and I will show you how to forward wire stories...it's pretty simple (has to be for me to understand it!) and a great way for you all to send me and other staff the stories you come across of interest.

Thanks again!

The Washington Post

DATE: 11/4/93
PAGE: A36

Court Lifts Ruling That Barred U.S. From Sending Back Cubans

Reuter

The U.S. Court of Appeals in Atlanta yesterday suspended a judge's ruling that barred the Clinton administration from sending back Cuban refugees being held at a U.S. naval base, the Justice Department said.

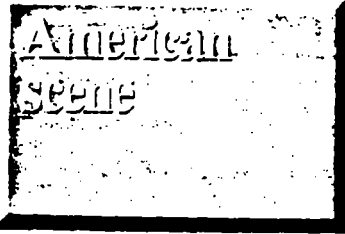
U.S. District Judge C. Clyde Atkins in Miami had ordered the U.S. government Monday to halt all voluntary repatriations of Cubans from Guantanamo Bay, Cuba, also ordering that the Cubans be allowed access to legal counsel.

But the Clinton administration immediately asked the appeals court to stay the judge's ruling and eventually overturn it.

Government lawyers contend that some 30,000 Cuban refugees held at camps in Guantanamo Bay and in Panama have no rights under the U.S. Constitution.

Justice Department spokesman Carl Stern said the appeals court would hear arguments today on whether to dismiss the suit altogether.

Officials said no repatriations would take place until after the hearing.



Appeals court suspends ruling on refugees

The U.S. Court of Appeals in Atlanta yesterday suspended a judge's ruling that barred the Clinton administration from sending back Cuban refugees being held at the U.S. naval base in Guantanamo Bay, Cuba, the Justice Department said.

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Date: 11/25/94 Time: 21:02

CALIFORNIA MAY EXPEL ILLEGAL SALVADORANS

MEXICO CITY (NOV. 25) XINHUA - SOME 200,000 SALVADORAN IMMIGRANTS LIVING ILLEGALLY IN THE UNITED STATES COULD BE DEPORTED AT YEAR'S END, REPORTS FROM SAN SALVADOR SAID TODAY.

THE STATE OF CALIFORNIA MAY IMPLEMENT PROPOSITION 187 IN DECEMBER, FORCING SALVADORANS SEEKING TO OBTAIN AN EXTENSION OF THEIR TEMPORARY RESIDENT STATUS TO LEAVE THE COUNTRY.

DECEMBER 31 IS THE DEADLINE FOR SALVADORANS WITH TEMPORARY PERMITS TO OBTAIN PERMANENT RESIDENT PAPERS.

SOME MEMBERS OF THE SALVADORAN ASSEMBLY VIEW THE POSSIBLE DEPORTATION OF THEIR COUNTRYMEN AS "A THREAT TO DEMOCRACY," THE REPORTS SAID.

SALVADORAN LEGISLATORS WERE QUOTED AS SAYING THAT WASHINGTON WOULD BE ACTING IRRESPONSIBLY IF IT FAILS TO EXTEND TEMPORARY RESIDENCE PERMITS FOR THE SALVADORANS.

THE SALVADORAN GOVERNMENT URGED THE CLINTON ADMINISTRATION TO ORDER THE EXTENSION FOR HUMANITARIAN REASONS, SINCE DEPORTATION WOULD CREATE SOCIAL, POLITICAL AND ECONOMIC CHAOS IN EL SALVADOR.

SALVADORAN AUTHORITIES SAY THEY ARE NOT PREPARED TO ABSORB THE GREAT NUMBER OF PEOPLE WHO WOULD BE RETURNING FROM THE UNITED STATES.

THE POSSIBLE MASS DEPORTATION WOULD IMPERIL EL SALVADOR'S MAIN HARD CURRENCY SOURCE -- MORE THAN 800 MILLION DOLLARS FROM SALVADORANS REMITTANCES TO THEIR FAMILIES.

IN ANOTHER DEVELOPMENT, SOME 130,000 ILLEGAL MEXICAN IMMIGRANTS WERE DEPORTED BY U.S. IMMIGRATION AUTHORITIES IN THE PAST 11 MONTHS TO THE MEXICAN STATE OF BAJA CALIFORNIA.

STATEMENT

"The Attorney General announced today that, at the direction of the President, she will consider for humanitarian parole, on a case-by-case basis, Cuban children for whom long-term presence in the safe havens at Guantanamo or Panama would constitute an extraordinary hardship, together with such immediate family members as humanitarian needs require. Only families for whom there is full financial sponsorship in the United States will be paroled."

QUESTIONS AND ANSWERS

- Q: Does this mean that all 3,000 children in the camps along with their families will ultimately be paroled into the United States?
- A: No. Each case will be considered individually on a humanitarian basis.
- Q: Can you estimate for us how many children and how many family members will be eligible under this standard?
- A: No. We will evaluate each case to determine whether it presents an extraordinary humanitarian hardship.
- Q: What standards will be applied to determine this? Give me an example of what kind of child would satisfy this standard?
- A: The standards will be worked out with those personnel in the safe havens who best know the populations and will be flexible, in order to accommodate all forms of hardship. [A disabled child would be one type of example.]
- Q: How quickly will families start to arrive in the United States?
- A: Children who qualify, with such immediate family members as humanitarian needs require, will be admitted after a decision is made and the appropriate sponsorship arranged. This process will inevitably take some time.

Q: Is this a change in policy?

A: No. We have been paroling people in on humanitarian grounds on a case-by-case basis. Parole will still be considered only on a case-by-case basis and only for those children for whom long-term presence in the safe havens constitutes an extraordinary hardship. There will be no change in our policy of not processing Cubans from Guantanamo or Panama for lawful immigration into the United States.

Q: Will Cubans who leave Cuba now be eligible for the same humanitarian parole if picked up and brought to Guantanamo?

A: No. The Attorney General will consider parole only for those now in Guantanamo and Panama.

Q: Will this arrangement apply to Haitian children in the safe havens?

A: No.

Q: Why not?

A: Haitians are now in a very different situation than Cubans. The United States has assisted in the restoration of democracy in Haiti, and President Aristide has returned to head a constitutional government. A large multinational force is present in Haiti to assist in the transition, and acts of government terror and persecution have been eliminated. A substantial United Nations force will follow the MNF for another year to assist in the transition for a long period. Most Haitians in the safe havens have elected voluntarily to return to the new Haiti, and President Aristide has asked those remaining to do so as well. We anticipate that most if not all of the Haitians still in Guantanamo will choose to return to their homeland.

The New York Times

DATE: 11-18-54

PAGE: A-22

Cuban Refugees Get Visas

PANAMA CITY, Nov. 17 (Reuters) — Thirty-nine Cuban refugees held at American internment camps in Panama were flown to the Florida today and granted visas, officials said.

The 18 men, 15 women and 6 orphaned children were part of a plan to allow elderly, sick or orphaned Cuban refugees in the camps to enter the United States, United States military officials said. On Wednesday, the United States also granted visas and flew four Cuban refugees to Texas, officials said, because they were too sick to be treated in Panama. The United States has about 8,700 Cubans in camps near the Panama Canal. The Federal Government, which has intercepted and detained the refugees since last summer, has denied entry to most, saying the refugees must return to Cuba and apply for legal immigration.

U.S. Acts to Curb Youth Handgun Use

Prosecutions to Expand Under New Authority Granted in Crime Bill

By Pierre Thomas
Washington Post Staff Writer

Justice Department officials, pointing to an upsurge in youth handgun violence, have begun efforts to expand federal prosecution of juveniles caught carrying such weapons without adult supervision.

A new measure in the recently passed crime bill makes it a federal crime for someone under 18 to possess a handgun without proper adult supervision. Attorney General Janet Reno, in a speech last night in Boston, made the new law a centerpiece of her initiatives to combat juvenile use of handguns.

Reno, acknowledging the federal government is not equipped to handle the new responsibilities, has asked the Office of Juvenile Justice and Delinquency Prevention and the Bureau of Prisons to boost U.S. capacity to incarcerate juveniles. The primary vehicle for accommodating the increased enforcement will be contracting with states for facilities.

Still, a number of critical questions remain as the Justice Department contemplates entering an enforcement area where it traditionally has played virtually no role: for example, how large an increase in juvenile cases will U.S. attorneys handle and how will the federal judicial system cope with any changes?

Under the new law, a juvenile arrested on the first federal charge would be placed on probation and faces possible jail time if terms of probation are violated. A second conviction could land the youth in a juvenile detention center for a year.

The federal government typically prosecutes fewer than 200 juveniles annually, according to department sources. Current federal juvenile capacity is dwarfed by a problem that has been growing in recent years, sources said.

The National School Safety Center estimates that each day about 135,000 students nationwide carry guns into schools. But there is no large-scale federal juvenile probation program and a number of other seg-

ments of the federal legal system likely would have to be strengthened.

"The federal judiciary in general is not accustomed to handling cases involving juveniles," said David Sellers, spokesman for the Administrative Office of the U.S. Courts. "Certainly, that applies to both probation and pretrial service [and court-appointed attorneys]. Any significant increase in caseload is of tremendous concern, given the trend of bringing cases to federal court that normally would go to state court."

Department officials say they are aware the federal judicial system cannot handle a huge influx of juvenile cases. Instead of trying to prosecute every case, department officials

An important part of the new legislation is the provision making it a crime for adults to sell or give handguns to juveniles, said Bob Walker of Handgun Control Inc.

say they will target juveniles carrying guns in selected crime-ridden public housing projects, schools and gangs.

States are expected to play the central enforcement role in prosecuting youths with guns, according to Sen. Herb Kohl (D-Wis.), principal author of the new law. It allots \$7.9 billion for state prison construction and \$150 million for youth incarceration and probation alternatives.

In some cases, the Justice Department will defer to states when local anti-handgun possession statutes are adequate and will encourage the 20

to 25 states that do not have such laws to adopt them, using the federal legislation as a model. Where appropriate, the department may also designate U.S. attorneys to try cases in state courts.

"I don't anticipate a huge increase" to the federal system, said Bob Walker, legislative director for Handgun Control Inc. He acknowledged there could be some growth in federal prosecutions, but he added, "It's speculative to say by how much." He also noted that a more important part of the new legislation is the provision making it a crime for adults to sell or give handguns to juveniles.

Because state juvenile handgun laws are new, relatively few statistics are available. Virginia, for example, enacted a similar measure in 1993, but state officials could not readily say how many youths had been arrested for handgun possession. However, 43 juveniles in the state have been convicted of firearms-related charges since July 1993, state police officials said. That figure does not include juveniles charged as adults.

Regardless, Kohl said, given the rising tide of youth violence, the new "law is meant to make a [sobering] statement"—specifically, the likelihood of prosecution for juvenile firearms possession is increasing.

"Now we can tell every child it's against the law to possess a gun," Walker said.

Although the new law does not focus solely on juvenile handgun possession at schools, education sites could serve as a referral site for courts.

An executive order signed by President Clinton last month calls for the Department of Education to cut off federal funds to any state that refuses

Iraq Gives Up Legal Claims on Kuwait (United Nations)

By Stanley Meisler=

(c) 1994, Los Angeles Times=

UNITED NATIONS In a brief and cold professional exchange, Iraqi Deputy Prime Minister Tariq Aziz handed American Ambassador Madeleine K. Albright Monday a packet of legal documents giving up all of Iraqi President Saddam Hussein's claims to the territory of Kuwait.

The documents an official recognition of Kuwait and its territorial integrity pleased the Security Council but not enough for it to lift the sanctions on Iraq.

After members completed their bimonthly review of the sanctions, Albright, who is serving as president of the council this month, told reporters that the Security Council had decided to continue the sanctions "without change."

That was no surprise; the real battle over sanctions within the Security Council is not expected to take place for another six months.

The meeting between Aziz and Albright, which lasted no more than two minutes, was the first between Cabinet-level officials of the two governments since former Secretary of State James A. Baker III conferred with Aziz before the start of the 1991 Persian Gulf war, a war fought because of Iraq's invasion and annexation of Kuwait.

Albright, however, insisted she was meeting Aziz only in her capacity as council president.

(Begin optional trim)

In fact, her spokesman, James P. Rubin, said that she had betrayed her role as American U.S. ambassador only by wearing a brooch in the form of a snake. That was her way of thumbing her nose at Iraqi poet Ghazi al-Tha'i and at the government-run newspaper, Al-Iraq.

Al-Iraq had recently published rhymed couplets by the poet in both English and Arabic that heaped scorn on Albright, blamed her for the sanctions, and likened her to a snake. "Albright, Albright," the poem said, "why do you hate the day and love the night?"

(End optional trim)

U.S. officials had refused to let photographers into the brief Aziz-Albright meeting in the small office of the council president outside the main chamber of the Security Council. But a U.S. official, describing the session for reporters, said Aziz "did not seem his ebullient self" and that Albright "was very professional."

After the session with Aziz, Albright, aside from passing out the Iraqi documents, also handed each ambassador aerial photos of reconstructed government buildings and official residences in Iraq as evidence that Hussein, while accusing the United Nations of depriving his people of food with sanctions, is lavishing \$1.2 billion on luxurious working space and living for the ruling class.

"If they have enough money to build these pleasure palaces," a U.S. official told reporters, "... they ought to have enough money to provide additional services and goods to their people."

Aziz dismissed the American outrage over the buildings as rubbish. "Every government has a palace for its head of state," he said, "and Iraq is a country of great builders. ... The national palace is a symbol of the nation ... and we are proud that all the sites that were bombed (in the Persian Gulf war) have been rebuilt."

(Optional add end)

After turning over the documents a letter from Hussein, a letter from the foreign minister, a decree of the Revolutionary Council, a decree of the National Assembly, and proof of the publication of all these in the official Iraqi gazette Aziz told reporters that it is time for "the council to honor its own resolutions" and lift the sanctions.

"The council has imposed sanctions on Iraq for certain reasons," he said, "and these reasons do not exist any more."

But there is no support in the Security Council for an immediate lifting of sanctions. The Russian and French ambassadors have suggested that the council members consider lifting the sanctions on the Iraqi sale of oil if the Hussein government cooperates fully, for six months, with a system of U.N. monitoring designed to make sure that it does not resume its programs of building weapons of mass destruction.

U.S. Considers Allowing Entry to Thousands of Cubans (Washn)

By John M. Broder and Mike Clary=

(c) 1994, Los Angeles Times=

WASHINGTON The Clinton administration is considering allowing thousands of Cuban children and their families who are now detained at the U.S. naval base at Guantanamo Bay, Cuba, to enter the United States, officials said Monday.

The move would mark a reversal of President Clinton's adamant policy against granting asylum to Cubans who fled their homeland on rafts and makeshift boats this summer.

A trickle of Cubans have arrived in Miami in recent weeks as the administration quietly permitted several dozen children and elderly and infirm refugees to enter the United States under humanitarian exceptions to the existing policy.

But the proposed policy, which could be adopted within days, would allow as many as a third of the 23,390 Cubans at Guantanamo into the United States.

The release would apply to about 3,000 Cuban children younger than 17 and their family members and caretakers at the camps. Most are expected to settle permanently in the Miami area, administration officials said.

Clinton and Attorney General Janet Reno announced in August that the rafters would be detained indefinitely at Guantanamo and would have no hope of entering the United States legally. This reversal of a longstanding open-door policy for Cuban immigrants came in response to a mass exodus from the island after Cuban President Fidel Castro lifted restrictions on leaving. Castro has since reimposed the restrictions.

But Cuban American groups have protested the no-entry policy and complained of the inhumane conditions in the camps, saying they are particularly hard on children and the elderly.

The administration is also looking toward the first Summit of the Americas, a meeting of Latin American leaders planned for Dec. 9-11 in Miami. There are concerns that Cuban Americans might stage large protests during the summit.

(Optional Add End)

Manuel Vazquez, a Cuban American lawyer in Miami who has sued the administration over the detention policy, said there is virtually no opposition among Cuban American groups to allowing the refugees into the United States.

He also said that conditions are worsening in the

camps, and many Cubans in the United States are angry about the administration's policy and plan to protest noisily at the 30-nation summit.

"This summit is fast approaching, and the government wants a quiet, successful summit and not a lot of people demonstrating," Vazquez said, explain why he thinks the administration is moving to change the policy now.

Yeltsin Tells Military to Prepare for Toughening U.S. Policy (Moscow)

By Carey Goldberg=

(c) 1994, Los Angeles Times=

MOSCOW President Boris N. Yeltsin warned his top military officers on Monday to steel themselves for "a certain toughening" in U.S. foreign and military policy toward Russia in the wake of Republican mid-term election gains.

In his first public reaction to the new conservative wave in U.S. politics, Yeltsin also told a conference of Russian Army officers he had realized that "it's necessary to work out relations with the Republicans, to even out our relations with the U.S."

Yeltsin enjoys a hearty friendship with President Clinton but has done little to cultivate support among the Republicans who will now dominate Congress.

He told the hundreds of officers attending the annual military planning meeting that he wanted to avoid a mistake like the old Kremlin made when it ignored the Republicans during the Carter presidency and paid the price when Ronald Reagan won the 1980 election.

"Then the victory of the Republicans and lack of contacts with them led to an acceleration of the arms race and aggravation of relations between the superpowers," Yeltsin said, according to Russian reporters who were allowed to attend the conference. "This must not be permitted today."

Russian analysts, who perceive Republicans as decidedly tougher toward Moscow, predict that U.S.-Russian relations will inevitably begin to worsen now.

"We should not exclude the emergence of some problems in Russian-American relations," said the respected Nezavisimaya Gazeta newspaper. "The Yeltsin-Clinton relationship may weaken significantly due to the pressure rendered on the presidents by both parliaments. Traditionally, the Republicans were cooler to Moscow than the Democrats."

The newspaper questioned whether Clinton would be able to keep his promise, made during his summit meeting with Yeltsin in Washington in September, to have Congress lift barriers to Russian exports to the United States.

However, Georgy Arbatov, formerly the longtime head of the USA-Canada Institute, which is the main Russian think-tank on America, said, "We should not feel fear, we should just feel some apprehension."

"I don't exclude the possibility that our relations will worsen," he said. "The anti-American mood has become stronger in Russia compared to 1991. There is such a mood in our Parliament as well. Now, maybe the anti-Russian mood will be amplified in its American counterpart. Or maybe not. We'll see."

(Optional add end)

Yeltsin's comments on the U.S. elections came in the course of a climactic annual meeting meant to provide an overview of the performance of Russia's armed forces and their plans for the next year.

The Russian president's concerns about relations with

the United States followed his warning that although the threat of a superpower war has abated, Russia must still worry about the spread of nuclear weapons.

"A real possibility is arising that Third World countries will obtain nuclear missiles, and the probability that they will be used by these countries is growing," he said, according to the Itar-Tass news agency.

He also praised the Russian Army's recent peacekeeping roles in war-torn former Soviet republics and its relatively orderly retreat from the Baltics and Germany over the last year.

Pope Calls on Church to Repent for Its Sins (Vatican City)

By William D. Montalbano=

(c) 1994, Los Angeles Times=

VATICAN CITY Looking ahead to the year 2000, Pope John Paul II demanded on Monday that his church publicly repent for sins committed by Catholics across history in errant, overzealous defense of their faith.

The Roman Catholic church, said the pope, "cannot cross the threshold of the new millennium without encouraging her children to purify themselves, through repentance, of past errors and instances of infidelity, inconsistency, and slowness to act."

The major papal policy statement came in a 16,000-word letter to Catholics that emerged from deliberations in June by cardinals considering how their church should enter its third millennium.

In context, Monday's letter represented a papal riposte to prophets of doom in Rome and at the Vatican who believe that Pope John Paul's papacy is waning in infirmity.

The 74-year-old pontiff, who is recovering slowly from a broken leg, makes clear in the letter that his world travels remain a major priority. As if for emphasis, Pope John Paul made a point of telling a delegation of Bulgarians who visited him Monday that he hopes to visit their homeland.

"It is my fervent wish to visit Sarajevo in Bosnia-Herzegovina and the Middle East: Lebanon, Jerusalem and the Holy Land," the pope writes the 950million members of his church. In the Year 2000, Pope John Paul says, he would like to visit biblical lands "through Egypt and Mount Sinai, as far as Damascus."

In his letter, Pope John Paul outlines plans for a series of reflections, meetings and ceremonies building up to the year 2000, which his church will celebrate as a "great jubilee which will take place simultaneously in the Holy Land, in Rome, and in local churches around the world."

Examining errors of the past is an important element in preparations for their church next millennium, Pope John Paul tells Catholics in the letter.

"The church should become more fully conscious of the sinfulness of her children; recalling all those times in history when they departed from the spirit of Christ and his Gospel and ... indulged in ways of thinking and acting which were truly forms of counter-witness and scandal," said Pope John Paul.

The pope did not dwell on particular cases, but they will be forthcoming as grist of the self-examination he seeks: A Catholic's confession must be specific for a priest to grant absolution.

(Optional add end)

"Another painful chapter of history to which the sons and daughters of the church must return with a spirit of

**Questions and Answers Related to the
Termination of the Nicaraguan Review Procedures**

Prepared by HQDDP
April 8, 1994

- Q. There are many Nicaraguans in the United States who have been here for seven years or more. How will their cases be handled?
- A. Eligible aliens may file motions to reopen and applications for suspension of deportation with the Executive Office for Immigration Review. As a matter of discretion, a District Director may grant a stay of deportation in such cases--unless the alien is statutorily ineligible for suspension, for instance, because of a criminal history. INS anticipates that some Nicaraguans will have sufficient equities to remain in this country with the prospect of legalizing their status.
- Q. What is the position of INS with regard to a continued or extended employment authorization for Nicaraguan nationals who now have that benefit?
- A. The INS will not terminate employment authorization with the discontinuation of the review procedures. However, employment authorization will not automatically be extended. As authorizations expire, INS will review requests for renewal on a case-by-case basis, and make determinations based on the merits of each case.
- Q. Does INS anticipate taking many Nicaraguans into custody as a result of the discontinuation of the review procedures?
- A. No. Those taken into custody will primarily be criminals or those persons who are an immediate threat to the community.
- Q. Should Nicaraguans as a group fear immediate expulsion from the United States?
- A. No. There will be no mass roundups, or large scale expulsions of Nicaraguans from the United States. Nicaraguans will not be "lumped together" or considered a single type of case, or a "group" of cases, or "special" cases.

MIAMI DISTRICT

Cuban kids must prove hardship

Getting here will be tougher than expected

By PAUL ANDERSON
Herald Washington Bureau

WASHINGTON — Only children facing "extraordinary hardship" in the Cuban refugee camps at the U.S. Naval Base at Guantanamo Bay and in Panama will be paroled into the United States with their immediate families, federal officials announced Friday.

All 3,000 children in the camps will have their cases reviewed by the Justice Department, which has not set the precise standard for "extraordinary hardship." If the children meet the criteria, their immediate families will travel with them to the United States. All refugees must have private sponsors to pay for resettlement here.

Government officials in both Miami and in Washington had predicted the quick release of all children from the camps. The announcement fell short of that, but several congressional sources said the Clinton administration is simply taking gradual steps to free the refugees in order to test Cuba's reaction.

"They've allowed themselves some considerable discretion," said Rep. Robert Torricelli, D-N.J. He called Friday's announcement "an important and logical next step in resolving the Guantanamo crisis."

MORE ON ASYLUM

■ The Justice Department will revamp its asylum procedures in hopes of ending abuses and says that the temporary protected status of nearly 200,000 Salvadoran refugees will end Dec. 31, 22A.

Rep. Lincoln Diaz-Balart, a Miami Republican, said, "The expectation in the [exile] community was that all children and their custodians would be able to be processed. So I am hopeful that that semantic question [on extraordinary hardship] will not impede all children from coming."

Diaz-Balart said Attorney General Janet Reno called him Friday morning, and "she told me that all children would be reviewed. I certainly hope that review will turn into release. We will continue pushing very, very hard on that."

At a press conference, Immigration Commissioner Doris Meissner defined extraordinary hardship as a serious long-term illness, a physical or mental disability or a similar "extreme" con-

PLEASE SEE CHILDREN, 22A

Agency will double case worker staff

New York Times Service

WASHINGTON — Concerned that tens of thousands of people have applied for political asylum as a backdoor method of obtaining a job in the United States, the Immigration and Naturalization Service announced major changes in the process Friday with an eye to deporting undeserving applicants more quickly.

The INS said that to reduce the backlog of 425,000 asylum seekers, many of whom hold jobs during the year or more that it takes for their cases to be decided, it would double the number of asylum officers, interview all new applicants within 60 days and seek to dispose of all new cases within 180 days.

Acting at a time when anti-immigration pressures are rising throughout the nation, Doris Meissner, the agency's commissioner, said the asylum program needed to be revamped because of the embarrassing backlog and widespread abuses.

But the INS said it had scrapped a plan to impose a \$130 asylum application fee. Critics of the fee had argued that many applicants, fleeing persecution abroad, would have difficulty paying it.

Under current rules, asylum seekers can obtain work permits within 90 days of applying, encouraging many people to apply because they know they can work during the long wait as their cases are caught up in the backlog.

To discourage this, asylum applicants from now on will be given work permits only after they are granted asylum or if there is not a final determination of their application within 180 days, the INS announced.

Using money authorized by the anti-crime legislation enacted this year, the agency will more than double the number of asylum examiners, to 334, and the number of immigration judges who hear asylum cases will jump to 179 from 116.

The goal will be first to keep current with the 13,000 asylum applications filed each month, an outcome that officials hope can be achieved by April, and then to start paring the backlog.

Meissner also announced that the temporary protected status granted nearly 200,000 Salvadoran refugees since 1990 will end as of Dec. 31. But their work permits will be extended for up to nine months to allow them to apply for asylum or another legal status in the United States.

The decision was credited to improving conditions in El Salvador since the end of the civil war.

22-A

MIAMI HERALD

OTHER

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DATE 12-3-94

White House Doubts Cuban Exodus but Prepares Plan

By Daniel Williams and Ann Devroy
Washington Post Staff Writers

The White House believes that Cuban President Fidel Castro will not launch a mass exodus of refugees to the United States, but the administration has prepared plans to blockade the straits separating Cuba from Florida in case he does.

The United States has received "what we take to be assurances" from the Cuban government that an organized, government-induced exodus is not being planned, a senior administration official said yesterday. Intelligence experts have presented the same conclusions to the White House.

"We believe, and have had external indications to this effect, that something similar to [the] Mariel [boatlift] is not going to happen," said the official, who spoke on condition of anonymity. But, the official added, "you can assume that we would be ready to respond" if it did.

A U.S. government task force, formed at the end of last week, has dusted off contingency plans to blockade the Florida Straits to keep boats from leaving Florida and to head off boats departing Cuba.

Castro threatened on Friday to "stop putting obstacles in the way of people who want to leave the country." His statement followed three recent boat hijackings by Cubans and anti-government demonstrations in Havana.

Cuban officials yesterday reported a fourth hijacking, of a naval auxiliary boat from the port of Mariel. One naval lieutenant was killed, the Cubans said.

The Clinton administration appears intent on averting a repeat of the 1980 Mariel boatlift, in which a flotilla of boats launched by Cuban exiles from Miami brought 125,000 refugees to Florida.

The administration "studied the Mariel situation carefully and we did learn the lessons" from the incident, the senior official said. Over the weekend, officials moved quickly to calm emotions in Miami's large exile community, urging exile leaders to ignore any invitations from Castro to take part in a boatlift.

Yesterday, after being briefed by a State Department official, 13 members of Congress from Florida concluded that their coastline was vulnerable. Several signed a letter to President Clinton

asking for a boost in the U.S. naval presence in the Florida Straits. They worried that Cuban exiles might take off to Cuba to pick up friends and relatives, much as they did in 1980, when Castro permitted tens of thousands of Cubans to leave through the port of Mariel.

"Many of us left [the briefing] deeply disturbed by the fact that no Navy or Coast Guard ships have been mobilized," the letter said. "We are

A senior administration official said that the Pentagon and other departments rank a repeat of Mariel as "the least likely" scenario.

concerned that a continued deterioration of this situation in the days ahead may drive some individuals to leave Florida for Cuba. Such a situation could quickly spin out of control."

No U.S. ships have been dispatched yet to participate in a possible blockade, and it is unclear how long it would take to mount such an action.

A senior administration official said that the Pentagon and other departments rank a repeat of Mariel as "the least likely" scenario, both because exiles in Florida seem to be heeding administration advice and because launching another exodus would tarnish Castro's image.

In the latest hijacking, Cuban officials informed the U.S. Coast Guard that the vessel was heading north, and officials at the Cuban Interests Section in Washington demanded the repatriation of the hijackers.

In the past, refusals to repatriate airplane and boat hijackers have enraged Castro. He blames the hijackings on the U.S. policy of granting automatic asylum to Cubans who flee to the United States.

By early yesterday evening, the Coast Guard had intercepted a boat in the straits that State De-

partment spokesman David Johnson said might be the hijacked vessel.

Johnson told reporters the administration was disturbed by the report. "We recognize the people fleeing . . . need our help and compassion," Johnson said. "But the reported use of sometimes lethal violence by those taking over vessels to flee the island is a disturbing trend."

Crimes committed while fleeing can be prosecuted in the United States, he added.

Faced even with the remote possibility of a refugee flood, Clinton appears bent on avoiding mistakes attributed to Jimmy Carter, president at the time of the 1980 exodus.

Fourteen years ago, Castro maneuvered his way out of domestic discontent by channeling tens of thousands of refugees to the United States. He supplied the refugees and Cuban exiles from Miami supplied the boats, which at his invitation converged on Mariel to take them away.

All this happened while Carter, who declared his heart "open" to the refugees, looked on passively. The chaotic flow of boat people, laced by Castro with convicts, prostitutes and the mentally ill, contributed to Carter's downfall in presidential elections the same year.

With mid-term congressional elections this fall, Clinton wants to avoid a new Mariel. He is making no sweeping statements of sympathy about Cubans trying to leave the island. Contingency plans call for ships to seize vessels suspected of bringing in refugees. In the event of a mass influx, refugees quickly would be moved from Florida to camps and Justice Department officials would rush to Florida to head off disputes prompted by a new influx.

Castro faces graver internal problems than he did in 1980. Cuba's economy is crumbling. With the Soviet Union gone, its subsidies have vanished and its East Bloc markets have dried up.

A Cuban refugee wave might have an impact on Clinton's Haiti policy. If thousands of Cubans are let into the United States, liberal Democrats and other activists are likely to agitate for the entrance of 20,000 Haitians now being held at the U.S. naval base at Guantanamo Bay, Cuba. The Haitians currently are in limbo, waiting to be returned to their nation once the military regime there is ousted.

For S&L Auditor Settles U.S. Lawsuits

KPMG Peat Marwick to Pay \$187 Million

By Jerry Knight

Washington Post Staff Writer

One of the nation's biggest accounting firms, KPMG Peat Marwick, agreed yesterday to pay \$186.5 million to settle government charges that lapses by its auditors contributed to more than a dozen bank and savings and loan failures.

Federal banking regulators said KPMG's mistakes played a part in the collapse of several major financial institutions, including TrustBank Savings FSB of McLean and Second National Federal Savings Bank of Annapolis.

KPMG is the fourth of the so-called "Big Six" accounting firms to settle government lawsuits alleging they were responsible for part of the cost of the failure of the institutions they audited.

The KPMG settlement is the third largest, after a \$400 million payment by Ernst & Young and a \$312 settlement by Deloitte & Touche, regulators said. The KPMG settlement brings the total the government has collected from auditors of failed institutions to more than \$1 billion, they said.

Like the other firms, KPMG did not

admit that it made mistakes or was responsible for any of the failures, but agreed to pay the government to settle the charges.

KPMG officials yesterday said most of the money it pays the government will come from insurance companies that gave the firm professional liability coverage.

"We don't consider this a free ticket," said KPMG spokeswoman Gina Greer, who issued a statement calling the settlement "an intelligent business decision."

At least six civil lawsuits were pending against the KPMG. In addition, the Resolution Trust Corp. was seeking restitution from KPMG in other cases in which lawsuits had not yet been filed, government sources said.

Yesterday's settlement ended all claims against the firm by the RTC, the Federal Deposit Insurance Corp. and the Office of Thrift Supervision, which also issued a disciplinary order demanding that KPMG improve its auditing practices.

During the mid-1980s, KPMG boasted that it was the biggest bank

See SETTLEMENT, F3, Col. 5

S&L Suit Settled For \$187 Million

SETTLEMENT, From F1

auditing firm, working for 40 percent of the nation's financial institutions.

Outside auditors are supposed to make sure companies are keeping their books accurately. When banks and savings and loans began failing in the late '80s, bank examiners found that hundreds of institutions had covered up financial problems that ultimately caused them to fail.

The accounting firms have responded to the government lawsuits by forming a group to lobby Congress to change the law so they can no longer be sued in most such cases.

More than 150 members of the House have endorsed a bill limiting auditors' liability that was introduced by Rep. W.J. "Billy" Tauzin (D-La.). The House Energy and Commerce subcommittee on telecommunications and finance is to hold hearings today on the measure, which is opposed by state regulators and a coalition of consumer groups. A similar bill has been introduced in the Senate by Christopher J. Dodd (D-Conn.) and Pete V. Domenici (R-N.M.).

The accounting firms contend the law needs changing to protect them from frivolous claims, which they say threaten to destroy their business because insurance companies have stopped offering them liability coverage.

FCC Reverses Stance On Free Phone Rights

3 Firms to Pay Millions for 'Pioneer' Licenses

By Mike Mills

Washington Post Staff Writer

The Federal Communications Commission yesterday reversed itself and put multimillion-dollar price tags on licenses for three companies deemed "pioneers" of new wireless phone technologies.

The companies, including one partly owned by The Washington Post Co., were granted free licenses last December to spearhead innovation in "personal communications services," or PCS. PCS is a new digital technology that promises smaller, higher quality wireless telephones and two-way paging devices.

But other would-be providers of next-generation pocket phones—including Bell Atlantic Corp. and Pacific Bell—complained to the U.S. Court of Appeals here that the pioneers were getting too big a reward for developing the technology and should pay for their licenses like everybody else.

Before the court ruled, the FCC said it would reconsider the issue.

The new FCC rules issued yesterday said the price of PCS licenses for pioneers will be tied to auctions, set for later this year, of licenses for other PCS entrants. The pioneers would have to pay either 90 percent of the winning bid for a similar license in the same market or 90 percent of the

average price for the top 10 winning bids nationwide.

Nobody knows how much each regional license will fetch, but several nationwide licenses for a much smaller band of radio spectrum, for two-way paging services, sold for \$80 million each at recent FCC auctions.

The pioneers are American Personal Communications Inc., which is owned by a partnership in which the Post Co. has a 70 percent stake; Omnipoint Corp. of Colorado Springs; and Cox Enterprises Inc. of Atlanta.

The pioneers said that their 10 percent discount is less than will be available to some bidders at the upcoming auctions.

Winning bidders who are women or minorities will receive 25 percent discounts off the price of their bids.

Nor will the pioneers be eligible for other incentives, such as installment payments for qualified small businesses.

"No consideration for timed payments is the single biggest shock," said Omnipoint President Douglas G. Smith. "Omnipoint is a small start-up company that would otherwise qualify for the protections that the FCC gave all other entrepreneurs."

A fourth pioneer, Mobile Technologies Corp., of Jackson, Miss., recently was required to pay \$33 million for its nationwide two-way paging license.

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Bienvenido, No More

After 30 Years of Privilege, Cubans Find the Welcome Mat Rolled Up

By Ana Radelat

MY DAUGHTER Maria came home in tears from her part-time job as a receptionist at a nursing home recently. Through sobs she told this story:

A doctor and a nurse walked over to her station, stopped and held this conversation.

Doctor: "What's the Cuban national anthem? Answer: 'Row, Row, Row Your Boat.'"

Nurse: "It's just awful. Why are they letting *those people* in?"

Maria, a vivacious 20-year-old college student, has always been proud of her Cuban heritage. Within days of sliding behind the wheel of her first car, she quickly purchased a key chain emblazoned with the Cuban flag on one side and the shield of Havana, with its distinctive sunset and palm trees, on the other.

Although I've lived in the United States since I was nine months old, I am also proud of my heritage and of my birthplace in the Caribbean. I don't plaster my walls with fashion photos, but my heart beats faster when I see the indomitable Cella Cruz perform. And I always win a buck or two from American friends with a bet on Cuban athletes in the Olympics. Like Maria, I've suffered plenty of personal pain seeing Cuban rafters risking their lives in the most ridiculous ocean-going contraptions.

But the recent transformation in American attitudes toward Cuban Americans also wounded me. Virtually overnight, a minority group that's always considered itself a valued part of the United States's multicultural society has had the welcome mat pulled out from under it.

President Clinton provided the fateful tug when he unwittingly provoked the exodus by failing to detain refugees who hijacked Cuban government vessels. When they reached Florida, they found themselves facing a widespread anti-immigrant backlash.

The plight of the rafters focused public attention on the 1966 Cuban Adjustment Act, which allowed Cubans who came here legally to obtain residency status after just a year. The act, born of the United States' Cold War wish to portray itself as a safe haven for people anxious to flee communism, allowed thousands of Cubans to quickly establish themselves in this country. This spared Cuban refugees the horror and prejudice faced by other Latinos, such as the undocumented Hispanic workers who try to eke out a living in a world of shadows. Without this handicap, Cuban Americans obtained a vital economic edge over other Hispanics.

Now there's talk about repealing the act, removing the special immigration status Cubans have enjoyed for more than 25 years. But even if this doesn't occur, the recent American attitude toward Cubans indicates that we may just be another minority group scrambling for a piece of the American pie. And for some Americans, this would be a just turn of events.

There's political damage as well. The Cuban-American National Foundation, wealthy and powerful and once enjoying the ear of Ronald Reagan and George Bush, shot itself in the foot during this latest Cuban crisis. Heard by many Americans as the presumptive political voice of the Cuban-American community (none can match its money or tough-guy tactics), the foundation lobbied Clinton to take a hard stance against Castro, pushing the president into an embarrassing policy flip-flop. The foundation also deepened divisions in the Cuban-American community by persuading



the president to outlaw the quarterly remittances that many send to relatives still on the island.

If this fracturing of community becomes permanent, there won't be a potent force to protect Cuban-American interests and counter the wave of xenophobia that is sweeping this country. And with Clinton now burned by bad Cuban advice, he may be reluctant to listen to any Cuban-American political group, be it the Cuban-American National Foundation or the emerging group of poorer, but more moderate, organizations like *Cambio Cubano*.

Further evidence of trouble between the Cuban-American community and Clinton is found in two lawsuits filed against the administration by Cuban Americans in recent weeks. One successfully blocked the repatriation of refugees until they have access to legal counsel. The other challenges the constitutionality of holding the refugees in detention camps and is pending. Both actions seek to thwart any administration plan to send the detainees home.

Wealth and political clout have always separated Cuban Americans from other Latinos, who viewed Cubans as an arrogant bunch. But that distinctive wall of protection is crumbling now. And Cubans are facing the overt hostility that others have fought for years. Cubans are now the butt of "boat people" jokes.

I was forced to change tables at a restaurant recently when a middle-aged couple seated beside me loudly discussed the merits of a U.S. invasion of Cuba to "kill as many of those brown commies as we can." A few days later, at the National Press Club bar—a watering hole that I thought was frequented by thoughtful professionals—I overheard several jokes about drowned Cuban rafters. And then I got this "in-your-face" challenge from a fellow journalist: "If Cuba is such a nice place, why do they all want to come here?"

I consider myself lucky to have been spared much of the discrimination faced by fellow Latinos. The only exception was the time of the Cuban missile crisis, which took place when I was too young to fully realize what was going on, and the 1980 Mariel boatlift, when I walked on eggshells because of the hostility directed at the new refugees.

But even during these rocky moments, I was always comforted by the overarching American perception that Cuban immigrants were a hard-working bunch who assimilated easily into U.S. culture. Yet after decades of living in this country, I now feel anything but comfortable.

Mr. Barry's Cynicism: Exhibit A

TO THE BRAVE metropolitan police officers who put their lives on the line each day battling crime, or the men and women in orange, white and other colored hats who nightly take to the sidewalks and stand down gun-toting drug pushers, or to frightened residents across the city held hostage in their homes after sundown, the disclosure that mayoral candidate Marion Barry has been promising more lenient treatment to D.C. criminals who are now behind bars in exchange for votes from their friends and families must come as a slap in the face. In fact, by serving his own selfish ends this way in behalf of the very people who have destroyed lives, crushed families and wreaked havoc on the quality of life in this city, Mr. Barry is showing contempt for the rest of the city's law-abiding citizens.

A look at a few of his proposals illustrates the point:

■ Mr. Barry promised Lorton convicts he would support repeal of a recently enacted city law that requires violent offenders to serve 85 percent of their sentences without parole. The D.C. Council put the law on the books for good reason. Because of a sentencing structure that Mr. Barry signed into law in 1987, some of the city's most dangerous convicted criminals were receiving punishment that bore little relationship to the severity of their crimes, resulting in their being returned to the streets prematurely. (The unrehabilitated sex offender who, shortly after his release not long ago, was picked up and charged with abducting and molesting the little Southeast Washington boy, whose mother had organized the search for him, is an example.) The public, judges and prosecutors begged for this newly enacted law. So did the victims. The council sided with the community. The inmates squawked, and Marion Barry, hearing votes, answered the call.

■ During the Barry years, a parole review was tantamount to early release from jail. In the Kelly administration, however, Parole Board chairman Erias Hyman has helped erase the board's image as a patsy. Mr. Hyman made early release no longer a certainty, except as required by law, and parole violators found themselves returned to prison to serve their original sentences, instead of two or three months that had become the standard under Mayor Barry. Candidate Barry has promised inmates that better days are coming. To ensure that there is always someone there for them, he has pledged to appoint an ex-convict to the Parole Board.

He also wants parole granted *automatically* to all halfway house inmates appearing before the board unless they have committed a new violation. All that

business about completing individual program goals or obtaining a show of evidence that the inmate won't commit more crimes is out the window, no longer to be required if Mr. Barry gets his way.

Remember the spate of stories about halfway house escapees (thousands still remain at large) and abuses in the electronic house arrest program? The community corrections program is still understaffed and in the process of being overhauled, but Mr. Barry has blown that off and promised to greatly expand use of halfway houses and house arrests.

■ With the city facing huge deficits, essential programs on the chopping block and thousands of city workers facing job losses, Mr. Barry promised Lorton inmates that if elected, he will create a new bureaucracy within the D.C. government for them. It will be called the "Office of Offender Affairs" and is to be staffed with released inmates. That's for starters. There are more than 10,000 offenders behind bars. Mr. Barry wants no one to leave prison empty handed. He's pledged to "set aside gate money" so that everyone walks away with money in his or her pockets, regardless of need. A new entitlement program, just like that.

Newcomers to the nation's capital may be left slack-jawed by all of this. But, believe it; this is vintage Marion Barry. An ex-offender and now once again a vote seeker, Mr. Barry has conveniently identified life behind bars with victimhood. The reality of what put him—and other prisoners—there has been glossed over, and it becomes they, not the city or the individuals on whom they preyed, who are the victims.

Candidate Barry, with his new solicitude for the conditions of prison life and his urging of the jailed to tell their friends and relatives to vote for him because he is going to do all of them all these favors, is a far cry from the Mayor Barry who repeatedly faced contempt motions, was fined and publicly scolded by several federal judges for the despicable way his administration treated Lorton and D.C. jail inmates. At that time, however, Mr. Barry wrapped himself in another "victim persona": that of a beleaguered tough-on-crime mayor. "These liberal judges have imposed quotas on us, when we have people who committed crimes against society . . . doing better than victims," he grumbled in 1987, when federal Judge William Bryant held him in contempt of court for not improving conditions at the D.C. jail. "My inclination," sneered then-Mayor Barry, "would be to say to those judges who impose those orders to step down off the bench and enforce them [themselves]." But then, Marion Barry wasn't hustling for the inmate vote.

Vote Chuck Robb

VIRGINIANS should vote to return Charles Robb to the U.S. Senate. Any other vote, including a vote for the independent candidate Marshall Coleman, is in effect a vote for Oliver North. Mr. North is a demagogue, a reckless pitchman whose extreme positions and amply documented disregard for the democratic process put him well outside the political tradition of which Virginia is justly proud. His elevation would be a dangerous mistake that much of the state would quickly regret; the country would likely have early cause to regret it as well.

Mr. North's record as a White House aide in the Reagan years—a record of lying to and obstructing the will of the Congress that he now seeks to join—is such that Sen. John Warner, his fellow Republican, has rightly described him as unfit for office and is campaigning against him. Mr. Reagan—and lately, Mrs. Reagan—have also renounced him, as have such respected figures as former chairman of the joint chiefs of staff Colin Powell. He has no history of either

philosophy or achievement in most of the areas in which he would be called upon to cast the state's vote as a senator. His campaign has mainly consisted of a series of slogans. On foreign policy issues, he has been reckless. On fiscal issues, as in parroting calls for lower taxes while at the same time urging a balanced budget, his views are contradictory. On social issues such as abortion rights, they are harsh and outside the mainstream.

Mr. Robb, who served a constructive four years as governor before becoming senator six years ago, is by contrast a safe and steady moderate Democrat, and the polls suggest that if Mr. Coleman were not in the race, Mr. Robb would win. Mr. Coleman is not going to win; he is too far behind. He got into the race to provide an alternative to Mr. North after Mr. North won the Republican nomination, but the only practical alternative to Mr. North now is Sen. Robb. That's the real-world choice the Coleman voters have. Mr. Robb should be sent back for a second term.

Date: 11/15/94 Time: 11:49

More Cuban Children May Be Admitted to U.S

WASHINGTON (AP) The Clinton administration may grant humanitarian asylum to some unaccompanied children among the Cuban refugees at the U.S. naval base at Guantanamo Bay.

An official said Monday night a plan under consideration would allow some children under 17 to be admitted to the United States under the attorney general's parole power. The plan would apply to those children who are at Guantanamo without their parents or relatives, the official said.

Details remain to be worked out, the official said, including getting an accurate count of how many children might be involved. Estimates now put the number of children under 17 among the 23,390 Cuban refugees being held at Guantanamo at between 2,700 and 3,000.

The New York Times reported in its Tuesday editions that the administration was also looking at allowing family members of child refugees to accompany them to the United States.

"I know of nothing like that in the works," said the official, speaking on condition of anonymity.

The administration announced last month it would use the humanitarian parole process to grant entry visas to nearly 300 Cubans all of them sick, over the age of 70 and children not accompanied by adults.

Some 40 Cuban boat people including six orphaned children who had been transferred from Guantanamo to camps in the Panama Canal Zone were given U.S. visas Sunday.

Some Cubans at both Guantanamo and the Canal Zone have mounted hunger strikes to pressure Washington to grant more U.S. visas.

APNP-11-15-94 1149EST

Miami's Haitians Live In the Shadow of Tragic Events in Their Homeland

By Ben Barber

Special to The Christian Science Monitor

MIAMI

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LIFAITE SAINTILME left his construction job last week to picket the federal building here with 50 other Haitians. He asked that the United States help exiled President Jean-Bertrand Aristide "go back in power - there is too much killing," in the land he left 14 years ago in a small boat.

While Mr. Saintilme and 50 others protested the current US policy of returning all Haitian boat people to Haiti, the rest of the estimated 100,000 Haitians here stayed away. But a half-dozen Creole-language radio stations in southern Florida kept them aware of recent hot news:

■ The United Nations Security Council approved an embargo on oil and arms sales to Haiti on June 16.

■ The last 14 Haitians boat people that had tested positive for the HIV virus arrived in Miami on June 21, after months at the Guantánamo Naval Base on Cuba.

■ The Supreme Court upheld the repatriation of boat people the same day.

■ President Aristide began talks involving Lt. Gen. Raoul Cedras, the coup leader who ousted him, on June 27.

Between 1977 and 1981, from 50,000

to 70,000 Haitian boat people arrived and settled in Little Haiti, a 500-square-block zone adjacent to Liberty City, a black neighborhood hard-hit by rioting in 1980. Today, some 200 pastel-colored shops with poetic-sounding names in Creole or French line 54th Street in Little Haiti. The brassy rhythms of *compas* music echoes from stores and passing car radios. But the store shelves are often bare, and few provide more than a meager living to the owners.

One of the busiest places in Little Haiti is the waiting room of the Haitian Refugee Center, packed with worried-looking people seeking legal help about immigration problems. Few will speak to a reporter, give their names, or be photographed, because they still worry about families back in Haiti.

Haitians work mainly in clothing and furniture factories and do menial chores in restaurants and hotels. Some have agricultural jobs that survived Hurricane Andrew. Their median earnings were just \$680 per month in 1985, worse than Mariel Cubans, Dominicans in New York City, and Vietnamese refugees in California, according to anthropologist Alex Stepick III of Florida International University.

Researcher Sue Chaffee says many Haitians work informally inside the community: Women prepare food to sell,



LITTLE HAITI, MIAMI: Between 1977 and 1981, from 50,000 to 70,000 Haitian boat people arrived and settled in Little Haiti, a 500-square-block zone adjacent to Liberty City.

watch children, or sew; men fix cars, paint, or do construction work.

"Haitians are very hard-working people," says Mercedes Toural, director of bilingual education and foreign languages for Dade County Public Schools. "They come in and do not try to be a burden."

Ms. Chaffee says Haitians "push their kids in education, a lot are in magnet programs." And she says the Haitians are adopting black culture externally. "They all wear Malcolm X T-shirts," she adds.

But while Haitians face the same prejudice as blacks in their new homeland and congressional black leaders have fought on their behalf, many Haitians here say they have as little social contact with American blacks as with whites. Their lives are spent among fellow Haitian refugees.

The former residents of the hemi-

sphere's poorest nation also say they feel little hope that UN sanctions will improve Haiti's political situation.

"The oil embargo won't succeed," says Rolande Dorancy, executive director of the Haitian Refugee Center. Only the US, which trained Haiti's military, can get them out of power, she says. "The political situation is in US hands."

In her office are photos of the Rev. Martin Luther King Jr., the Rev. Jesse Jackson, and Aristide. On one wall looms a painting of a refugee boat foundering in high seas at night. One person sinks below the waves; a mother clutches a child.

"Haitians don't want to come here," she says. During the eight months that Aristide held office in 1991, she says, no boat people left the Caribbean island nation. The poverty was as great as ever, but the repression had been lifted.

*Florida's Governor Chiles asks that Washington
foot bill associated with immigrants after
a recent decision to admit people with AIDS*

171
124
107
21

Ruling on Haitians Raises Question of Who Will Pay

By Ron Scherer

Staff writer of The Christian Science Monitor

NEW YORK

ON June 15, Florida Gov. Lawton Chiles (D) wrote President Clinton asking that the federal government absorb all related costs associated with people seeking refuge in the United States.

Mr. Chiles's request followed a decision by US District Judge Sterling Johnson ruling that 190 Haitian refugees held at Guantánamo Bay Naval Base, Cuba, must be admitted to the US. They have tested positive for HIV or have been diagnosed as having AIDS.

Although it is difficult to know how many Haitians will seek public help, their medical needs could cost up to \$20 million if all new immigrants qualify for Medicaid. At least half of this expense would be picked up by state Medicaid funds.

"That is just the medical cost. There are other costs such as food, shelter, employment training, and other social services," says Ron Sachs, Chiles's communications director. For example, Haitian families arriving might be eligible for the Aid to Families with Dependent Children program.

In addition, the Community Relations Service, part of the Department of Justice, automatically dispenses \$2,000 in cash to each refugee. Each state has its own package of benefits usually mirroring the state welfare policy.

But not all immigrants are eligible for this package. Congress limited eligibility for Medicaid to political refugees. Benefits have a time limit of eight months.

However, Bruce Bushart, director of New York's Bureau of Refugee and Immigration Affairs, says the Haitians will be encouraged to apply for Supplemental Security Income, a part of Social Security that is geared toward the elderly, needy, blind, and disabled.

"The Department of Health and Human Services is committed to helping to expedite that process," he explains.

The additional costs will hit state Medicaid funds at a time of

extraordinary growth. In New York State, for example, Medicaid costs are growing at a rate of 12 percent a year. "It would have grown by 20 percent if we had not cut back on benefits," says Claudia Hutton, a spokeswoman for the state budget department.

And there is a new debate over whether the huge new influx of immigrants from all countries is a net plus or minus for the US. According to a recently released study by Donald Huddle, professor emeritus of economics at Rice University in Houston, the net cost of new immigrants over the next decade will be \$450 billion.

Nancy Wittenberg, refugee programs administrator for the state of Florida, points out that the new immigrants will not necessarily be a drain on taxpayers. All of the Haitians who settled in

The US has always had health standards immigrants had to meet. They were designed to screen out immigrants with diseases believed to be infectious, such as AIDS.

Florida are joining families. "There is no reason to assume that person will add an additional burden," Ms. Wittenberg says.

Haitians, in fact, do not generally seek public assistance but instead seek work. Also, she says, they are not familiar with welfare since it does not exist in Haiti.

However, Haitians may have no choice but to seek help from Medicaid for their medical care. According to Peter Arno, a health economist at Montefiore Hospital in the Bronx, the lifetime public medical expense of treating someone who is HIV positive is about \$100,000 – about \$40,000 per year for an AIDS patient, and about \$10,000 per year for one who is HIV positive. New figures will be released in the next month which are expected to show higher costs, says Mr. Arno, author of "Against the Odds," a book about AIDS.

In fact, one major reason why Judge Johnson ruled that the Haitians could not be held at Guantánamo was the paucity of medical services. "The military doctors

believe that the medical facilities on Guantánamo are inadequate to treat such AIDS patients because there is no CAT scanner or a variety of specialists that are necessary to diagnose and treat those with AIDS," she wrote.

The medical issue is important because the US has always had health standards that immigrants had to meet for admittance. The standards were designed to screen out immigrants with diseases believed to be infectious, such as AIDS. In fact, in a recent appropriations bill Congress reaffirmed AIDS as a bar to immigration, after the administration had indicated it would remove it from a list of infectious diseases.

Once the government found that there were 300 HIV-positive Haitians (of 10,738 with credible asylum claims), it decided that

this group must pass a stiffer test, demonstrating "a well-founded fear" of political persecution, not just a "credible claim." The government was then sued by activist immigration and Haitian groups. They maintained that the asylum-seekers had the right to have a lawyer present during administrative hearings.

Johnson agreed with the activists, ruling that the government had violated the rights of Haitians, whom he said could not return to Haiti but must be released from Guantánamo. Now, the government is trying to decide whether or not to appeal.

However, some Immigration and Naturalization Service officials believe the appeal is too late since the Haitians are already here. Appeals courts usually consider such appeals moot since there is no relief sought. Instead, says Duane Austin, an INS spokesman, "The Judge's decision is making the INS asylum decision a judicial process instead of an administrative process."

In other words, any time a potential political refugee is interviewed anywhere in the world, he could ask to have a lawyer present.

"Does this decision extend to anywhere in the world and to all executive powers?" Mr. Austin asks.

"It could have a far-reaching impact," he says.

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Cuban Migration Issues IWG Meeting
August 24, 1994
11:30 A.M.

AGENDA

1. Present Situation.....DOJ/USCG
2. Expansion of Guantanamo.....DOD
 - status, managment issues, lists of Cubans getting out (FEMA has 1-800 support capability)
3. Safe havens.....State/DOD
 - announcements, status
4. Resettlement.....All
5. Radio effort.....USIA
 - what can we say to the press
6. Remittances/charter flights.....NSC

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By ML NARA, Date 4/24/16
2011-1021-F

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Declassify on: OADR

To: "Meade,Robert J","Rodriguez,Lula" @ PC_LAN_Users.USIA
From: Hamilton, Don
Subject: Press Conference w/Janet Reno
Date: 8/18/94 Time: 1:20p

Originated by: OPCENTER @ WASHDC 8/18/94 12:44p
Forwarded by: DHAMILTO @ WASHDC 8/18/94 1:20p (CHANGED)

Lula, FYI

Bob, for Havana

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THE FEDERAL NEWS REUTERS TRANSCRIPT SERVICE

PRESS CONFERENCE
WITH U.S. ATTORNEY GENERAL JANET RENO

THE DEPARTMENT OF JUSTICE
WASHINGTON, DC

9:30 A.M., EDT
THURSDAY, AUGUST 18, 1994

TRANSCRIPT BY: FEDERAL NEWS SERVICE
620 NATIONAL PRESS BUILDING
WASHINGTON, DC 20045

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ATTY GEN. RENO: To divert the Cuban people from seeking
democratic change, the government of Cuba has resorted to the
unconscionable tactic of letting people risk their lives by leaving in
flimsy vessels through the treacherous waters of the Florida straits.
Many people have lost their lives in such crossings. We urge the
people of Cuba to remain home and not fall for this callous maneuver.
I want to work with all concerned, with the Cuban American media and
community, to make sure the message goes out to Cubans that putting a
boat or raft to sea means putting life and limb at risk.

The Cuban government is not acting this way because of U.S.
immigration policy. It is a desperate attempt to salvage a communist
regime which has fallen victim to its own inherent rigidity and
repression. An uncontrolled exodus from Cuba will do nothing to
address Cuba's internal problems. The solution to Cuba's problems is
rapid, fundamental and far-reaching political and economic reform.

Cuban Americans have recognized Castro's ploy and the word has
gone out that the U.S. will not tolerate boats leaving from South
Florida as they did in Mariel, in which 90 percent of the influx was a
result of Floridians traveling to Cuba to get their relatives. To

prevent this from happening again, the Coast Guard has mounted an aggressive public information campaign so people know that vessels that appear to be bound to Cuba may be stopped and boarded and may be seized. Individuals who violate U.S. law will be prosecuted in appropriate circumstances. As you know, one boat was seized last week and the boat crew is in detention.

We have been able to manage the increased flow arriving from Cuba during the last several days in an orderly way and without disruption to the community. We have increased the Immigration and Naturalization Service personnel as well as CRS personnel. Twenty-six INS agents have been assigned to Key West; more are on their way, and within 24 hours a total of 86 agents will be especially assigned to manage these cases.

MORE

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x x x cases.

We have been ably assisted by voluntary agencies including the United States Catholic Conference Migration Service and church world service and state and local officials. Of the people who have arrived, 90 percent of the individuals have been settled with relatives in the United States -- 75 percent in Florida and 15 percent in primarily New York and New Jersey. The 10 percent with no relatives in the United States are being placed outside of Florida.

We will continue to monitor and assess the situation, and have intensified our work with other federal agencies to be able to respond to all circumstances.

Q Given U.S. policy to accept virtually any Cuban who arrives here as a refugee, and given that they've all been settled so far, why should they not continue to risk their lives in order to get this reward?

ATTY GEN. RENO: I think, again, the circumstances -- there are procedures for legal immigration, and I think the circumstances are such that they put their life and limb at -- limbs at risk, and I don't think it is a risk that should be taken.

Q Ms. Reno, is there any thought being given to examine or reexamining the policy that essentially treats someone that gets picked up by a Coast Guard cutter or a ship at sea -- a U.S. ship at sea the same way as if they were on U.S. soil? Is there any thought being given to not allowing refugee status at that point?

ATTY GEN. RENO: No.

Q Ms. Reno, the picture you draw this morning is a little different than what's being described in Florida and from Florida officials. In fact, they're asking for \$75 million out of the immigration emergency fund. Are we going to release any of those funds to them?

ATTY GEN. RENO: Florida officials have contacted us in the past asking for release of this money. I have -- we have been in touch with Florida officials, we are working with them. Currently Florida receives and has been receiving over the years targeted assistance from the Office of Refugee Settlement. This includes special funding for

schools and (Jackson ?) Memorial Hospital, and refugee cash and medical assistance. Total of \$44 million for fiscal year '94 includes monies for schools, the hospitals, social services, and general

targeted assistance. We will continue to work with them, but at the present time, INS and CRS and the voluntary organizations are handling the processing, and we do not believe that this current influx has been a burden yet on the community.

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Q What would you need to see in order for this to qualify as an immigration emergency under the law that exists now?

ATTY GEN. RENO: We're going to be talking with all the federal agencies, with state and local officials, with everybody, to make sure that we're able to respond as appropriately as possible.

Q There is a notion within the refugee community that, if they can get on a raft or any kind of floating craft and make it to international waters, 12 miles out, they stand approximately a 40-percent chance of being picked up. And some have quoted that a 40-percent chance of freedom is better than nothing. What beyond your urging them to stay home this morning are you prepared to do to stop that?

ATTY GEN. RENO: We will continue to review all the circumstances, but I think it is important that lives not be risked and that we take appropriate steps through legal immigration to address any issues.

Q Well, will the U.S. policy of resettling them if they get here be reexamined?

ATTY GEN. RENO: I don't see any basis for reexamining at this point, but we will constantly review the situation to make sure that appropriate steps are taken.

Q Ms. Reno, there are groups, immigration activist groups, that are saying, you know, you want to prevent another Mariel from happening the way it happened, you know, relatively overnight, but what you're -- you're not going to get that this time; you're just going to get the continued small, but growing seepage of people into this country and that that in and of itself is a reason to reexamine the policy now. What do you say to them?

ATTY GEN. RENO: We continue to look at everything that we're doing to make sure that appropriate steps are taken, that people are processed properly, that the circumstances are handled according to what the present needs are.

Q You and others in the administration have expressed confidence that the emergency immigration plan will, in effect, stem any mass exodus. Has the administration already diverted, or is in the process of diverting patrol vessels from Haiti to duty off the straits?

ATTY GEN. RENO: At the present time, the Coast Guard has deployed ships in the Florida Straits.

Q Just the Coast Guard, though?

ATTY GEN. RENO: I don't know about the Navy.

Q General, is this -- not to be melodramatic -- is this part of this operation consistent with (your ?) guidelines, or have you

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Cuban Migration Issues IWG Meeting

August 18, 1994

3:00 P.M.

AGENDA

1. Present Situation.....DOJ/USCG

Provide latest figures on migrants (absolute and trends).

2. Congressional Brief.....All

Results and thoughts for follow up.

3. Media Relations.....All

At the 5:00 P.M. meeting yesterday a decision was made to stand down from holding an interagency press conference as there was no major new story ready to release. It was decided that the AG would make some statements about federal efforts and plans at the beginning of her weekly press conference.

The daily interagency press officer conference call on Haiti has been expanded to include Cuba so that a coordinated message can be delivered.

4. Florida Trip.....NSC

Brief outline of trip mission.

5. Pre-staging.....FEMA/DOD

Status on movement of refugee kits to Homestead.

6. Latest Developments.....NSC

Brief on PC Meeting.

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E.O. 13526

White House Guidelines, September 11, 2006

By M NARA, Date 4/24/16

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001. list	re: Summary of conclusions of Cuban Migration Structure meeting (2 pages)	08/17/1994	P1/b(1)

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RESTRICTION CODES

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P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) 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]

U.S. Offers to Increase Cuban Immigration

By Daniel Williams
Washington Post Staff Writer

NEW YORK, Sept. 2—U.S. and Cuban negotiators worked overtime today to bridge differences over a deal that would stem the flood of boat people from Cuba's shores, and scheduled another round of talks for Sunday, U.S. officials said.

The U.S. delegation gave Cuban negotiators a proposal in writing for increasing legal immigration from Cuba to the United States. In return, Washington wants Cuban President Fidel Castro to restore his government's ban on Cubans leaving the island without permission.

The Cuban negotiators were to consult with Havana about the proposal on Saturday. The Cubans seemed agreeable about the plan, U.S. officials said, adding that delivery of the written proposal indicated the talks were entering the crucial, final stage.

"The document reflects the progress we made this afternoon," a U.S. official said. The Cubans declined to comment.

Today's talks, at the Cuban mission to the United Nations, lasted about eight hours and broke up about 7 p.m. The negotiations began Thursday, triggered by a surge last month in numbers of Cubans fleeing to the United States on rafts and other makeshift vessels.

The Cubans had long wanted the United States to grant more U.S. visas, thus channeling uncontrolled migration by sea into a bureaucratic process. Such a procedure also would give the Cuban government notice of who wants to leave and, because of Havana's control of exit documents, a veto over departures.

It was not clear how the Cuban side would in turn restrict the exodus of boat people. Until last month the prohibition was en-

forced by jail terms and fines. The U.S. delegation also discussed with the Cubans how to persuade the 20,000 boat people being held at the U.S.-leased naval base at Guantanamo Bay on Cuba's southeastern tip to return to Cuba to apply to emigrate legally.

Cuban officials indicated publicly that they had a larger agenda than just immigration. At some point in the future, they said, they want the Clinton administration to begin talks on ending the U.S. trade ban on the island country.

However, a U.S. official said that in the talks, Cuban negotiators brought up the issue only in a "pro forma" manner.

The U.S. delegation, led by Deputy Assistant Secretary of State Michael Skol, met with the Cuban delegation led by veteran senior diplomat Ricardo Alarcon.

The continued exodus of Cubans by raft into the Straits of Florida contributed to a sense of urgency in the proceedings. The Coast Guard said it had picked up 1,271 Cubans by 10 p.m. today, after rescuing 1,921 Thursday.

The Coast Guard is intercepting the raft people before they can reach Florida and ferrying them to Guantanamo.

Cuban officials denied they were sprinkling the population of rafters with hardened criminals. "We have received assurances that the Cuban authorities have not and would not knowingly permit dangerous criminals to be released for purposes of leaving the country," State Department spokesperson Christine D. Shelly said.

Some of the 100 convicts reportedly found at Guantanamo may have been jailed in the past for trying to leave the island, U.S. officials said.

Skol in effect brought proposals that would commit the United States to alter a 1984 agreement in which Cubans could qualify for a maximum of 20,000 immigrant visas annually. Rarely more than a tenth that number qualify as immigrants in any year, although thousands of Cubans enter as refugees.

Washington is offering now to let in a minimum number of immigrants, with the possibility for reaching the 20,000 ceiling. That would answer Cuban complaints that low

rates of granting visas encourage Cubans to leave by sea, head straight for Florida and be greeted as freedom seekers.

For most of the day, spokesmen for the U.S. delegation ducked reporters' questions as they entered and departed the Cuban mission to the United Nations. That left a gaggle of television and newspaper re-

porters on a nearby sidewalk to be entertained mainly by a brief scuffle between pro-Castro demonstrators and an apparent ill-wisher.

Alarcon had appeared on television Thursday night, openly noting the difference in agendas, but suggesting a way to overcome it. Speaking on the ABC television program "Nightline," Alarcon indicated that Cuba would cooperate on easing the refugee crisis, putting off broad political talks to the future.

"I do believe that we may come out with some decisions that, if not solving the problem forever, at least would help each side to get out of this situation," he said. "I would not predict big, big successes immediately, but I still hope that being faced with the real problem . . . we should try to proceed in a more serious manner, and maybe at a later stage we could have more substantial results."

Alarcon came to New York armed with statements meant to bring U.S. business to Cuba's side, and appeal to President Clinton's desire to create jobs. In his comments, he perhaps unintentionally depicted the decay of the Marxist revolution in Cuba: He was practically begging Yanqui imperialists to come invest in his country.

Noting that entrepreneurs from Britain, Mexico, Venezuela, Brazil and other countries are active in Cuba, he warned, "They are competing with the possible U.S. interest in our island."

"We are 90 miles away from each other . . . the proximity will always give both of us a special advantage that others cannot enjoy," he said.

'Cuban Envoy Distrusts U.S. On Refugees

Diplomat Encourages Talk About Embargo

By Daniel Williams
Washington Post Staff Writer

NEW YORK, Sept. 3—Cuba's top delegate to talks with the United States about ending the outpouring of Cuban refugees said he distrusted American promises to increase legal migration from Cuba and to stop welcoming boat people with open arms.

Ricardo Alarcon, a veteran diplomat and former foreign minister, said in an interview that Cuba was willing to reach agreement on narrow migration issues, but that uncontrolled migration—with thousands of Cubans fleeing the island in boats or rafts—would not disappear without wider political talks.

He declined to predict success in the talks, which resume here Sunday, saying the negotiations were still riddled with complications.

He indicated that in any event Cuba was unlikely to agree to the return of thousands of Cuban refugees intercepted at sea by U.S. forces and interned at the U.S. naval base at Guantanamo Bay, Cuba. He said he expected that pressure from Miami-based relatives of many of those refugees would force President Clinton to admit them to the United States once there is no more threat of mass migration from Cuba.

"It is not correct to create exaggerated expectations. I am convinced it will not be easy," Alarcon said of the talks. "We will try, despite our convictions, see how to find an arrangement in migration. But the other side lacks a similar flexibility in taking on things other than pure migration."

After two days of talks on the refugee issue U.S. and Cuban negotiators took today off.

Washington wants Fidel Castro's government to reinstate a policy of arresting and fining people who try to flee by sea. In return, U.S. negotiators have pledged to channel increased im-

migration through Havana, where the Cuban government can monitor who leaves and veto departures by refusing to grant exit permits.

Alarcon confirmed that State Department negotiator Michael Skol offered to guarantee a minimum number of visas through the U.S. Interests Section in Cuba for those who want to migrate legally. Currently, under a 1984 agreement, there is a ceiling on the number of visas that the United States will give Cubans. Although between 20,000 and 27,000 visas were available annually, rarely more than 10 percent of that number was distributed in any year.

Under liberalized rules for refugee and immigrant visas, U.S. officials are trying to assure Cuba that upwards of 20,000 Cubans would be allowed to migrate legally each year.

Alarcon spoke at the offices of the Cuban mission to the United Nations in midtown Manhattan, the site of Friday's talks. Puffing on a big Havana cigar, he occasionally betrayed irritation

about the strict limits set by Washington on these talks—essentially the refusal to take up the 33-year-old U.S. embargo on trade with Cuba. He said the limitations placed on the talks reinforced his suspicion that Clinton is beholden to anti-Castro Cubans in Miami.

Cuba insists that the economic problems created by the embargo encourages Cubans to flee. "They talk about floors and ceilings," Alarcon said, "But not the foundation of the problem."

Alarcon has been negotiating migration issues with the United States since 1980. He was formerly Cuba's ambassador to the United Nations and speaks English well. In the current talks, each side speaks its own language, and the use of interpreters has slowed the negotiations, Alarcon said.

He signaled that Cuba would have more confidence in the promises on migration if the Clinton administration took steps to prosecute boat hijackers and refugees who use force to flee Cuba. This would be a sign, he said, that Washington had firmly changed its refugee policy, which until recently provided for automatic asylum for Cuban refugees. "What happens if someone tomorrow kills someone, takes a boat and gets to Miami? What will the United States do with him?" asked Alarcon.

Alarcon argued that Washington could somehow curb anti-Castro radio stations in Miami from broadcasting

negative news and commentary about Cuba.

He complained that the Castro government was being asked to restore laws prohibiting its citizens from fleeing—laws that had been condemned internationally as repressive—while the United States took no steps to improve relations. "What they ask is that we take measures to stop our people from exercising a right," he said. "It's impossible really to resolve this if you don't adopt an attitude of cooperation between the governments."

"Frankly, I am not convinced by the promises [on migration]. It should be part of a strategic change, a foreign policy change," he continued.

Alarcon is a longtime communist who is suddenly singing the praises of capitalist investment in Cuba. He apparently hopes to rouse U.S. business to his side, stirring them to influence Clinton to open trade with Cuba much as business pushed him to relax restraints on trade with Vietnam and to put human rights preoccupations aside in pursuing trade with China.

"It would be a beautiful end to this picture if some of the companies that were here before, who are victims of the problems of the Sixties, could now obtain benefits in Cuba, in the context of helping the economy," he said.

The trade embargo, he added, cripples the effort to attract foreign investment, because it isolates Cuba from its closest and potentially most lucrative trade partner.

TALKING POINTS FOR THE PHONE CALLS FOLLOWING THE
AGREEMENT AND PRIOR TO ANNOUNCEMENT ON
US-CUBAN MIGRATION TALKS

- The United States and Cuba have reached agreement on migration issues. This will be announced shortly in New York.
 - By direction of the President, the scope of these talks was limited to migration issues only.
 - Cuba has agreed to prevent the irregular departure of its citizens to the United States. Their efforts will be humane.
 - They have also agreed to accept those Cubans who left Cuba since mid-August and who have asked to return. The Cuban Government has indicated that those who return will not be mistreated.
- The United States has agreed to accept 20,000 Cubans per year from Cuba under various provisions of US law.
 - Additionally, this year the United States will admit Cubans who currently are on the "visa waiting list" (we estimate this number to be about 6,000).
 - Those Cubans who do not ask to return to Cuba will not be permitted into the US and will remain in safehavens.
- The United States will determine eligibility according to applicable US law. The standard review process includes medical screening and sponsorship provisions.

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CUBA.

VIA FACSIMILE 202-456-7929

Date: September 9, 1994
To: Mr. Joe Velasquez
White House
From: Immigration Ad-Hoc Committee
Reference: Cuba Crisis

As per our telephone conversation, enclosed is a comprehensive and updated report on the findings and activities of the immigration ad-hoc committee on the Cuban Crisis.

Should you need any additional information, please do not hesitate to contact us immediately.

MEMORANDUM

DATE: September 9, 1994

TO: Joe Velasquez
White House Office of Political Affairs

FROM: Paul Cejas on behalf of the Immigration Ad-Hoc Committee

Committee Members:

Mr. Paul Cejas - Chairman, Governor's Commission on a Free Cuba

Ms. Maria R. Dominguez - Executive Director, St. Thomas University Human Rights Institute

Ms. Josefina J. Carbonell - President, Little Havana Activities & Nutrition Centers of Dade County, Inc.

Mr. Jose "Pepe" Hernandez - President, Cuban American National Foundation

Mr. Cesar Odio - City Manager, City of Miami

Mr. Andres Rivero - Assistant to Metro Dade County Manager, Metro Dade County Government

Mr. Roberto Rodriguez-Aragon - President, Junta Patriotica

Ms. Virginia Sanchez - Intergovernmental Affairs, Metro Dade County Government

Mr. Miguel Angel Tudela - President, Cuban Municipalities in Exile

Introduction

As per my verbal report to you, the following will represent a synopsis of those comments including the committee's observations and actions to date, as well as a brief history and origin of the group.

Origin and Purpose

The Immigration Ad-Hoc Committee formed itself in the midst of the extenuating circumstances stemming from the sudden influx of Cuban refugees to South Florida. The philosophy behind the formation of the group was to join a number of community leaders who could aid the INS on an ad-hoc basis with matters related to both the ongoing condition of the Krome Detention Center and its detainees. In short, the committee's main purpose is to aid in "humanizing" the process by which the refugees are detained, and to advise the INS on any other related matters.

Implementation

Pursuant to the committee's aforementioned objective, the group met and requested an on-site visit of the Krome Detention Center. The purpose of this visit was to experience Krome firsthand while also speaking with both camp officials and detainees. With the full cooperation of Mr. Dan Cadman, Regional Director of INS, as well as the approval of Attorney General Janet Reno the committee was able to visit Krome on two separate occasions: once on September 7th and again on September 8th.

Observations

Observations were obtained through the committee's two visits to the Krome Detention Center. Day 1 observations were gathered as committee members took a firsthand tour of the facilities and spoke with various detainees. Day 2 observations were obtained through another tour of the grounds, as well as through interviews with several representatives of the detainee self-governance board. This board was formed after the Day 1 visit at the suggestion of the ad-hoc committee to solve local problems and facilitate the information flow between detainees, camp officials, and the committee. The following section will summarize several areas of identified deficiency within the Krome facility:

1. Extreme Hardship Cases:

- In two of the most serious instances, a paraplegic male and his 14 year old wife, as well as a mother with her hearing and speech impaired son were being detained amidst the general population of the camp.
- Various children less than 14 years old were observed to have disease and/or minor injuries.

2. Living Arrangements\Visitation Privileges:

- Families were generally broken apart with male children over the age of 11 years living with their fathers and being granted extremely limited, and in some cases, no visitation time with their mothers.

- Segregation of the adult population by gender leaves husbands without wives and vice versa. This was cited as a major problem because spousal support was considered by detainees to be crucial to enduring the perplexing and often frustrating Krome experience.

3. Living Conditions:

- A general lack of recreational facilities and/or areas was cited. In particular, male detainees complained of no places to read or exercise.
- Access to religious services was cited as another area of particular discontent. Most of the detainees come from a Catholic background and considered their spiritual well being a necessary component of their daily lives.
- Detainees agreed that Krome's orange uniforms were preferable to wearing their own clothes, but that since uniform changes only occurred twice per week that the detainees be issued plain shorts and shirts for recreation purposes only. This would avoid excess soiling of the orange uniforms due to the excessive heat and humidity of South Florida, as well as sweat and dirt accumulated during, for example, sports activities.
- An overwhelming need for more telephone lines to the outside was cited. Many detainees complained about not being able to contact friends and/or family members that lived in the United States in order to report their status.
- There was a strong concern regarding the uncontrolled mosquito situation.

4. Meals:

- This was a major area of discontent. Both meal scheduling and the taste of the food were cited as unsatisfactory. At the time of the visits, the meal schedule was considered too early with breakfast being served from 6:00 AM to 7:00 AM; lunch from 10:30 AM to 11:30 AM; and dinner from 3:00 PM to 4:00 PM. In addition, no menus were being provided and the food was called too spicy due to the fact that Haitian cooks were preparing virtually all detainee meals.

Actions

By the end of the Day 2 visit and with the full cooperation of Mr. Dan Cadman and Ms. Valorie Blake from INS, as well as Mr. Victor Risso from the Department of Treasury, discussions and meetings between the ad-hoc committee, the detainee self-governance board, and Krome officials produced the following results in the aforementioned four complaint areas:

1. Extreme Hardship Cases:

- Currently, the committee has arranged for the release of four sets of detainees, each related to a separate hardship case. Included in those four sets of releases were the two aforementioned examples. All detainees were released under the custody of the Cuban American National Foundation of Miami.

2. Living Arrangements\Visitation Privileges:

- Efforts to increase the duration and frequency of family visitation privileges are ongoing between camp officials, the detainee self-governance board, and the ad-hoc committee. Suggestions have been made toward posting a bulletin board in a visible place which will delineate camp regulations and notices, while allowing families to locate each other more easily for visitation time. This will not only smoothen the visitation process, but will also encouraging the detainees to pursue "self-rule" within the camp in orderly and controlled manner.
- Other suggestions that are currently being implemented are increasing family visitation frequency from twice to three times weekly and visitation time to two hours per family visit.

3. Living Conditions:

- A separate recreation\educational area has been designated for detainees to listen to the radio, watch the 11:00 PM local news, and read newspapers and magazines.
- As a direct result of the efforts of the ad-hoc committee, a Catholic priest was allowed to serve mass to the entire camp population on the morning of the committee's second visit (Sept. 8th). The mass was particularly special because it celebrated the feast of Our Lady of Charity, the Patron Saint of Cuba. The mass was cited as a high point and was attended by all but a very few detainees.
- The request for shorts and t-shirts is currently being followed up by the INS Director of Operations who has a contact person that can provide each detainee with a plain pair of shorts and t-shirt for recreation.
- A plan was promptly developed to fumigate the camp grounds for mosquitoes twice a week on Mondays and Thursdays at 5:00 AM while most detainees were asleep.

4. Meals:

- With the cooperation of camp officials, meetings produced a more agreeable meal schedule with breakfast being served from 6:30 AM to 8:00 AM; lunch from 11:30 AM to 1:30 PM; and dinner from 5:30 PM to 7:00 PM.
- Ad-hoc committee member Ms. Josefina Carbonell offered her assistance in coordinating menus that were more favorable and tasteful to detainees. In addition, the camp director agreed to allow detainees to begin assisting in the food preparation process provided that those employed obtain full liability releases. The releases are currently being obtained.

Unresolved Issues

The committee cannot overstate the need to deal with the following conditions in a forthright and expeditious manner. We underscore the gravity of this situation with the fact that there are conditions currently existing at Krome that do not exist at other refugee detention centers. For example, at Guantanamo Bay families are housed and do live together.

The following issues represent the areas most in need of immediate attention:

1. Living Conditions of Women and Mothers

- Women and mothers are currently housed in large rooms that resemble crowded barracks, and are confined to these quarters indefinitely except for meal times. Moreover, no activities are organized for these women and/or the children. It is clear that these women and children need to be reunited with their husbands and fathers.

2. Psychological Deterioration of Children

- Committee members have observed an abnormally high degree of depression and strange behavior among the detained children. Among the observed phenomenon was unusually aggressive behavior and recurrent bed-wetting.

Closing

In closing, we express the deepest gratitude to those authorities involved in aiding the ad-hoc committee with our work. In particular, Mr. Dan Cadman and Ms. Valorie Blake of INS, and Mr. Victor Risso of the Department of Treasury deserve special mention.

THIRD COUNTRY RESETTLEMENT OF CUBAN MIGRANTS

Of the 18 countries canvassed on whether they would receive Cuban migrants for resettlement, nine have indicated a possible favorable response. The responses have been vague on numbers that could be resettled, but have indicated a strong interest in Cubans who have family ties in the receiving country, or who would bring professional skills with them. Less affluent governments expect that migrants would arrive with a resettlement package provided by the USG, but have so far not specified what they expect. Based on embassy responses, up to 1500 migrants might be resettled in third countries.

THIRD COUNTRY RESETTLEMENT OF CUBAN MIGRANTS

RESPONSES TO STATE 274819

CODE

X--formal response by host government

*--Embassy best judgement of host government attitude

<u>COUNTRY</u>	<u>YES</u>	<u>NO</u>	<u>Response</u>
ARGENTINA	X		High-level approach needed, but GOA favorably disposed BA 6853. State 294212 sent Clinton/Menem letter seeking Argentine assistance in resettling migrants.
BELIZE	X		Belize 2997; up to 300 well-educated/skilled
BRAZIL		*	Brasilia 7749. Highly unlikely to receive migrants.
CANADA		*	Would require appeal from UNHCR; Ottawa 5184
CHILE	X		Santiago 6339 and 6540. Will receive some migrants but is constrained by nativists.
COSTA RICA	*		San Jose 6817. Government has shown interest in processing migrants from Havana and would take Cubans with family ties or professional skills.
DOMINICAN REP.		*	see Santo Domingo 8742 Embassy recommends no approach. Illegal migration overland argument.

<u>COUNTRY</u>	<u>YES</u>	<u>NO</u>	<u>Response</u>
ECUADOR	*		But only a small number; Quito 7408 and 7817; Receives few refugees, but will review Cubans on case-by-case basis if presented through UNHCR with U.S. resettlement support
EL SALVADOR	*		San Salvador 8227; willing to take some professionals
GUATEMALA		*	must approach Pres.; positive response doubtful. Guatemala 9319.
HONDURAS	*		Embassy says possible. Pres. must decide. No approach yet. Likely to demand full costs/more. See Tegu 7365
MEXICO		X	Mexico 24629. Unlikely to expand on-going family reunification program to accommodate migrants.
NETHERLANDS			The Hague 6796. Will take 5.
PARAGUAY		*	High-level approach needed, but even that unlikely to work. Asuncion 3411
SPAIN	X		Madrid 10934. Willing to take 20 family units on basis of family reunification. More could be considered later.
URUGUAY			Montevideo 4582. Government will not address until after Nov. 27 elections.
VENEZUELA	X		Probably only an option for those with family in Venezuela. Interviews in Havana only. See Caracas 8197 and 8369.

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10/6/94 - 3:30 p.m.

DOJ: DRAFT Progress on Cuba Legal Migration: Q's and A's

Q: Who will be eligible for the new parole program?

A: (Once logistical details are finalized), the lottery and how to apply will be advertised throughout Cuba. People will be invited to send in a postcard containing basic biographical information which will allow them the chance to qualify. Those people whose postcards are selected will be invited in for an interview at which they will need to verify their qualifications.

OPTION ONE:

We are looking for adult Cubans who stand the best chance of quickly becoming self-sufficient and making a positive contribution to the United States. To be eligible for the lottery, Cubans will have to verify that they satisfy approximately four of the following 10 criteria: 1) high school education, 2) college education, 3) continuous employment for three years, 4) job skills, 5) willingness and ability to accept work in the U.S. 6) immediate family in the U.S. 7) other relatives in the U.S. 8) ~~ability to speak english~~, 9) membership in human rights organizations or evidence of political or religious discrimination and 10) having manifested interest in immigrate to the U.S.

OPTION TWO:

Factors we will look to will include: 1) education, 2) ability to speak or learn english, 3) job skills, 4) having demonstrated an interest in coming to the U.S., 5) having a sponsor or being sponsorable. Individuals selected for parole would also have to be screened for criminality, sponsorship and medical exams.

Q: Will having family ties be a requirement for the lottery.

A: No. Legal migration will be available to people who do not have direct family ties in the United States.

Q: How will the lottery operate?

Individuals will send in a postcard with basic required biographical information to the USINTS by a certain deadline (or deadline). These postcards will be put into a data base and screened for duplication here in the US. A certain number of postcards will then be selected via random drawing several times a year. We will invite those selected to come to the US INTS for an interview at which they will need to verify approximately 4 out of 10 criteria. We believe that this process will result in opening an avenue of legal migration to a diverse group of Cubans

Draft

who stand the best chance of quickly becoming self-sufficient and making a positive contribution to the United States.

Q: Will the people at GTMO or Panama have an advantage in the lottery program?

A: We anticipate that the Cubans at safe havens will be interested in applying to the lottery and many may possess some of the characteristics we are looking for. To the extent we can, we will educate the people at safehavens about how to apply for the lottery program and the availability of the other legal migration programs. However, legal migration to the United States will only come from Cuba, not from safehavens.

Q: How many people do you think will be coming in through the lottery versus other programs?

A: We anticipate that the lottery program will bring in about 5,000. The far greater number of Cubans will come to the United States through our expanded refugee and immigrant visa processing which will now include the parole of "attached" family members.

Q: What do you mean by attached family, how is this new and why are you doing this?

Attached family will be defined as (1) family members who reside in the same household and are part of the same economic unit as the immigrant or refugee and (2) unmarried sons and daughters of the immigrant or refugee, regardless of age or place of residence. Typically immigrants are only allowed to bring with them their spouse and minor children. We are expanding parole in this circumstance as part of a transition to more normalized immigration between our two countries and to promote safe and orderly migration.

Q: What if any processing is taking place now?

USINT has been authorized to begin immediate identification and referral to INS of "attached family" of immigrant visa cases. Until INS officers arrive in Havana, parole authorization will be handled by cable from INS Headquarters. Immediately upon arrival in Havana, INS officers will begin reviewing refugee cases previously found ineligible in order to identify cases qualified under FY 1995 expanded criteria. USINT has been instructed to schedule new refugee cases for INS interview as soon as INS officers enter on duty. Cubans in safehavens will be counseled about these programs by US officials.

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Q: What is happening with the backlog?

The National Visa Center, run by the Department of State, has compiled a roll of names and addresses of approximately 7,000 Cubans on the visa waiting list. USINT will begin calling in such cases immediately upon receipt of the names. We are exploring whether this can be done on a more accelerated basis than by using the mail.

Q: What steps are you taking to accelerate the visa and refugee processing.

As indicated, we are bringing personnel to Cuba to accelerate our work. We are also exploring various ways that communication with potential beneficiaries can be expedited by newspapers and other mass media.

Q: What legal authority does the Attorney General have to establish a parole program of 20,000 admissions a year?

Under section 212(d) (5) of the Immigration and Nationality Act, the Attorney General is given the authority, in her discretion, to parole aliens into the United States "for reasons deemed strictly in public interest." Certainly, normalizing the immigration flow between Cuba and the US is "strictly in the public interest." The parole program is part of an overall effort to redirect an abnormal flow-characterized by undocumented entries -- into a legal flow.

Q: But doesn't such a parole program intrude upon congressional law-making authority?

No. The purpose of the program is to aid in the normalization of migration between the two countries. It is perfectly consistent with overall congressional goals to stem illegal migration and promote legal migration.

Q: The 1980 Refugee Act specifically amended section 212(d)(5) (parole authority) to provide that the Attorney General "may not parole into the United States an alien who is a refugee "except in compelling, individual circumstances. The clear intent of Congress was to prevent the parole of massive numbers of refugees, as has happened with refugees from Southeast Asia and Cuba in the past. So isn't the new parole program therefore inconsistent with both the spirit and letter of the law?

No. The people we admit as refugees will not be paroled. The United States has operated for a number of years -- and will continue to operate -- an in-country refugee program in Havana under which several thousand Cubans are admitted to the United States each year.

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Please also recall that, since the passage of the Refugee Act, thousands of Vietnamese were paroled into the U.S. under the Orderly Departure program to discourage unsafe boat departures and respond to demands for legal migration. Furthermore, more than 125,000 Mariel Cubans and more than 10,000 Haitians have been paroled into the U.S.

Q: In what way is the parole program "transitional?" It seems to merely add to the abnormal migration relationship between Cuba and the U.S.?

In order to overcome a well-engrained, highly irregular migration flow, it may well be necessary to take special measures for a period of time to change expectations. The goal here is to convince Cubans that the only way to enter the U.S. now is through orderly, legal methods -- not by undertaking terribly risky raft voyages or other illegal methods of entry.

Q: Why isn't a similar program being established for Haitians?

We have not had the same irregular migration relationship with Haiti that we have had with Cuba. That is, we have not regularly paroled in and then legalized virtually every Haitian who reached our shores. Haitians have routinely availed themselves of normal immigration procedures petitioning for entry on the basis of family relationships. In addition, we expect that the conditions which have produced large irregular migration from Haiti will be shortly alleviated with the restoration of the democratic government in Haiti.

Q: You have agreed to parole in Cubans whose petitions for immigrant visas have been approved but who are currently in the worldwide backlog. Thousands of Mexicans, Filipinos, Haitians and Dominicans face similar long waits. Why aren't they being paroled in?

The one-time admission of Cubans on the visa waiting list is part of an overall arrangement to normalize the migration relationship between the two countries, which has been highly irregular for the past thirty-five years.

Q: Will there be any conditions placed on the Cubans who are paroled into the United States? Is there any time limit on the parole?

No. They will be authorized for permanent legal residence.

Q: What is the number of Cubans you are estimating will be receiving parole?

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We will be using a combination of our programs to reach the 20,000.

Q: Does this change in the U.S. migration relationship with Cuba affect those who make it to the United States? Will they still be detained?

Yes. The INS will continue to detain those Cubans who enter this country illegally. The whole purpose of the new program is to provide enhanced methods of legal migration out of Cuba.

Q: What are your plans for the people at Krome and at GTMO? Are you going to detain them indefinitely?

Individuals at Krome have been placed into normal immigration proceedings. At GTMO and Panama we are providing Cubans with safe haven. No one will involuntarily be returned to Cuba, but we hope to be able to assist those who wish to return.

Q: How many people have been parole in from Krome?

We have paroled in children and their caregivers at Krome and St. Isable.

Q: How many people have been paroled in from GTMO or Panama and on what basis are people coming in from GTMO?

As we have always done, there have been several medivac cases from GTMO. In addition, we have identified Cubans in safehavens whose serious long term conditions cannot adequately be treated in the safehavens. If we identify other such cases, we will take appropriate steps.

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Q1. What options are the options for Cubans at the camps who wish to come to the US instead of returning to Cuba?

A1: Although people will be able to apply for the programs at GTMO, they will not be eligible to benefit from them until and unless they return.

Q2. If individuals are not cleared for repatriation by GOC< what is their eligibility for migration?

A2: We are going to do our very best to ensure that individuals who wish to return to Cuba are able to return and that all individuals who are eligible to migrate legally have the opportunity to do so.

Q3: How can the US assure that Cuban migrants that choose to repatriate will not be persecuted upon their return?

A3: As part of the Cuba-US talks in September, we made clear that people who wish to return from GTMO should not be subject to negative treatment. These migration talks will be ongoing -- to next be resumed at the end of this month, and this is a subject which can (and will) be monitored.

Q4: Will individuals with credible fear of persecution be required to return to Cuba to apply for admittance to the US?

A4: We will not be doing refugee processing at GTMO or Panama? At GTMO, we are providing safe haven and protection to people who need it.

Q5: If an individual is ineligible for immigration, refuses to repatriate, or is not permitted to return, what becomes to him or her?

A5: We are providing safe haven at GTMO and Panama. (We are also exploring third country resettlement).

Q6: Will individuals returning to Cuba so they can apply for migration be given any kind of consideration for having abandoned their homes and possession to flee to the US?

A6: We are exploring what kind of assistance is appropriate to facilitate the orderly voluntary repatriation of people who wish to return to Cuba.

Q7: If it takes an individual six months to be cleared for repatriation by GOC, how does that affect timing of entry into the U.S.?

A7: We must seek to facilitate voluntary repatriation to Cuba in an orderly and prompt way. No one will be disadvantaged because of delays beyond their control

Draft

Q8: How long can these Cubans who choose not to repatriate be expected to be held at the camps?

A8: We are prepared to provide safe haven to Cubans at GTMO indefinitely. We are taking measures to up grade the facilities and significantly improve the quality of life in safe havens.

Q9: Will a repatriation center be set up by the GOC under the auspices of UNHCR to ensure repatriates are properly treated and assimilated into society?

A9: Check with the State Department.

**CUBA IWG,
THURSDAY, OCTOBER 6, 4:30PM
WHITE HOUSE SITUATION ROOM**

AGENDA

- 1. LEGAL MIGRATION (INS, STATE)**
 - ANNOUNCEMENT
 - Q'S AND A'S
 - LOTTERY APPLICATION
 - STATE/INS DELEGATION TO CAMPS
- 2. COMBINED ANNOUNCEMENT OF PROGRESS AT GUANTANAMO (NSC)**
- 3. SHORT-TERM CONDITIONS AT GUANTANAMO (OSD, JS)**
- 4. IMPROVEMENTS AT GUANTANAMO (JS)**
- 5. THIRD COUNTRY RESETTLEMENT (STATE)**
- 6. MEDICAL PAROLE (INS, JUSTICE)**
- 7. REPATRIATION TO CUBA (STATE)**
- 8. FUNDING (OMB)**

— Announcement Tuesday —

Clinton Experiment Poses Shift on Human Rights

By Roberto Suro
Washington Post Staff Writer

NEWS ANALYSIS

Faced with the seemingly unstoppable exodus of Cuban rafters the Clinton administration has proposed an unprecedented experiment with immigration policy that is certain to arouse controversy in Congress and the courts, and could well fail to deter the flight.

Ironically, the administration's best hope for success is to prompt the Cuban government itself to stop the departures by blocking boat people from leaving—potentially a large-scale violation of human rights.

In talks with a Cuban delegation that began in New York on Thursday, American officials have offered to let sharply higher numbers of Cubans enter the United States under the attorney general's sweeping powers to "parole" anyone into the country. Secretary of State Warren Christopher explained last Sunday what was expected of the Cubans in return.

"We're quite prepared to consider lawful migration, perhaps enhanced lawful migration, if they're prepared to stop the unlawful migration," Christopher said.

This bargain—creating a new program of legal immigration in exchange for some kind of crackdown on rafters—is the Clinton administration's only initiative to stop the flow of Cubans now that it is clear they will keep going to the sea even though they are headed for an encampment at the U.S. naval base at Guantanamo Bay.

Such an arrangement would appear to run counter to a central tenet of U.S. foreign policy—protection of an individual's right to emigrate.

The Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948 declares unequivocally: "Everyone has the right to leave any country, including his own," and that statement was used to bludgeon communist governments all through the Cold War.

But that principle has been over-

shadowed by concern over uncontrolled immigration.

The U.S. proposal in the New York talks marks the first time Washington has offered to use parole to close a deal with another government, and not because the newcomers were judged particularly deserving.

Since the 1950s thousands of people have been admitted to the United States under the parole power. The most prominent cases have involved refugees in emergency situations such as the admission of Hungarians after the failed 1956 revolt, Vietnamese after the fall of Saigon in 1975 and Cubans during the 1980 Mariel boatlift. But in every case parole was offered because the people receiving this extraordinary benefit were specifically deemed worthy of it.

The first potential parolees are 19,800 Cubans who have already qualified for immigrant visas because they have close family relatives in the United States but who are stuck on worldwide waiting lists that can take 10 years to clear. As a group, these Cubans are no different from the 3.4 million people from other countries who are also on the lists.

Rick Swartz, a Washington attorney who represents Haitian and Chinese refugee groups, said, "This use of parole would be certain to provoke lawsuits from both pro-immigrant ethnic groups angry that the Cubans are getting special treatment and anti-immigrant groups angry that the administration is circumventing the statutory limits on immigration." Indeed, the Federation for American Immigration Reform, a group that advocates tighter limits, has already threatened to sue.

A large-scale use of parole also is likely to prove controversial in Congress, which specifically restricted the practice in the Refugee Act of 1980 and established a complex system of numerical caps and visa preference categories for legal immigrants in the Immigration Act of 1990.

"Parole is a long-standing sore point between the executive, which has often interpreted it broadly over the

past 40 years, and Congress, which has sought to rein it in," said David Martin, a professor at the University of Virginia law school. "Consultation has traditionally been the means to resolve some of these tensions."

No formal consultations were held on Capitol Hill before the talks with the Cubans, congressional officials said.

Simply opening the doors through paroles is no guarantee the rafters' exodus will stop.

"I know of no instance in which increased legal immigration has been used effectively to curb an influx of illegal immigrants," said Demetrios Papademetriou, director of immigration policy programs at the Carnegie Endowment for International Peace, a Washington think tank. "A lot of people

would actually argue that it could have the opposite effect, that the sight of many people leaving with visas might actually stimulate those who can't get visas to make illegal trips."

Although some of the rafters may qualify for the new program, administration officials acknowledge that most probably would not. Instead of substituting one form of migration for another, the Clinton plan is designed to satisfy demands for increased legal immigration pressed by Cuban President Fidel Castro, who has often encouraged the departure of dissatisfied citizens as a means of defusing dissent. Then, having placated Castro, the administration would count on him to take measures to keep the rafters from leaving.

Human Rights Watch, a research and advocacy organization, noted in a letter to President Clinton sent Wednesday that Castro has a brutal record of punishing Cubans who committed the crime of "illegal exit from the country," and that the United States should welcome his decision to let the rafters leave freely.

"We urge you to acknowledge that the goal of restricting immigration, while legitimate, must not be pursued by countenancing or promoting the violation of human rights," the letter said.

This would not be the first time the United States compromised the right to leave. In recent years that simple principle has been bent in international agreements designed to fight hijacking and immigrant smuggling. More-

over. The right to leave does not translate into a right to enter.

But, this would be the first time that the United States has encouraged another government to explicitly limit the right of its people to travel when they are not otherwise committing a crime.

"This area of human rights was shot through with hypocrisy," Martin said, because aside from exceptional events like the Mariel boatlift, Western nations could count on communist countries to prevent huge numbers of their citizens from fleeing.

"We could preach the right to leave because no one ever called our bluff," Martin said.

This summer Castro called the bluff for the first time since the Cold War ended, and the administration folded.

U.S. IMMIGRATION OPTIONS FOR CUBAN EXODUS

To deal with the exodus from Cuba, the Clinton administration may alter current immigration policy in the following ways

	Refugees	Family immigration	Illegal immigrants
Current process	In consultation with Congress, the administration has set an allotment of about 3,000 Cuban refugees and their immediate relatives out of a worldwide total of 115,000 admitted each year.	About 19,000 Cubans have pending applications for visas to join close family relatives in the United States, but like applicants from the rest of the world they are stuck on long waiting lists that can delay immigration for as much as a decade. Fewer than 2,000 people a year enter the United States from Cuba by this route.	All those intercepted at sea are taken to the U.S. naval base at Guantanamo Bay (and possibly to other "safe havens") and are denied the chance to seek entry to the United States. Those reaching U.S. shores are detained pending adjudication of their cases, including possible petitions for asylum.
Clinton options	Increased processing facilities in Cuba; laxer standards for qualifying as a refugee, increasing the 3,000 limit.	Using her powers to permit anyone immediate entry to the United States, Attorney General Janet Reno could "parole" all Cubans with acceptable applications for family reunification visas, allowing them immediate entry into the United States outside the normal visa system. Under the terms of the 1966 Cuban Adjustment Act, they would become eligible for resident status after a year. The administration could also extend this policy to categories of relatives not covered by current policies, such as cousins or nieces and nephews.	Encourage the more than 20,000 in safe haven status to return to Cuba and to pursue legal immigration from there.
	 Havana residents construct a raft this week.		 After 11 years apart, Joel LaSara of Havana hugs his brother Felipe in Key West.

—Compiled by Robert S.

Houston Post August 30, 1994

Tuesday

Cuban refugee alert to blame for dead sea turtles on coast, conservationists say

BY SCOTT HARPER
POST ENVIRONMENTAL REPORTER

Could Cuban refugees be responsible, in part, for endangered sea turtles washing up dead on Texas beaches?

Conservationists think so.

They said Monday that the U.S. Coast Guard, in shifting a four-member patrol crew from Galveston to Key West, Fla., has reduced enforcement of shrimpers who inadvertently trap sea turtles in nets along the Texas Coast.

Upshot: Less enforcement, more dead turtles.

Coast Guard spokesman Rusty Sloane denied any link between the Cuban refugee detail and the death of 20 sea turtles in just the past week.

All of these endangered species — including 11 Kemp's rid-

■ Cubans resume exodus/A-5

ley sea turtles, the rarest breed in the Gulf of Mexico — were found along the upper Texas Coast, between Galveston and Sea Rim State Park near Port Arthur. Officials reported heavy shrimping activity in the area.

"We're seeing no real impact on our turtle enforcement," said Sloane, noting that the Galveston base still has three patrol boats to board and check an average of six to 12 shrimping vessels a week.

But Carole Allen, director of Help Endangered Species-Ridley Turtles, or HEART, said the Coast Guard reassignment effectively gave notice to shrimpers that net inspections would not get the same attention as before.

"We've seen it all summer — when there's a crackdown, the

numbers (of dead turtles) go down," Allen said. "When there's no enforcement, or when these shrimpers perceive that they can get away with things, the numbers go up."

Texas is witnessing a record year for sea turtle deaths. As of Monday, 427 federally protected turtles — from Kemp's ridleys to loggerheads to green turtles — have died in coastal waters, said Donna Shaver, coordinator for the Sea Turtle Stranding and Salvage Network of Texas.

The previous recorded high was 355 turtles in 1990.

Federal officials announced an enforcement crackdown to combat the trend earlier this summer, and it worked. They were brain-storming Monday to explain the latest wave and debating if new actions were warranted, scientists and officials said.

At Harper's
Let's DO
something
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AUG-30-1994 07:23 FROM IMMIG. & NATZ.

TO

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P.04

Cuban exodus directly linked to presidential campaign of '92

BY ROBERT C. ZELNICK
CHRISTIAN SCIENCE MONITOR

Three Cuba stories are unfolding.

First is the heart-stopping tragedy of human beings reduced to such desperate misery that they are willing to risk death to flee their homeland.

Second is the daily erosion of the moral and political authority of President Fidel Castro, an irreversible process that will end only with his departure from office.

Third is the United States' apparent pursuit of a policy strongly influenced by domestic political considerations, one that appears to be exacerbating the human disaster while providing the United States with what critics claim is little leverage on Cuba's political transition.

The evolution of this policy was well chronicled by print and electronic media beginning with its formation during the 1992 presidential campaign.

There are two states where emigres from Cuba play a consequential role in state politics, and both — Florida and New Jersey — are bitterly contested during presidential primary and general election campaigns. The most powerful voice in Cuban-American affairs is businessman, Jorge Mas Canosa, chairman of the powerful Cuban-American National Foundation (CANF) and, through its "Free Cuba PAC," a hefty contributor to U.S. political campaigns.

During the 1992 campaign, at the reported urging of Mr. Mas Canosa, Sen. Bob Graham, D-Florida, and Rep. Robert Torricelli, D-New Jersey, introduced the 1992 Cuban Democracy Act. Among other provisions, it tightened the long-standing U.S. embargo against Havana by forbidding trade by foreign subsidiaries of U.S. corporations and making it harder for other nations to ship goods to Cuba and the United States.

The bill was opposed by U.S. multinationals, every significant U.S. trading partner, most other nations, many leading U.S. newspapers and the Bush administration. But in April 1992, Bill Clinton struck what the Boston Globe termed a "Faustian bargain" with CANF, telling the audience at a fund-raising dinner sponsored by the organization, "I have read the Torricelli-Graham bill and I like it." According to a report in 1993 in The Progressive magazine, Mr. Clinton shortly thereafter got \$275,000 in campaign contributions triggered by CANF.

Outflanked on his right by Clinton among Cuban-Americans, President Bush promptly changed his position on

then passed it, apparently persuaded that by tightening the screws on Mr. Castro it would hasten the birth of democracy in Cuba. Others may have been motivated by provisions expanding the range of potential U.S. contacts with the Cuban government and people.

The Clinton administration has enforced the embargo strictly, with devastating consequences for the Cuban economy. According to visitors, the act has further curtailed Cuba's foreign trade, reduced imports of consumer goods, food, and medicine, driven up unemployment and generally increased the misery quotient.

The policy was condemned last year by the U.N. General Assembly, which urged an end to the embargo.

The measure is, ironically, far more Draconian than anything ever imposed even on such major foes as China and the Soviet Union during the Cold War. Nor was it deemed necessary by U.S. administrations during the years Castro was placing Soviet nuclear missiles on his soil, hosting one of Moscow's combat brigades, sending troops to Angola, or seeking to foment communist revolution in Central and South America.

Only now when his regime is beginning to totter, when it has lost outside benefactors, when, by necessity, it has cut military spending and withdrawn from outside adventures — and when the first shudders of a political earthquake are being felt — is the United States taking its toughest stance ever.

But tough against whom? Castro appears to face no short-term danger of ouster. As in Haiti, U.S. actions appear to be making the have-nots suffer for the sins of their oppressors.

Diplomats and others who have spent professional lifetimes studying revolutionary societies are nearly unanimous in suggesting that better options to the current policy are available. Most believe that history has about run its course on Castro's brand of communism.

By taking positive steps now, some experts argue, the United States could put itself in position to influence the pace of change and ultimately the shape of the new Cuba.

Even in crassly political terms, the current policy is likely to prove bankrupt. Few Cuban-Americans are likely to enter the voting booths in November with "Gracias, Señor Presidente" in their hearts while their loved ones suffer in Havana, perish at sea, or languish at "Camp Clinton" in Guantanamo Bay.

Zelnick is government affairs corre-

Houston
Post

August 30, 1994

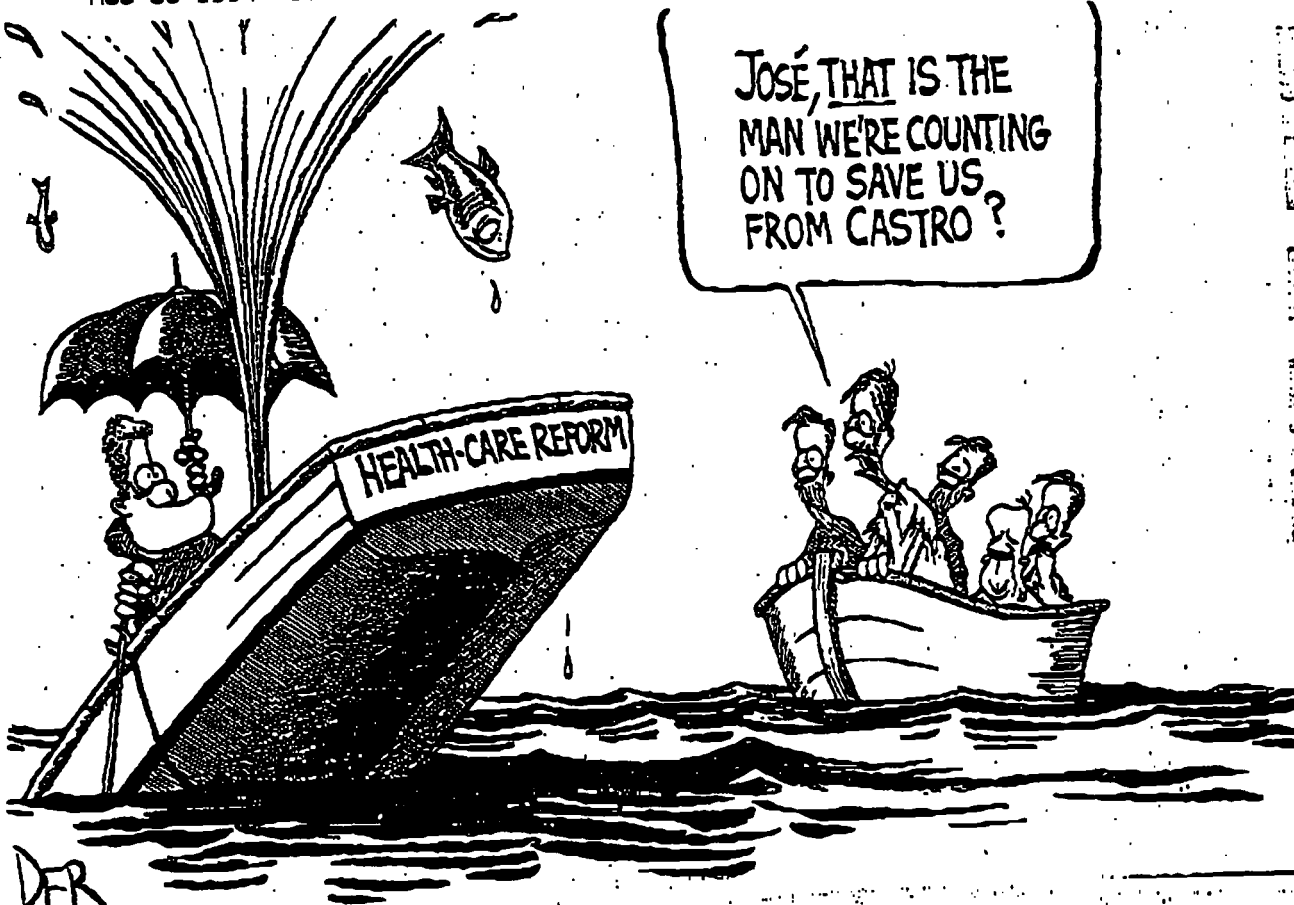
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Houston Post August 30, 1994



Guns and rights

IF CUBANS have it so bad under their current government, why don't they just overthrow it?

And the Haitians? Perhaps they haven't the means to accomplish that end. Perhaps some wise and compassionate legislator or ruler saw fit to protect society from those dangerous weapons by removing them from the hands of the common citizen.

Personally, I would rather take my chances with the possibility of an armed madman mowing me down with an "assault rifle," as opposed to having my entire government attack my life, liberty and property with little or no hope of resisting that force.

Bryan Lovejoy
KATY

Tuesday

Houston Post August 30, 1994 Tuesday

Cuban refugees resume exodus

As soon as weekend storms end, dozens take to perilous seas

ASSOCIATED PRESS

HAVANA --- The flood of Cuban refugees resumed Monday, despite U.S. and Cuban measures to limit the flow and warnings that seas remained dangerous after weekend storms.

Journalists found dozens of Cubans setting out from the beaches

Link to turtle deaths/A-11

Sunday night and Monday.

The Clinton administration plans to ask Cuba to halt the exodus of boat people in return for an offer by the United States to relax its immigration rules and grant visas to more than 20,000 Cubans a year. The New York Times reported today.

The Times said the new administration offer was being prepared in advance of talks scheduled for Thursday with Cuban diplomats in New York aimed at resolving immigration issues.

More than 17,000 refugees have been rescued at sea between Cuba and Florida so far this month after President Fidel Castro's decision to stop blocking illegal departures.

Storms cut down the flow over the weekend. The U.S. Coast Guard rescued only 84 refugees Sunday.

The weather was clearer on Monday, but forecasters said



Associated Press

Sgt. James Kane kisses his 2-year-old daughter, Meghan, goodbye while his wife, Colleen, fights tears as Kane boards a U.S. Navy plane for Guantanamo Bay.

seas remained high.

"It is enormously dangerous even today," State Department spokesman Mike McCurry warned in Washington, D.C.

And Castro said Sunday police had been ordered to prevent people from carrying children on rafts and other makeshift vessels.

Mayra Vega, 34, said she was leaving her 7-year-old daughter behind with her husband because of the ruling. But she said Cuba's economic crisis was driving her to flee despite dangers and the uncertain U.S. welcome.

"I am going alone and I will aid them from abroad," she said, apparently ignoring U.S. vows to refuse admission to rafters.

"I'm not interested in politics," she said. "Even if the sharks are going to eat me, I am going."

So many Cubans are fleeing that impromptu cooperatives have sprung up on the beaches, selling rafts at ever-increasing prices. Some Cubans have been sleeping on the beaches, waiting for a chance to leave.

Reuters News Service contributed to this report.

Castro should worry about Cubans at home who have lost their faith

By Ed McCULLOUGH
ASSOCIATED PRESS

HAVANA — Fidel Castro may not be overly troubled by the thousands of Cubans fleeing this communist Caribbean island in anything that floats. But he should worry about those who stay behind who have lost faith in the system.

In the capital, state stores of every kind are pillaged and their wares sold door-to-door at night.

In the countryside, state rice fields at the end of summer lie untilled. Sugar planting is months behind schedule, meaning the vital harvest of the nation's biggest cash crop almost certainly won't begin in January.

What farmers do grow and raise, they withhold from state stores, which pay very little.

They hold up live chickens, pineapples and strings of garlic for sale to passing motorists on roads leading out of the capital Havana.

For Yankee dollars, not Cuban pesos.

Castro, who took power by coup in 1959, is neither unaware nor happy about such developments. After noting sugar production plunged to 4 million tons this year from 7 million as recently as 1992, he asked rhetorically at the National Assembly on Aug. 3:

"Are we ourselves going to destroy the Revolution? Or are we going to create the conditions that make it possible to save it?"

Since the collapse of the Soviet Union, the economic fortunes of this fertile, tropical island of 11 million have gone in one direction: down. And fast.

Two years ago, you'd see as many cars as bicycles on the streets in this capital of faded elegance. Now, gas is too expensive and spare parts unavailable. Brightly lit streets at night also are a thing of the past. Now, there are blackouts to conserve scarce fuel oil.

One Cuban rafter a very lucky dog

REUTERS NEWS SERVICE

NEW YORK — Cuban dogs, at Cuban boat people, so.

A Cuban dog, which joined its master and 11 others on a raft across the Straits of Florida, has been granted a safe haven in the United States while the humans who accompanied her have been taken to the U.S. base at Guantanamo Bay.

A CBS News crew spotted the raft last Thursday and alerted the Coast Guard, which arrived and picked up the humans but refused to take the dog, saying dogs were not allowed at Guantanamo Bay.

CBS producer Larry Doyle volunteered to take it and give it to friends in Key West, "and the Coast Guard seemed relieved," he said Monday.

CBS said it has been flooded with calls about the dog's welfare.

"It turns out she's pregnant and ... we have plenty of takers for the pups. But it will be a long time — if ever — until she is reunited with her master," Doyle said.

In the countryside, thousands of tractors and heavy transport vehicles are idled, parked in lots and rusting in the salty sea air and hot sun.

Castro is trying to improve the economy by selling state hotels to Spanish investors, and developing mineral resources with Canadian and European companies. But agriculture — tobacco and coffee as well as sugar —

still is key.

"The only work here is farming and that doesn't interest me," said Pedro Hernandez, 18. "My friends don't want to work in agriculture. We go to the river and fish, and sell what we catch. It's less work. ... I'm getting out of here as quick as I can."

Gerardo Gonzalez, acting director of the state think tank America Studies Center, said: "This generation is extremely demanding. ... Now it's not enough to have a pair of pants and a shirt, or even two."

Devaluation has shrunk salaries to the equivalent of several dollars a month. Taxi drivers, waiters and others working in the tourism industry pocket many times the pay of a surgeon, university professor or even a government minister.

Gas rations have been cut sixfold to a scant 2.5 gallons a month. Cubans receive a single roll of bread per day at state bakeries. Sugar, rice, coffee and other staples have been cut back; meat, toothpaste, soap and cooking oil often aren't available at all.

Apart from the refugees, the other major signal that Cubans are restive was the spontaneous demonstration and vandalism by several thousand people in downtown Havana last Aug. 5.

Nevertheless, for all the dissent and indifference by a public that used to revere him, Castro's position seems secure. There's no organized opposition party or leader in sight.

Grumbling Cubans still see their choices mainly as to leave or submit, not take up arms against an army that is among the biggest, best equipped and well-trained in Latin America.

Houston Post

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Tuesday

Houston Chronicle

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August 30, 1994



Associated Press

A woman sits in an inner tube as others build a raft in Colimar, Cuba. Many rafts set out for the United States as skies cleared Monday.

Fleet of rafts leaves isle behind as weather clears

By MARIA MEYMAN
New York Times

HAVANA — After a lull over the weekend, scores of Cubans launched fragile boats and rafts from beaches along the coast Monday, heading for international waters in spite of American warnings that they would not be permitted to enter the United States.

One after another, and then by the dozens, rafts began appearing in the water in front of Havana's oceanfront, known as the Malecon, and a few miles east at Colimar, which has become the main launching point for those who want to escape from Cuba.

Many of the Cubans had been camping on the beaches for days, waiting for the weather to improve.

Trucks also began arriving, depositing people who had come from Alamar in the east and Pinar del Rio in the west, 120 miles away. The trucks carried boats that the refugees had been building at their homes. Because of the current in the Straits of Florida, the coast around Havana is the best launching area for the mostly unpowered boats.

Hundreds of well-wishers lined the beaches near Havana as the exodus resumed.

No one has been able to predict the flow of refugees, but the weather has

been one prognosticator, even better than pleas by Fidel Castro or President Clinton.

Indeed, there has been less sentiment and more involvement in how many people have left than there has been strong emotion, including anger at Cuba's economic deterioration and impatience to get on with what everyone knows is a perilous journey.

Despite the ample evidence that the number of Cubans leaving was rising sharply, relatively few were picked up by the Coast Guard. As of 6 p.m. Monday, 118 Cubans had been intercepted, up from 84 Sunday. Last week, in the first rush, the Coast

Guard picked up 13,000.

"Tell my mother that I have gone and that I am very happy," Marcel Betancourt Gonzalez said just before she jumped into the turquoise waters of Colimar to scramble onto a rubber and wooden raft with 10 others. Betancourt, who had slept on the beach for nine days waiting for her journey, turned to face the crowd of hundreds of people piled on a crumbling sea wall, and with tears in her eyes she waved and blew kisses.

Monday's activity indicates that U.S. threats that they will be denied automatic asylum will not keep many people at home.

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Associated Press

Refugee problem grows

U.S. Army police carry an injured Cuban Monday at the U.S. base at Guantanamo. As the number of refugees grows, the White House plans to ask Fidel Castro to halt the refugee flow in return for easing immigration rules for 20,000 Cubans a year. Page 6A.

U.S. set to give more residency visas to Havana

But illegal tide must ebb first

By STEVEN GREENHOUSE
New York Times

WASHINGTON — The Clinton administration plans to ask the Cuban government to halt the transfer of boat people in return for an offer by the United States to relax its immigration rules and grant residency visas to more than 20,000 Cubans a year.

Over the last year, the United States granted residence visas to only 2,700 Cubans. The low number has caused Castro to complain that this is far below the legal ceiling of 27,000 Cubans that the administration is authorized to admit.

Last week, Castro asserted that the failure to grant more visas to Cubans has helped cause the mass exodus of Cubans aboard rickety rafts and boats.

Monday, as the weather cleared in the Florida Straits, the flow of refugees increased again, and scores of Cubans took to their boats in the hope of being rescued by the U.S. Coast Guard.

The new administration offer was being prepared in advance of talks scheduled for Thursday with Cuban diplomats in New York aimed at resolving immigration issues and easing tensions over the refugee crisis created when the latest waves of Cubans began early this month.

The administration's plan represents another twist in its immigration policy toward Cuba, this time in the form of bending immigration laws to make it easier for Cubans to enter the country legally.

For instance, it plans to grant entry to cousins and grandparents of Cuban-Americans and grant refugee status to some Cubans even if they do not meet the strict standards for

asylum.

Under existing immigration rules, the parents, children, spouses and siblings of naturalized Americans can qualify for visas, but cousins do not.

According to several officials, Attorney General Janet Reno plans to use her emergency powers under the immigration laws to raise the number of Cubans admitted each year to the legal ceiling.

To help reach the ceiling, she is also expected to allow some or all of the 18,000 Cubans who are on a waiting list for visas to jump the line and receive visas this year. Some of those Cubans, many of them brothers and sisters of Cuban-Americans, have been waiting for visas for 10 years.

Several administration officials said they hoped that this new offer would win Castro's approval and put an end to the refugee crisis, in which the Coast Guard has picked up more than 18,000 Cubans in the Straits of Florida since Aug. 1.

"We think the Cubans need to control illegal departures and we need to facilitate legal departures," said a White House official.

Castro has long pushed Washington to expand legal immigration from Cuba, partly because it would help serve as a safety valve for discriminated Cubans to leave the island.

In 1984, the Reagan administration agreed to grant visas to up to 20,000 Cubans a year. Under immigration laws that went into effect in 1990, that ceiling has climbed to 27,000.

"We are going to recommit to that number and be more precise about how to get to those figures," a senior administration official said.

Houston Chronicle

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Pay asking price for one Cuban refugee: Castro

By HOWARD KLEINBERG

RATHER than thousands, maybe hundreds of thousands, of Cubans fleeing Fidel Castro's wretched society, it would be better if there was but one refugee: Castro himself.

When low-level diplomats of the United States and Cuba get together this week, it is my fervent hope that the American representative comes armed with an offer Fidel cannot refuse. Every man has his price; we just need to know Castro's.

Once he is gone from the island he destroyed over 35 years, the tide of refugees should stem.

Were I the U.S. envoy, I'd start at \$100 million. "My government authorizes me to offer \$100 million for President Castro to leave Cuba — no questions asked." I would tell the Cuban representative. "No raft is necessary, we'll even fly him out. And please take Raul with him."

I also would work out a place where he could go to finish out the days of his deplorable life. Why not? We've done it for others: the Shah of Iran, former Cuban President Fulgencio Batista, Haitian dictator Jean-Claude "Baby Doc" Duvalier, among others.

It is true that a naval blockade, or invasion itself, would be costly in more ways than one. We do not need a shooting war with Cuba, as Cuba is not Panama or Somalia. It is loaded with weaponry and, most likely, would be able to drop a few missiles on South Florida.

No, we've got to buy out this guy.

If \$100 million isn't enough, then let's go higher. In the long run, it would be a bargain. Pentagon officials inform us that the cost of creating the larger refugee camp at Guantanamo is \$100 million, plus many millions more a week to service.



Fidel Castro

And all that does is house Cubans who are displeased with the economic situation foisted on them by Castro's communism. It doesn't solve their displeasure, that being the man who created it.

There are plenty of countries who would take in Castro. Russia could be one, as would Yemen, Syria, North Korea, Vietnam or any of the other despotic states he so often embraced and which

Kleinberg, a former editor of the Miami News, is a columnist for Cox Newspapers.

so often supported his revolution of ruination. The cost of his island emptying into Miami's environs is too great, both socially and financially. The answer lies in emptying Cuba of Fidel Castro.

Whatever you want, Fidel. \$100 million now and \$10 million a year for incidentals? You got it. Just get out of Cuba quickly before its entire population either drowns at sea or pops the seams of Guantanamo's fences.

It is little enough to pay to end the horror in the Straits of Florida, and that of the past 35 years.

There are others, principally Sen. Christopher Dodd, D-Conn., who actually believe ending the embargo would fix things. While I never have been a supporter of the embargo, an end to it hardly will affect the Cuban population immediately. Conditions in Cuba have declined too much. The rafters would continue to come.

With Fidel gone, it will take the equivalent of a Marshall Plan to restore the country's infrastructure. But it's a sure bet that we're not going to offer one with Castro still there.

While we have managed to speak with the North Koreans, the Vietnamese and other former enemies, there is something special about Cuba. Castro has irritated U.S. presidents since Dwight Eisenhower; his anti-American ravings are terminal in length and sharp in content. Situated so close to the United States, he is a thorn in our side.

Bill Clinton is not going to break bread with this man. But there's nothing that says we shouldn't buy him a bottle of champagne and a first-class ticket out of Cuba. It's the only practical thing to do.

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Charles Adams

Clinton must flex muscles for Castro

WHILE the principle that guides Clinton administration domestic policy also is applied to foreign affairs.

The bedrock principle, as it has evolved from Dunster Hill to the White House bunker, is this: Don't let me see the whites of their eyes.

Using this key, readers of presidential magazines in this space were able to discern before hand the passage of the Republican-deported crime bill, as well as the president's sudden willingness to let Congress go home to mull over an ever-less-toxic health legislation.

Now let us apply it to the misadventure precipitated by Fidel Castro. Late Marshal Puck at the Marlin, with his center giving way and his flanks collapsing, the remnants of modern American presidents has dispatched from his hearing shores the return communique to make wretched.

Castro used this technique of immigration apprehension and clandestine dumping on Jimmie Carter successfully to

under American protection; he tightened the embargo of three decades by cutting off the flow of hard currency sent to by relatives in the United States.

That's a vigorous response to a aggression, at once harsh and humane and comprehensive, the foreign-policy equivalent of a 1,000-page comprehensive health plan. Now comes the reaction to his swift reaction.

Democratic accommodationists, led by Chris Dodd, D-Conn., in the Senate, and Lee Hamilton, D-Ill., in the House, argue that Clinton is playing to Castro's hands by snuffing him. They would go along with the dictator's demands for normalization of relations.

They see Cuban communism's demise in a wave of trade and tourism and cultural exchange, although that approach hasn't quite worked in China.

Republican hawks like Sen. Richard Lugar, R-Ind., forgetting that the Ronald Reagan arms race straining of the Soviet system helped bring down communism in Russia, also want to do business with Castro.

Everybody worries about riots in the holding pens, led by Castro's implanted provocateurs, which would earn American in the role of Israeli abusing Palestinians in camps.

Clinton, observing the charge of the detainees' beards, does not yet see the

United Nations or Guantanamo, or semiprivate interrogations under a cigar smoke screen (Carter's bags are packed, on what our diplomats will call "a wider range of bilateral concerns").

Before allowing Castro to exert an end to the embargo in return for taking back his refugees, however, Clinton needs to show some muscle elsewhere (the equivalent of his firm stand against assault weapons in the crime bill).

This suggests the October Neo-Surprise, the multinational, multicultural, multimedia invasion of Haiti, with air cover by CNN, with the Congressional Black Caucus in the second wave to take the surrender, and with a nice boost in the polls for Clinton before Election Day.

Then, with the eyes of his congressional and editorial critics getting close enough to show their whites, Clinton will declare Castro to be a new democrat, whose promise of "market socialism" means the end of communism in our hemisphere. End of embargo, end of refugee problem, and a revised dictatorship in Cuba for Castro, who logically expects to outlast Clinton in office.

As an unreconstructed interventionist and human rightsist, I root for our military officer of the Haitian poets and a continued success as Castro until Cuban



William Safire

years ago. In 1964, however, the U.S. president properly chose to defend our border.

The determined Bill Clinton reputation set hard-throat hearts to racing. He interdicted the pitiable raft armada at sea; he reversed a policy that automatically granted Cuban economic refugees the asylum of the politically persecuted; he turned Guantanamo into a Cuban colony

whites of their eyes. Instead, he feels the heat from the Cuban-American community, led by stalwart anti-Castroists, and worries about losing the state of Florida to a Republican tide if he eases in too quickly.

That is why we see "middlevo" talks beginning, limited "variety" to the topic of immigration. In time, these will escalate to upper-level exchanges at the

patriots do their duty.

But if the Clinton foreign policy is borned on the same principle that undergirds his domestic policies, then we can soon expect to be singing "Sand in my shoes, sand of Havana . . ."

Saline is a Pulitzer Prize-winning columnist of the New York Times.

BSECTION
TUESDAY,
AUGUST 30, 1994**LOCAL****The Herald**

Cases of Haiti, Cuba aren't exactly alike

Many observers have decried the difference in treatment accorded Haitian and Cuban refugees the last three years. If nothing else, the current Cuban refugee crisis has brought the suffering of others closer to home for many South Floridians.

The anxiety of interdicting and interning of refugees on the high seas is now being felt outside the Haitian community. This isn't so much a criticism of Cuban Miami, which has generally been sympathetic to the plight of Haitians. Rather, it's a reminder that any time we tolerate unjust, unequal or inhumane treatment of others, we increase the chance that we will be the next victim.

As average citizens mull this new enlightenment, institutions continue old habits. Bill Clinton sends a high-level delegation to Miami to confer with local advocates about refugees from Cuba. Yet neither he nor George Bush invited similar local input as they shaped policies toward Haiti.

The U.S. government still impedes those seeking information about Haitian family members being held at Guantanamo Bay and at Krome Detention Center, even as it promises to provide information regarding detained Cubans.

Not the same boat

Hopefully, the current crisis will encourage U.S. citizens to protest the kinds of grossly disparate policies as those regarding Cuban and Haitian refugees.

But it's also worth noting at least four reasons why the situations of Cuba and Haiti are not similar, and should not be lumped together, even as past inequities are corrected.

■ Cuba has received inordinate attention because Cuban Americans have leverage — achieved not simply through petition and protest, but through economic clout. Their ability to address Cuban issues *privately* is the true source of the community's influence.

■ The Haitian-American community is much smaller and much poorer. More significantly, black Americans — caught between seeing Haitians as brothers and seeing them as intruders — have failed to rally in a substantial, organized way on Haitians' behalf.

■ Cuba has a potent military force. Haiti does not. The U.S. government has no choice but to treat Cuba with extreme caution, since the cost of war would be high and the danger of retaliation significant. Blockades and invasion threats are cost-free tactics against Haiti, but not against Cuba. And with Homestead Air Force Base gone, our southern flank is virtually naked should a desperate Fidel Castro decide to send a fighter plane to bomb, say, Dadeland Mall.

■ The Haitian people have already done what the world community asked them to do: They overthrew their own home-grown dictator, Jean-Claude Duvalier, and held a democratic election sanctioned by world observers. Then the democracy they stitched together was stolen by a rogue military.

Cubans have yet to take this step. Unlike Haitians, those leaving Cuba now are doing so without ever having attempted a united challenge to Castro. The world community has a right to say, "We will help you — but show us first what you are willing to do for yourselves."

■ Haiti's dictators have been right-wing. Castro is as left-wing as they come. That shouldn't matter to us; dictators of either persuasion can be equally repressive of their own people.

But the United States finds rightist dictatorships more palatable than the leftist variety, no doubt because it's easier for U.S. interests to make business deals and profits with rightists. Until we citizens compel Washington to make the plight of a nation's people its primary concern, we should continue to recognize — and protest — this distinction.

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FINAL EDITION

The Miami Herald

TUESDAY, AUGUST 30, 1994

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Priest with ties to Aristide slain

By TIM JOHNSON
Herald Staff Writer

PORT-AU-PRINCE — The chilling murder of a Roman Catholic priest cast a pall over Haiti on Monday and signaled that the country's military rulers do not believe that a U.S. military invasion is imminent.

Assailants shot and killed the Rev. Jean-Marie Vincent as he drove into the residence of his Catholic order Sunday night after attending his sister's birthday party.

It was the first murder of a Catholic priest since 1983 and marked a heavy blow to followers of exiled President Jean-Bertrand Aristide.

Vincent, 49, and Aristide were fellow priests, close friends and advocates of radical political activism on behalf of the poor. Vincent was widely known within the Haitian community of South

PLEASE SEE PAGE 14A

Haitian priest slain by gunmen

He once saved Aristide's life

HAITI, FROM 1A

Florida, where many of his religious followers now live.

Analysts said the murder signaled the army's confidence that Washington is preoccupied with the exodus of refugees from Cuba and has postponed a possible U.S. invasion of Haiti to restore Aristide to power.

State Department spokesman Mike McCurry decried such logic, saying it is "entirely incorrect" to suggest that the Clinton administration has backed off on a pledge to use force to restore democracy in Haiti if necessary.

He called Vincent's murder "utterly deplorable" and said it would "strengthen our resolve to rid Haiti" of those perpetrating such crimes.

The authorities produced no suspects and made little effort to solve the crime. Officials took the priest's bullet-riddled body and by early evening Monday had yet to return it for burial.

Visitors heard the wail of women mourners at the two-story headquarters of the Montfortain religious order in the Turjeau neighborhood where Vincent was attacked at 8:10 p.m. Sunday. Flies buzzed over the dried blood on the driveway.

Gunmen fired five times at Vincent as he drove into the property, said Diacre Roland, a deacon. Others said the assailants waited by the gates to the compound for an hour before Vincent showed up.

"It's possible that [the killers] saw him as a possible successor to Aristide," said a top member of the exiled president's Lavalas political movement.

No church condemnation

The killing brought no immediate condemnation from the Catholic hierarchy, a sign of the deep schism in the Haitian church. The Vatican's envoy to Haiti, Lorenzo Baldassarri, visited the murder site but made no public remarks.

Like Aristide, Vincent practiced liberation theology, which urges the poor to organize politically and engage in class struggle rather than accept their suffering and misery.

The Vatican disapproves of radical activism among its priests. It has sided with the military rulers who toppled Aristide



A MOURNING CRY: Haitian women wail near the site where the Rev. Jean-Marie Vincent was slain.

in 1991, and recognized each military-backed government since the coup.

Vincent was one of the Haitian church's most charismatic and respected priests. In the early 1980s, he organized what became one of the nation's largest peasant movements, Tet Kote, or Heads Together.

His activism in Haiti's remote Northwest District angered landowners around the town of Jean-Rabel, and they killed several hundred Tet Kote members in a massacre on July 23, 1987.

Traveled to South Florida

Thousands of Haitians from Jean-Rabel fled into exile in the 1980s, with many settling in communities like Immokalee and Belle Glade in South Florida, where Vincent would sometimes travel to pick up money that people wished to send their families back home.

A month after the Jean-Rabel slaughter, Vincent was wounded in the head when he threw himself between Aristide and machete-wielding thugs near the city of St. Marc.

During the seven months Aristide ruled in 1991, Vincent led a government literacy program in the north. Since the coup, Vin-

cent has worked with small business owners and street children, maintaining a low profile.

Nonetheless, he remained a target of anti-Aristide forces.

"It is not difficult to understand that all those in Haiti who have been demonstrating for three years that they do not want change could not stand this man," said the Rev. Antoine Adrien, a leftist priest.

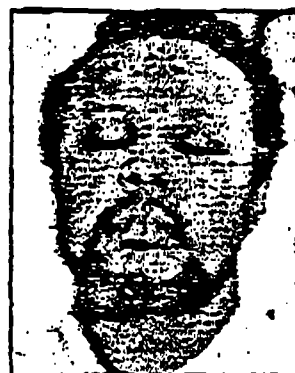
The killing was the third aimed at key Aristide supporters in the past year. Paramilitary gunmen last year killed businessman Antoine Izemery and Guy Malary, the justice minister in Aristide's government-in-exile.

Many Haitians expressed puzzlement over the timing of the latest murder.

"What everyone is asking is why now?" said the owner of a local radio station.

Pressure from the United States appears to have diminished in recent weeks, talk of an invasion has fallen off, and army chief Lt. Gen. Raoul Cedras has made several trips to the countryside, acting like a triumphant candidate on the campaign trail.

Others suggested that the army may have detected stirrings of a rebellion from Aristide supporters or among Haitians angry with



ALLY OF ARISTIDE: The Rev. Jean-Marie Vincent.

economic deterioration under a U.N. trade embargo imposed in early May.

"What looks like a gratuitous act may be much more carefully calculated," said U.S. Embassy spokesman Stanley Schrager. "There may be some activism on the part of some church groups."

Adrien said church activists believe other attacks may occur.

"But this is not going to deter our decision to protest and work for change in the country," he said.

Haitians waiting for their list of refugees

By LIZETTE ALVAREZ
Miami Staff Writer

Two days after the U.S. government released a lengthy roster naming Cuban refugees at the Guantanamo navy base, Haitian Americans are waiting for their list.

It's coming — but not right away, Justice Department officials said Monday.

One reason for the delay: The 14,500 Haitian refugees on the base will each have to sign off — either verbally or in writing — on the U.S. government's plan to release their names. Individual Haitians who object can keep their names out of the list.

Cuban refugees at the base were asked for their permission at the outset, during processing interviews, a Justice Department official said. So far, no Cubans at the base have asked to be kept off the list.

The safeguards are designed to protect Cuban and Haitian refugees who fear they would be endangering the lives of family back home by going public, said Ron Tomales, a spokesman for the Justice Department.

"We are trying to protect as much as possible their privacy," Tomales said.

For months now, Haitian Americans in Miami have wondered whether their sons or daughters, aunts or uncles are safe at the refugee camp at Guantanamo. They have bargained the Haitian Refugee Center with inquiries.

Since refugees on the base have no access to telephones or mail, they are cut off from the rest of the world.

"Advocacy groups like ours need to be able to tell the mothers and fathers who are banging our office whether their loved ones made it to Guantanamo or are at the bottom of the ocean," said Steve Forester, lead attorney at the center.

On July 27, Forester requested a list of Haitians at the base from the U.S. government. He contends the military bounced him to the State Department, which bounced him to INS, which bounced him back to the military. Forester said the Haitian Refugee Center made several other requests for a list of names last month.

After calling each agency, he said, he never got a definitive answer.

Even U.S. Rep. Carrie Meek, a Miami Democrat, has asked for a list. She has been told there will be one soon.

The Immigration and Naturalization Service has seldom released a list of refugees' names. Usually it has done so only in response to lawsuits.

This time around, INS released quickly for one reason: the Cuban-American outcry for news from their rafters relatives. "Not having released the names



RUSHING TO THE HOSPITAL: U.S. Army's MPs carry an injured Cuban refugee to a hospital at the naval base in Guantanamo on Monday.

more official.

In Forester's view, the delay is getting Haitian names is related to one thing — political pull.

"The Cuban-American community has political clout, and not to release the names would have been a political hot potato," Forester said. "Haitians don't have that kind of political clout and are not treated as if they had any."

But part of the holdup stems from a schism in the Haitian community here in the United States.

Some Haitian-American feel it's necessary to

humane gesture. Others call the step unwise, because it might endanger family back home — or endanger the refugees themselves if they should have to return to Haiti.

"I don't think it should be released," said Ronald Aubourg, a community advocate for the National Coalition for Haitian Refugees in New York. "Knowing the reality of Haiti, it's very dangerous."

Taking that into consideration, the U.S. government is afraid of committing a misstep.

Legally, the U.S. government is in the clear. It could release

they are not U.S. residents or citizens, they are not protected by privacy laws. And technically, they have not applied for asylum, which would also protect their identities.

Still, the Justice Department and the military will obtain the permission of all refugees before releasing their names. And that could take a while. They have yet to decide whether Haitians should sign a waiver or consent orally. After that, a list should emerge.

The Justice Department eventually plans to add Haitian names to the hotline already

FINAL EDITION

The Miami Herald

TUESDAY AUGUST 30, 1994

CONFIDENTIAL

A plan to halt the deluge U.S. may speed up legal entry

■ THE CUBA CRISIS: 2 PAGES OF COVERAGE, 12A-13A
■ MORE RAFTERS GETTING READY, 12A
■ WARNATH AND HOPE IN CUBA, 12A
■ RAUL CASTRO'S NEW PROMINENCE, 13A

By MIKE WHITEFIELD
Herold Staff Writer

The Clinton administration hopes to negotiate a "legal, orderly" exodus from Cuba in exchange for relaxing some rules on legal migration when it meets with a Cuban government delegation later this week.

The talks will come amid a continuing outflow of Cuban rafters trying to reach the United States that has sparked an immigration impasse between the two countries.

According to State Department sources, among the options that the U.S. delegation is considering to promote increased legal migration are:

■ Expediting the departure of Cubans who are eligible for U.S. immigrant visas. There are several thousand Cubans who face long waiting periods to join relatives in the United States under a world-wide quota system.

The easiest and quickest way to increase immigration from Cuba would be for Attorney General Janet Reno to "parole" Cubans into the United States — a process that circumvents lengthy waits under existing quotas.

Under these quotas nearly 28,000 Cubans could immigrate legally to the United States each year. Not that many have applied, however. At this time, fewer than 19,000 Cubans are awaiting decisions on their application or their departure dates. The waits for more distant relatives are long. In the case

PLEASE SEE CUBA, 12A

Embargo crushing Haiti's frail economy

The Associated Press

PORT-AU-PRINCE, Haiti — Battered for months by international sanctions, Haiti's economy has nose-dived. As the government tries to avert financial catastrophe, Haitians are running out of survival options.

"We are up against the wall," said Richard Causton, 40, an architect who works for the education department. "We are not buying. We are not exporting. We are not selling."

Causton, who supports two children and three nephews, has not been paid for three months. Now he asks for handouts.

The sanctions are intended to isolate Haiti's military rulers, who are not recognized internationally. The United States has threatened a U.N.-sanctioned invasion to restore President Jean-Bertrand Aristide to power. Aristide was ousted in a 1991 coup.

But the embargo also has hurt the people it was intended to help. Only money speculators are prof-

iting from the financial insecurity, buying and selling dollars for more Haitian gourdes each day.

One problem is a shortage of cash, caused by people and banks hoarding currency. That's made it hard to pay employees or buy food and basic necessities.

Haiti's Central Bank tried to remedy the shortage recently by flooding the market with almost 300 million new gourdes. Instead, the gourde, unsupported by gold or production, plummeted in value.

When Aristide was ousted, 7.5 gourdes were worth \$1. By Thursday, the ratio on the street was 25-1.

Very few dollars have come into Haiti over the past several months, since a commercial air traffic ban took effect.

Other problems ravaging the economy include accelerating inflation and collapsing production. Almost 40 percent of the 400,000 jobs that existed three years ago have disappeared, and costs for food staples have tripled.

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Date: 9/7/94

The Washington Post

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Column: _____

Cuban Migrant Tide May Be Ebbing

By Tod Robberson

Washington Post Foreign Service

MARIEL, Cuba, Sept. 6—With the smokestacks of an idle steel plant looming in the background, unemployed millworker Roberto Cordero darted around a metal gas-powered boat that he and a dozen other Mariel residents finished building today after two weeks of round-the-clock welding and hammering.

The big question on his mind, he said, was not how to get his 20-foot vessel to the waterfront from its parking place on a Mariel street, but rather how to avoid being intercepted by the U.S. Coast Guard once he gets the craft to sea.

"I will not go to Guantanamo," Cordero said, referring to the U.S. detention center for Cuban boat people at Guantanamo Bay Naval Station on Cuba's eastern tip. "I didn't build this just to sail back to Cuba. We want to go to Miami."

After a five-week flood of rafters that has inundated Guantanamo with more than 20,000 refugees, all indications here along Cuba's northern coast suggest that the migrant wave may have crested. With word slowly filtering back to Cuba that internment at Guantanamo is anything but a ticket to the United States, many would-be rafters now are balking at the notion of leaving.

The government of Cuban President Fidel Castro apparently keeps no official count of the number of vessels departing, but an informal survey along a 60-mile stretch of beaches that have been the most popular raft launching points clearly indicates a drop in activity.

Such observations are generally supported by the latest Coast Guard rescue figures, which show that 649 Cuban rafters had been picked up by 10:45 p.m. today, compared with 1,129 for all day Monday. Coast Guard officials cautioned, however, that it could take several days to document a decline in migrant departures from Cuba because their makeshift vessels typically float in open water for a day or two before they are picked up.

At least part of the reason for the decrease in departures, according to interviews with prospective rafters and other shoreside onlookers, is the fear of spending weeks, if not months, virtually imprisoned under the hot Caribbean sun at Guantanamo.

Here in the industrial port of Mariel—where in 1980 more than 100,000 Cubans set sail for Florida in the first such mass migration—residents said that Cordero's vessel was the sole remaining one in town awaiting departure. All others had

already put to sea, while some residents who aspire to leave were awaiting word on the fate of thousands of compatriots who embarked before them.

U.S. Coast Guard vessels, whose presence just beyond Cuba's 12-mile territorial waters had once been viewed as a safety net for sea-weary rafters, now are seen as something to be avoided at all costs.

"If I have to, I will steer out to sea to avoid the Coast Guard," Cordero said, as he and an elderly Mariel resident pounded a thick steel propeller onto the boat's drive shaft. Cordero insisted he had salvaged all the metal for the hull from the same disused 1954 Chevrolet that provided the six-cylinder engine now mounted on the deck.

But the thick gauge of the steel and number of sheets used in the boat's construction suggested it was from the nearby steel mill, which used to be Mariel's chief source of employment. Today, with the exception of dozens of people flocking to help Cordero finish his craft, Mariel resembles a ghost town.

At Cojimar, a seaside resort 11 miles east of Havana, only three or four rafts awaited launching on a beach that held dozens of ramshackle vessels just a few days ago. Carlos Carruana, who said he sold everything he owned to build his 12-foot raft, posted a "For Sale" sign on it this week after deciding not to venture out to sea. But his asking price, \$25, is regarded as astronomical by Cuban standards, where state-controlled salaries average \$2 per month.

Carruana said he believes "millions" of Cubans want to leave, but so far no one had made a serious offer for his raft. "People want to know where they will be taken if they get captured at sea," he said, while cocking an ear toward a portable radio reporting on the latest round of U.S.-Cuba emigration negotiations in New York. "Some people don't mind the idea of Guantanamo. Personally, I think I'll try something else."

Ramiro Gonzalez, captain of a

raft stenciled with the hopeful name "Havana-Canada," wondered aloud if the United States could legally detain his vessel once it reached international waters.

"I don't know what the law says, but it seems to me that international waters are exactly that—international," he said. "So how can they make me go to Guantanamo if I don't want to go?"

When told that as many as 10,000 Cubans may now be transferred from Guantanamo to U.S.-financed internment camps in Panama, Gonzalez's eyes widened. "I wouldn't mind Panama at all," he said. "Just as long as it's not Cuba."

Then he turned to four other passengers resting beneath a tarpaulin covering the raft and said: "What do you think? We could scratch out 'Canada' and change the name to 'Havana-Panama.' Yes, I like that."

Date: 9/6/99

New York Newsday

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Time to End Cuba Embargo

Here's another reason for ending the ridiculous U.S. embargo on Cuba. A group of physicians and professors who just came back from Cuba say it is causing a medical emergency among Cubans that is making Cubans sick and is killing them in large numbers.

Dr. Anthony Kirkpatrick, a physician who was in Cuba this summer, tells the story of a 72 year old Cuban doctor who specializes in chronic pain. The doctor saw a 60-year-old farmworker who came to him complaining about chest pains.

The man had pneumonia, which the doctor normally would have treated with penicillin. This is a routine treatment that normally clears up the condition. But the doctor had no penicillin to give the man, so he died.

"Can you imagine being a physician at the end of your career who can't administer a treatment that is so basic? I'm not talking about the designer drugs, but about aspirin, penicillin . . . people are needlessly dying."

This is the latest story coming out of Cuba.

"The United States is killing people in Cuba," says Wayne Smith, a Johns Hopkins professor who, with Kirkpatrick and Columbia University professor Richard Garfield, has co-authored a report about the medical crisis in Cuba that has been created by the United States' embargo on food and medical supplies. The article will run in the Journal of the Florida Medical Association.

Here are some of their findings:

The shelves of Cuba's pharmacies are bare because basic medicines and supplies produced only in the United States — such as X-ray film for breast-cancer detection and the drugs to treat childhood leukemia — can no longer be purchased.

Cuba can't get the medicines it needs from other countries either because, due to lack of competition from American drug companies, which are in the closest proximity to Cuba, they have raised their drug prices to a level the cash-poor Cubans can't afford.

The United States also forbids other foreign ships taking exports to Cuba from docking in U.S. ports for

six months after such trips, making such trips overly expensive.

Doctors can't order routine blood examinations because Cuban laboratories don't have the chemicals to do the tests.

Women can't buy sanitary supplies, which means they come down with infections.

Because Cuba can't get chlorine and aluminum sulfate to treat its drinking water, the rate of deaths from diarrhea, influenza and pneumonia has doubled in the last few years, and deaths from tuberculosis are up sharply.

Still other diseases result because Cubans can't get soap — only about four to six bars per person per year. The hardest hit are the elderly, who are dying at a high rate from diseases caused by these shortages.

The Clinton administration says that strangling the Cuban economy will cause its people to rise up and overthrow Fidel Castro. What it's doing is strangling the Cubans, literally killing them, in fact.

Which brings us to the question of why the United States government can't get over its bizarre obsession with Fidel Castro. This is especially ridiculous considering that the United Nations, every other country in the world, and virtually all the old foreign policy types who helped create the original embargo, now say the embargo must end.

"Cuba seems to have the same effect on American administrations that the full moon used to have on werewolves," says Smith, who was the State Department chief adviser on Cuba from 1979 to 1982, and helped craft the original embargo in 1962.

"There was a time when a policy of containment made some sense," says Smith, who even in the bad old days with Cuba opposed including food and medicine in the embargo.

"But over the years Cuba has changed. Its policy no longer tried to thrust into Latin America. It no longer has troops in Africa. With the Cold War over, there is simply no reason not to engage Cuba.

"It's about holding a grudge, and it's about feeling that now it's payback time."

The irony of our treatment of Cuba is that most Americans don't give a damn about Castro. The only ones who do are a handful of wealthy Cuban exiles in Miami who are holding up the U.S. Congress because of their hatred of Castro, and some politicians who think that starving the Cuban people will help them get re-elected.

"There is no living former State Department official—diplomat, or ambassador who's been connected with Cuba who believes this embargo is in our national interest," says Rep. Charles Rangel (D-Manhattan). "If it's not in our national interest, why in the hell are we doing it?"

One reason is brazen domestic politics. Every administration goes crazy over trying to win the Florida vote, and in Florida it's the rabid anti-Castro people who shout the loudest and give the biggest campaign contributions.

Clinton got only 39 percent of the vote in Florida in 1992, and received \$275,000 in campaign contributions from the Cuban-American National Foundation, the anti-Castro political action committee. He wants to increase his support in Florida in 1996, so he's nurturing the anti-Castro contingent in Miami, who want Castro to fall so they can return and take over the country. The irony is that Clinton doesn't stand a chance in Florida, so his support of the embargo is for naught.

In 1983, the United States decided to lift its economic embargo on the Soviet Union, though it was to fight a Cold War with the Soviets for another 36 years. Now the Soviet Union is dead, we are nurturing China as a trading partner, and we are making nice to North Korea. Yet we're still beating up on a little country with an aging, weakened leader because at one point in history he made us mad.

It is a childish grudge and people are dying for it.

Date: 9/7/94 **The Washington Times** Page A11

Cuban envoy hints at agreement

U.S. wants immigration deal without lifting embargo

By Victoria Graham
Associated Press

NEW YORK — Cuba's chief negotiator in talks aimed at stemming the refugee flow from his country hinted yesterday that "maybe" a deal could be struck with the United States for a limited immigration accord.

The United States wants to expand legal immigration in return for Cuba's promise to halt the flood of desperate Cuban rafters trying to reach Florida. But Cuba won't curb the exodus without getting something in return.

As the arduous, halting talks headed into their sixth day, former Cuban Foreign Minister Ricardo Alarcon repeated that at some point the "fundamental problem" — the devastating U.S. economic embargo — must be discussed.

But "we are very flexible," he said. "We are prepared to sit down and discuss with the American side any pertinent matter concerning our bilateral relations."

Washington refuses to discuss the embargo and insists on limiting the current talks to migration.

Talks resume today at the U.S. mission to the United Nations. U.S. negotiators yesterday described talks as "professional and candid."

Mr. Alarcon, a key foreign policy adviser to President Fidel Castro, wouldn't discuss the response Cuba delivered yesterday to a U.S. offer to increase legal Cuba migration to at least 20,000 a year. Only 2,700 Cubans were admitted last year. Previously, the United States proposed admitting up to 20,000 Cubans.

"We are in the process of trying to fill the gaps between two approaches, and it will take some time and some intellectual effort. But maybe we can succeed," Mr. Alarcon said.

He said it was "proper" to implement a 1984 migration agreement with the United States that referred to 20,000 Cuban immigrants. The United States says that number wasn't a requirement, but an upper limit.

But in an apparent reference to the U.S. offer to admit at least 20,000 a year, Mr. Alarcon said, "There are indications of the intention of finally fulfilling this agreement, and we welcome this."

Asked whether it was possible to sign a limited immigration agreement and put the question of the embargo aside, Mr. Alarcon answered, "Maybe." He did not elaborate.

He denied reports that Havana

is seeking entry for 100,000 migrants a year. "We have not talked about numbers," he said. "The numbers are in the 1984 agreement that was never fulfilled."

Mr. Alarcon also said Cuba wouldn't halt the exodus without an accord. Cuba, criticized in the past for forbidding its citizens to leave, now will not deny their fundamental right to emigrate.

Western and Latin American diplomats, speaking on condition of anonymity, said Cuba appears willing to strike a deal if larger issues of U.S.-Cuban relations and the embargo are discussed at a later date.

The United States is holding more than 23,000 Cubans at its Guantanamo Bay Naval Base in Cuba. Yesterday, 649 Cubans had been intercepted at sea by last night. That brought the total picked up at sea this year to 32,900, nearly nine times the total in all of 1993.

In a related development, the first Cuban refugees to be moved out of the overflowing tent city at Guantanamo were put aboard planes yesterday for Panama. All 93 were volunteers.

Cubans are being transferred to refugee camps in the jungles of Panama.

Date:

9/7/94

The New York Times

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Column: _____

CUBAN REFUGEES START TO ARRIVE AT PANAMA BASE

RELIEVING GUANTÁNAMO

But Panamanians Are Divided
on How Much Aid to Offer
— Legal Issues Murky

Special to The New York Times

HOWARD AIR BASE, Panama, Sept. 6 — The first of what could eventually amount to as many as 10,000 Cubans landed here tonight from the overloaded Guantánamo Bay Naval Base in Cuba, moving into new camps and giving some breathing room to the Administration in its standoff with the Cuban Government.

As the first refugees, most wearing shorts, T-shirts and sandals, walked to a bus, reporters called out, asking how they felt to be in Panama. One answered: "Good, good. We're a long way from Fidel Castro."

United States military officials said that, like those who are to follow, the 93 Cubans who arrived on the first two military transport flights tonight would be interviewed briefly, then sent to one of four newly constructed camps to spend their first night. The initial number was deliberately small, officials said, so that they could test processing and housing arrangements.

The opening of the camps in Panama, which are to be operated by the United States military with permission of the Government of President Ernesto Pérez Balladare, relieves pressure on Washington to come up with new refugee sites or a new policy to deal with the flow of Cubans taking to the sea in rafts and small boats.

The American base at Guantánamo Bay, where the vast majority of the Cuban refugees picked up by the Coast Guard have been taken, has been filling up fast. More than 23,000 Cubans were held there today, along with more than 14,000 Haitians also rescued at sea.

With their arrival, the Cubans are also stepping into a tangle of questions about their legal status in Panama and the ability of the United States to properly oversee so many foreigners in another country. Their time is limited to six months there.

The people of Panama have conflicting responses to the decision to take in the Cubans. While Panamanians wish to help Cuban boat people, they do not want to become pawns in a struggle where the United States is seen as a bully imposing its will on a weaker country like Cuba, said Marco Gandasegui, head of the Center for Latin American Studies here.

"Among the President's supporters there is a strong current of people who sympathize in one way or another with the Cuban revolution," Mr. Gandasegui said.

Perhaps the most thorny problem Panama has taken on is the question of the legal status of the Cubans themselves. Though United States officials call them "migrants under detention," some Panamanian legal experts contend that ultimately they will have to be granted refugee status.

If that is the case, say these experts, despite promises that the Cubans will be kept confined in camps on American bases, the United States will have to allow those Cubans who so choose to move about the rest of Panama.

Roberto Troncoso, legal adviser to the Panamanian Human Rights Committee, which has been asked by the Government to oversee treatment of the Cubans, said, "Of course they are refugees, what else are you going to call them, shipwrecked sailors?"

"They will be 10,000 foreigners in our country. Unless Clinton invades Cuba and throws Castro out soon, these people are going to stay here, and there is no legal way to keep them in those camps for long," Mr. Troncoso said.

Issues of Sovereignty

Though the military bases are controlled by the United States, they are on Panamanian soil, making the management of foreigners quite touchy and forcing American military planners to improvise.

What, for instance, would be the nationality of infants born in the camps? The question was side-stepped. No pregnant women will be allowed out of the Guantánamo Bay facilities and any in Panama who are found to be pregnant will be returned to Guantánamo.

The internees are to be subject to Panamanian laws, American military officers said. However, since it may not be against the law to try to leave the camps, those who do so are to answer to United States authorities.

Four Refugee Camps

In Panama, there are four identical camps, each about 20 acres in size, on clearings surrounded by the jungle that lines the Panama Canal. Each is to house 2,500 persons in very rustic, but according to military officers, adequate, conditions. They are equipped with cots, running water, outdoor toilets and cement floors.

Although the tents, which house 14 people each, may be crowded, there are also large areas to play sports, and community tents for indoor recreation. Each camp is to have a medical director, and a dentist.

Military officers said they have copied the design of the camps in Guantánamo Bay, while making some improvements. "We're trying to make this less intimidating so there'll be a fence, but no armed guards," said Lieut. Col. Jim Greenwood, in command of the camp where the first plane loads of Cubans are being housed.

"The way we'll be able to manage this many people is to make them feel this camp is their own," Colonel Greenwood said. To that end, officers hope to encourage the Cubans to elect a camp council to help decide on camp rules and collaborate on administration.

'Never Done This Before'

"I think we're going to do all right," said one officer. "At least for the first few weeks, after that I can't tell. You know, we've never done this before."

A major stumbling block has been criticism of the Panamanian President for allowing the Cubans to come here to begin with.

By accepting the Cubans, Mr. Pérez, who took office only last week, is balancing the benefits of friendship with the United States against the political damage his offer may cause his Government.

Mr. Pérez's party, the Revolutionary Democratic Party, was little more than a front for the military dictatorship that controlled Panama until the United States invasion in 1989, according to diplomats.

Detained by U.S. Troops

Though Mr. Pérez was one of the party leaders briefly detained by American troops during the invasion, he contends he represents the democratic wing of a party that was forced to cooperate with the military.

A diplomat who closely followed the negotiations between the United States and Panama that led to the acceptance of the Cubans, said, "President Pérez not only got Washington's forgiveness for his party's questionable past, Bill Clinton himself now owes Pérez a big personal favor."

Even within Mr. Pérez's own political party there is expected to be an emotional reaction against anything that seems to favor the United States in a confrontation with Cuba.

DATE: 9/7/94 Los Angeles Times PAGE: A1

U.S. Transfers First Cubans to Panama Camps

By PATRICK J. McCONNELL
TIMES STAFF WRITER

GUANTANAMO BAY NAVAL BASE, Cuba—This beleaguered military base, struggling to accommodate an exodus of migrants from Cuba and Haiti, received some measure of relief Tuesday with the departure of the first of 10,000 Cuban refugees for Panama.

One hundred Cubans, seemingly all still hopeful of reaching the United States, boarded two C-130 Air Force transport planes Tuesday afternoon for Howard Air Force Base in Panama, where they were housed in one of four camps still under construction. Each camp is capable of holding as many as 2,500 refugees.

About 150 Haitians are expected to leave today for a new camp being set up by the U.S. military in Suriname on the north coast of South America.

There was some ominous news, however, from the Florida Straits. Another 4,000 Cubans rescued from rafts and other small craft were on naval ships heading for Guantanamo.

With Cubans still arriving every day, Guantanamo's refugee population is growing fast, and officials here are increasingly worried about keeping order and providing water and the other basic necessities. Eleven Haitians are in administrative segregation after a rock-throwing melee on Sunday that left one migrant seriously injured and six U.S. Army military police with minor injuries. And Cubans were involved in their first rock-throwing incident Tuesday, in which two soldiers suffered minor injuries.

But U.S. officials hope that voluntary departures will relieve some of the pressure.

The first departing groups and others who will follow in almost daily flights in coming weeks, face an uncertain future, as do all of the more than 37,000 migrants, mostly Cubans, housed in sprawling tent cities in this military base in south-eastern Cuba.

All who left Tuesday were vol-

unteers and all seemed hopeful that their next home would be more amenable than the Spartan quarters here.

"At least we're finally getting out of Cuba," said Ariel Vicente Pena Hernandez, a 25-year-old barber from Havana who was among those headed to Panama. "I feel safer away from here."

The outgoing flights to Panama and Suriname will be a daily occurrence in coming days, military authorities said.

"We hope to keep 'em moving through the pipeline," said Lt. Peter Mitchell, a base spokesman. "This helps us out."

Cubans going to Panama expressed hope that the transfer would somehow bring them closer to entering the United States, though U.S. officials have said adamantly that they will not be given entry. Departing Cubans interviewed Tuesday before their flight to Panama left no doubt that their final destination is the United States, usually Florida, where many have relatives.

"Maybe it will be easier for us to get in from Panama," said Osmany Aleman, a 23-year-old former tobacco worker from near Havana.

Said Odalis Gonzalez, a 29-year-old mother accompanied by her husband and her 11-year old son: "We hope to be in Florida soon. There is nothing for us in Cuba now."

The Panamanian government has indicated that the migrants can remain for six months, authorities said. Suriname will apparently take 2,500 Haitians.

The transfer is part of the Clinton Administration's strategy to house the refugees in other nations and continue to deny them access to U.S. territory.

If they were to reach the United States, officials noted, the migrants could apply for political asylum, a process that can drag on for months or years. In Guantanamo, on the other hand, they are simply being afforded temporary haven, presumably until they can return to their homelands. Cubans and Haitians here cannot apply for asylum. Nor will they be able to do so in Panama and Suriname, authorities said.

Those Cubans bound for Panama seemed in a generally upbeat mood, their morale apparently boosted by the prospect of leaving their native island. The prospect of change from the boring routine of camp life here also improved spirits, though it is

unclear if conditions will be any less basic in Panama.

"They told us the camp in Panama would be nicer," said Pena, who, like most others, was wearing a military-issue T-shirt and shorts as he and others gathered in a shady patio for the flight to Panama. "There will be books and we will learn English, plus there'll be toys and games for the kids."

No one seemed to want to go back to Cuba.

"I'm never going back," said Aleman, a wiry young man who said he lost his job in Cuba because of political differences with the regime. "I want to make my life in the United States now."

But in an indication of fraying nerves at the camps, Cuban migrants here threw rocks at military police during a noon melee, leaving two soldiers with minor injuries. The incident began, authorities said, when a military police officer detained a Cuban who had crossed a camp fence to retrieve a soccer ball. As many as 450 Cubans were involved in the incident, many shouting at military police while some threw rocks, said Maj. Rick Thomas, a base spokesman. No Cubans were injured in the brawl, the first rock-throwing incident involving Cubans being held here.

Of the 23,000 Cubans now at Guantanamo, only one has asked to return to Cuba, said Mitchell. Officials are studying the request, Mitchell said, as there is currently no means of repatriating Cubans.

By contrast, some 5,000 Haitians have returned to their homeland since July, authorities said. All went back voluntarily, officials said.

Last spring, President Clinton halted involuntary repatriations of the Haitians after the policy prompted international condemnation.

The mood of the departing Cubans contrasted Tuesday with the more somber ambience of the Haitian camps. The Haitians are being held in separate quarters from the Cubans. Many Haitians suspect that the Cubans are receiving preferential treatment, prompting some unrest, authorities said. It is clear that many Haitians are angry about their status.

Date:

9/7/94



Page: 6A

Column: 1

Cubans moving to new home: Panama

By Steve Komarow
and Juan J. Walter
USA TODAY

About 100 Cuban refugees were flown to Panama Tuesday, launching the transfer of more than 10,000 from Guantanamo Bay naval base.

"By going to Panama, I am one step closer to my eventual destination — the United States," said Eduardo Barbero Guelcon Toledo, who volunteered for the transfer.

Four camps are being built along the Panama Canal to accommodate Cubans, said Pentagon spokesman Dennis Boxer.

Meanwhile, more than 3,700 Cubans were being shipped from Florida Tuesday to Guantanamo Bay to join more than 23,000 being held there. Violence broke out among 650 Cubans, injuring two military police officers during a rock-throwing melee.

Military officials say the Panama camps will offer relief from crowding.

"Instead of being with

25,000, they'll be with 10,000," said Army Maj. Octavio Garit. "They'll have playgrounds for their children ..."

The military also plans to start shipping out some of the 14,000 Haitians. About 150 are to fly out Wednesday to Suriname, on the northeastern shoulder of South America. A third country is being sought.

In New York, Cuban and U.S. officials met briefly Tuesday and are planning their sixth round today. Cuba responded to U.S. proposals that would allow 20,000 visas a year to Cubans, but neither country would reveal the response.

Meanwhile, the U.S. Coast Guard said that at least 649 Cuban rafters were rescued Tuesday. The daily tally of Cuban rafters picked up at sea has hovered at about 1,000 in recent days.

On Monday, 1,129 Cubans were rescued from small boats, inner tubes and makeshift rafts. So far in 1994, the Coast Guard has picked up more than 23,000 Cubans.

The Washington Post

DATE:

9/7/94

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Bad Rules on Cuba

IN THE FACE of the growing crisis in Cuba, the Clinton administration has tightened restrictions on both financial transactions and travel to the island. Seeking to increase pressure and strengthen the isolation of the Castro regime, new regulations published within the last 10 days curtail charter flights, forbid the sending of money to family members and restrict travel by relatives. These changes have personal implications for Cuban Americans and their families. But in addition, the new rules make it more difficult for others engaged in information gathering and related activities to travel to Cuba. These changes will have a broader impact on Americans seeking to learn more about Cuba, to bring certain forms of American arts and culture to the island and to inform citizens here about what is going on in that country.

Congress has traditionally viewed these now-curtailed activities favorably and only this spring enacted a sense of Congress resolution urging that they should be exempt from the general embargo. In June, Secretary of State Warren Christopher assured Congress of the administration's understanding that "the free flow of ideas and information is also consistent with the maintenance and enforcement of economic embargoes." Yet the changes made at the end of last month move in the opposite direction.

Specifically, the old regulations granted general travel permission to "persons who are traveling for

the purpose of gathering news, [or] making news or documentary films." The new rules limit this general permission to journalists "regularly employed in that capacity by a news reporting organization." Filmmakers and freelance writers are no longer in this category. Professional researchers were also given blanket exemptions from embargo restrictions. Now they, too, must apply for permission on a case-by-case basis. While specific licenses had been available to permit travel for purposes of public performances, public exhibitions or similar activities, such travel is now prohibited. And while specific licenses were available for people involved in "activities of recognized human rights organizations," permission can now be granted only to those "investigating human rights violations."

This tinkering with the law may seem inconsequential, but it is not. The whole thrust of the changes is to restrict just the kind of First Amendment activities Congress has sought to protect. In practical terms, moving from general exemptions to case-by-case ones requires time, paperwork and delay—particularly now when government officials are swamped with family-related requests for exemptions—and places the applicants entirely at the mercy of government officials who can turn them down with no explanation. The regulations were hurriedly drawn and may now be seen by this government as overly restrictive. They should be changed so that the flow of information about Cuba can continue during the current crisis and beyond.

Continued from 9

omic incentives.

Barry Chiswick, chairman of the economics department at the University of Illinois at Chicago, points out that job opportunities for unskilled workers, native and immigrant, have collapsed since the 1970s. Hence, it is hardly surprising that immigrants facing language, cultural and racial barriers have had more trouble moving up in a society in which native-born are also having more trouble moving up.

Moreover, he emphasizes that only unskilled immigrants qualify as competition for Americans near the bottom of the economic pecking order. Thus, changes in immigration policy that discriminated in favor of the affluent and educated would defuse the problem.

American immigration laws were in fact revised in 1990, raising the number of visas for individuals in skills deemed in short supply and lowering the priority of reuniting families. The latter policy of giving preferences to the relatives of American residents, adopted in the mid-1960s, has been widely blamed for the decline in average skill and earnings levels of immigrants.

Economic Waste

But Mr. Chiswick notes that Washington exercises enormous discretion

in deciding which skills are needed, a process open to both bureaucratic inefficiency and political influence. He would much prefer a Canadian-style system, in which immigrant preferences were largely determined by a formula based on education and assets.

To some economists, the saddest aspect of limits on immigration (current and prospective) is the sheer economic waste of preventing labor from moving to where it is most productive. For in theory, part of the increase in productivity of, say, a Haitian who goes from making 20 cents an hour in Port-au-Prince to \$8 an hour in New York, could be used to compensate the native-born who are made a bit worse off by competition from immigrants.

Immigrants might, for example, be

made ineligible for beefed-up anti-poverty programs like earned income tax credits and food stamps. But that may not be constitutional, and it certainly does not mesh with notions of equality under the law. Even more to the point, Mr. Chiswick argues, it would add to the costs of social problems that worry Americans most about low-end immigration.

What seems almost indisputable in the immigration debate, though, is the unfortunate coincidence of widening income inequality in America and the pressure on the United States to admit unskilled immigrants, legal and illegal. "It would be tough enough to make sensible immigration policy in the best of times," Mr. Ashenfelter concluded. "Today it's almost impossible."

MEMORANDUM

DATE: August 1, 1994
TO: Doris Meissner, Commissioner
FROM: Robert Bach
SUBJECT: Cuban Flow

Now is the time to act moderately and cautiously to prepare for a larger migration either as the Cuban economy continues to deteriorate or a political transition occurs. Elements of an effective strategy to reduce *short-term* dangers of an immigration emergency already exist that are consistent with Administration policy toward reducing tensions with Cuba.

IMMIGRANT EMERGENCY

The increasing flow of illegal rafters, 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.

Yet, a large, uncontrolled flow of Cuban migrants could create another political crisis in the Caribbean and dramatically affect electoral support for the President. Increasing illegal departures by raft or seized vessel cause immediate humanitarian and safety concerns and multiply opportunities for future open conflict. A massive influx could undermine the Administration's asylum and expedited exclusion reforms and fuel anti-immigrant sentiments across the nation.

PROACTIVE, PREVENTIVE STEPS

- o Do not create an emergency through official statements that condemn the Cuban Government on the issue of illegal departures. Quietly reassure them.
- o Support action to reduce illegal departures, including efforts of Cuban Coast Guard to patrol its coast.
- o Monitor interdicted and returned rafters to confirm they are not human rights activists or victims of recent political crackdowns.
- o Prepare and make a clear decision now to prevent a boatlift from the U.S. that would provide vessels for significantly larger numbers of emigrants.
- o Change use of the Cuban Adjustment Act of 1966. The Act serves as an incentive to immigration, especially illegal departures, and as a political lightning rod for

charges of discrimination between Haitian and Cuban migrants.

The Attorney General could 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.

PROPOSAL TO REDIRECT MIGRATION INCENTIVES

A temporary increase in the nonimmigrant visa acceptance rate may help channel pressure away from illegal departures, especially if coupled with sustained Cuban efforts to patrol the coast. The goal would be to increase possibilities for more Cubans to visit families in the United States, gain foreign currency for subsistence in Cuba, *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 dramatically). The critical assumption to monitor, though, is whether a strong connection exists between decisions to attempt illegal departure and the rate of NIV denials. A channeled nonimmigrant flow is consistent with efforts to prevent illegal departures, ensure safety, and facilitate controlled, legal processing.

POLITICAL CONSIDERATIONS

Electoral interest in Florida makes any action on Cuban migration extremely sensitive. Strong sensitivities exist in Congress and among Cuban Americans on issues that directly constrain migration options.

- o Strong belief that no one, including prisoners, be returned to Cuba. This position fundamentally constrains U.S. migration policy, undermines asylum processing, and encourages outmigration.
- o Strong political resistance is likely to any effort to alter the Cuban Adjustment Act.
- o Florida Congressional representatives explicitly defend the special treatment for Cuban migrants.
- o Belief that U.S. is the only legitimate destination for people leaving Cuba.
- o Connections to Florida's lawsuit against the Federal Government to obtain Federal aid for illegal immigration, and Governor Chiles' request for release of resources from the Migration Emergency Fund.
- o Opposition to overt, official cooperation with Castro, and readiness of some U.S. groups to use a migration crisis to promote more aggressive action leading to Castro's demise.

Date: 8/23/94

The Washington Times Page A1

Policy change is slow to stop flood of Cubans

By Paul Bedard
THE WASHINGTON TIMES

More than 2,300 Cubans fled their country yesterday, and the White House predicted the flow would continue for a week — or at least until they realize the door to the United States has been shut.

Administration officials in Florida, in Washington and at the U.S. Navy base at Guantanamo Bay, Cuba, yesterday repeated their warnings that no Cuban who sets sail for America will get there.

The new U.S. policy calls for them to be held at a U.S. military installation or in a "safe haven" country. "Their stay is indefinite at this point," said Doris Meissner, commissioner of the Immigration and Naturalization Service.

The surge of refugees, the highest since the 1980 Mariel boatlift that brought 125,000 Cubans to Florida, worries administration officials, who are stepping up efforts to warn Cubans via Radio and TV Martí that Mr. Clinton has reversed the decades-old policy of admitting Cuban freedom-seekers.

White House Press Secretary Dee Dee Myers compared the situation to the refugee flow from Haiti after the United States announced an embargo. It took a week for word to circulate that Haitians leaving on flimsy sailing crafts would be turned back or taken to a military base — but not the United States.

"When we announced a similar policy with respect to Haitian refugees, it took about a week for the word to really reach Haiti and for it to have an impact on the flow of migrants. We do expect that this will have an impact on the flow of migrants once the word has gotten out that these refugees are in fact being taken to Guantanamo for temporary safe haven and they will not be processed for admittance into the United States," Miss Myers told reporters yesterday.

The White House plans to take a "wait and see" approach to Cuba this week, an official said, in order to gauge the impact of weekend moves announced by Mr. Clinton aimed at undermining Cuban President Fidel Castro.

But the communist dictator appeared unmoved yesterday by Mr. Clinton's plan to curtail funds to Cubans from U.S. relatives, cut flights to Cuba, intensify anti-Castro broadcasts and seek United Nations resolutions condemning Mr. Castro for human rights violations.

The White House is cementing plans to dispatch some refugees to Panama, Suriname and the Turks and Caicos Islands, which have also agreed to house fleeing Haitians.

Yesterday, the Coast Guard picked up 2,338 Cuban refugees from rafts and tiny boats at sea, up from about 1,300 on Sunday.

The Coast Guard said it rescued 7,856 Cubans in August. The total for 1994 is 12,887.

Defense Secretary William Perry, who visited Florida and Guantanamo yesterday, said the military base camp would be ready to house 10,000 Cubans by the end of the week, all stuffed into concrete-block houses and blue-and-yellow tents.

"We can sustain migrant camps there with food and other support ... as long as required," said Adm. Paul Miller, the admiral in charge of the U.S. Atlantic Command, which controls the Caribbean region.

Many of those who arrived at Guantanamo yesterday were angry that the White House has flip-flopped on the 28-year-old policy of granting asylum to Cubans.

On-the-scene reports indicated that the Cubans were in a near riot. Just last week, Haitians held at the military base rioted and injured several military police.

"If I had known, I never would have set out to sea," said Pedro Valdes, a 28-year-old teacher who came from Havana. "This is like playing with our lives."

Rinaldo Valido, a 35-year-old former English teacher, said: "This is not human." He said some people were discussing a possible hunger strike to press their case to be allowed into the United States, where the Cuban-American community is split over the Clinton policy.

Mr. Perry said in Florida: "I want to take this opportunity ... to

urge Cubans not to get on these boats, not to come to sea. It's a very dangerous operation. We are doing our best to save the people who are going out on the makeshift boats, and so far have been successful."

Cubans are also being warned not to seek refuge overland by traveling to Guantanamo, which is surrounded by locked Cuban and U.S. gates.

"The gate is closed, and people will not be admitted. If anybody does find their way onto the base directly from Cuba, they will be treated in the same way as the people who are rescued at sea and brought to the base," said Mort Halperin, special assistant to Mr. Clinton.

Mr. Perry said that 25 ships have been dispatched for the rescue effort, including 19 Coast Guard cutters and six Navy ships. He said another three Navy ships are steaming to the Florida Straits.

Up to 50 vessels have been involved in the effort at varying times, and about 30 planes are patrolling the seas.

While the ships could also be used in a naval blockade, Mr. Perry, Miss Myers and several State Department officials said the president wasn't ready yet to take that path.

"We do not have orders or directions at this time to effect an economic blockade. That's a very different operation. It would require more resources, more ships than we have located here to do that," Mr. Perry said.

Miss Myers said the failure of Mr. Castro to block the flow of refugees shows that the dictator "continues to try to export his domestic political problems."

"He's encouraging people to take to the seas. This is obviously troubling," she said.

"It's something that we've condemned and are trying to tell people not to be part of his cynical ploy but rather, if they want to apply for refugee status, they should do it through the in-country system."

The Immigration and Naturalization Service said yesterday that Cubans who want to come to the United States can apply for legal immigration, but they must do so from Cuba.

The Washington Post

'Gitmo' May Not Be Haitians' Club Fed, but Gets 'A' as Asylum

By William Booth
Washington Post Staff Writer

GUANTANAMO BAY, Cuba, Aug. 31—Although not its intention, the U.S. military is creating a new protectorate here on a dusty corner of southeast Cuba, a sprawling asylum-state for the Caribbean's least wanted refugees that may act as a magnet for yet more migrants.

At 11 camps filled with almost 30,000 Haitians and Cubans, the military—at tremendous cost and disruption—is beginning to provide more than a simple "safe haven."

On an abandoned, seaside airstrip, some 14,000 Haitians live in seven mostly peaceful camps filled with brown and green tents, better constructed and more orderly than the tent cities erected to shelter displaced Floridians after Hurricane Andrew.

The Haitians not only have running water, cots, showers, latrines and three hot meals a day, they also have elected officials, a newspaper in Creole, a radio station, board games, soccer fields, informal schools, choir music and the right to stage demonstrations.

While some Haitian refugees and their U.S. advocates have called the camps "prisons," representatives of the United Nations today said they were "surprisingly humane."

The Haitians, and now the Cubans, also have universal health coverage, as some 400 nurses and doctors at the base hospital, two mobile hospitals and a clinic scurry to treat maladies, from heart disease to dehydration.

"I'm very impressed," said Ralf Gruenert, a team leader with the U.N. High Commissioner for Refugees. "For something put up in a matter of weeks, it is a good camp. I'd have to say it's an excellent camp."

Of course, despite the military's attempts to address "the quality of life issues," as senior officers call them, the refugee camps are still just that. They are hot and dusty and dull. And the inmates are restricted

in their movements, bored by endless meals of rice and beans and most of all frustrated in their attempt to reach the United States.

The military police who patrol inside the camps do not carry sidearms, clubs or batons, but radios. Nor do they wear rubber surgical gloves. And they prefer to call the concertina wire that rings the camps "boundaries."

"The boundaries are low and we know and they know they have the materials to breach them—cots and tent poles," Army Col. Michael Pearson said of the refugees. "But we ask them to respect the boundaries, and for the most part, they do."

However, there have been several melees. On Aug. 13, more than 300 Haitians breached the boundaries and a handful threw rocks at the military police, who had donned riot gear to push them back into the camps. In another incident, 700 Haitians left their camps during the so-called O.J. riot, when Haitians suspected that newly arriving Cuban rafters were being treated better and given orange juice rightfully meant for the Haitians.

In the last week, "the camps have been peaceful," Pearson said. "But the Haitians are frustrated, and their frustration levels continue to rise. We haven't been able to give them answers to the questions they ask."

Pearson said the Haitians want to know when exiled President Jean-Bertrand Aristide will return to Haiti; when the United States will invade; and, failing those two options, when they can go to the United States.

The soldiers, as well as chaplains and aid workers from the nongovernmental organizations and the Justice Department's Community Relations Service, try to explain to the Haitians that they will not get into the United States, but instead may be taken to other "safe havens," perhaps in Panama, Honduras or the Turks and Caicos Islands.

But the Haitians say they do not understand what a safe haven is.

Gruenert of the United Nations says many Haitians do not believe that a safe haven in Honduras will look much the same as one at Guantanamo, and may be worse.

"This condition as it is, this is not a safe haven," said Evans Blanchard, a young ironworker who fled Haiti in the July 4 exodus and who is now a leader of one of the Haitian camps. "We are living on the back of a mule that is sick and that cannot carry any more weight."

Blanchard and many other Haitians complained about conditions in the camp. Coming from a country where soldiers are often violent shakedown thugs to be avoided, they do not like living in a military camp. They miss, too, their freedom.

Carmelite Dorsier sniffed the rice she was eating and said sometimes it smelled funny. When asked where they ate better—Haiti or in the camps—a group of Haitians shouted, "Haiti!" But many poor Haitians back home say they are only eating one simple meal a day.

Though water, sewage and supply lines are already severely taxed, senior military commanders here have been told to prepare for 60,000 refugees and to build cities to last at least two years. "We can do it," said Air Force Lt. Col. William Sudekum.

"We'll just be packed in here like sardines."

The camps are growing so fast that tents will soon cover the naval base's withered golf course, putting refugees within a stone's throw of housing for soldiers and their families. The crowding led to a painful decision here last week to evacuate all 2,500 dependent spouses and children, who began to leave the base today—a reverse stream of refugees.

Some of the wives complained that they were being forced to flee, as Haitians and Cubans were being welcomed. One young woman wore a T-shirt that read: "I am an American refugee from Gitmo," the military slang for Guantanamo. Many of the Haitians interviewed today, though, said that no matter how

DATE: 7-1-74
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much they sniffed at the food and bridled at the loss of movement and contact with their families, they would rather stay in Guantanamo than be forced to return to Haiti.

But Lundi Magister, who once had a little boat, which was burned by the U.S. Coast Guard when he used it to flee, dreams of sailing away.

"I want to ask the big boss," Magister said. "Just give me a little boat. I can find my way on the seas. I can make my way."

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

June 10, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2950

TO: Legislative Liaison Officer -

STATE - Julia C. Norton - (202)647-4463 - 225
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
NSC - William H. Itoh - (202)395-3723 - 249
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325

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

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

SUBJECT: JUSTICE Proposed Testimony RE: HR 3663,
Haitian Refugee Fairness Act

DEADLINE: 11:30 June 13, 1994

COMMENTS: This testimony is for a hearing on June 15th before the House Judiciary Committee regarding the temporary protective status for Haitians. The testimony also addresses issues in HR 3663 and HR 4114. If we do not receive your comments by the above deadline we will assume that you have no comments on the testimony.

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:
Lin Liu
Donsia Strong
Steve Warnath
Clarissa Cerda
Bob Damus
Mary Jo Siclari
Phebe Vickers
Jeff Ashford

Chris Sale - INS
6/15 hearing - TPS Haitians

HR 3663
HR 4114

House Judiciary Subcom.
on International Law, Immig.
And Refugees

Mr. Chairman and Members of the Subcommittee:

I appreciate the timely opportunity to appear before you today to discuss proposals regarding United States policy toward persons leaving Haiti in order to travel irregularly to the United States. This is among the most difficult issues of immigration policy faced by the Department of Justice and the Immigration and Naturalization Service, as well as by other components of the Executive Branch.

The Commitment to Protection of Refugees

Throughout the debates over policy toward Haiti, certain principles have remained clear and continue to determine U.S. policy. Among these is the Administration's commitment to provide those Haitians who are genuine refugees under recognized international standards the full protection of United States law as enacted in the Refugee Act of 1980. Under international standards and the Refugee Act, refugee status and resettlement are available to those who establish persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

The New Policy Toward Haitian Migrants Interdicted at Sea

Much of the impetus for the legislation under discussion today arose from the former United States policy regarding interdiction and direct return of Haitian migrants encountered on the high seas. As you know, Mr. Chairman, President Clinton on May 8 announced a change in this policy. Under the new policy, implemented on June 13, Haitian migrants are not being returned

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to Haiti without the opportunity for a full adjudication to determine if they qualify as refugees under United States law. In addition, the United States has successfully sought the approval of the United Nations for a more restrictive trade embargo against Haiti.

Beginning this week, Haitian migrants encountered by United States Coast Guard and Navy vessels are being brought to a refugee processing center on board the USNS Comfort, lying in Jamaican territorial waters. The operation, under the supervision of the Department of State, will involve the adjudication of refugee claims by over 60 officers of the Immigration and Naturalization Service. All of these officers have received intensive, specialized training in refugee adjudications with a focus on the problems in Haiti. The decisions made by these officers will be reviewed by quality assurance officers who are lawyers in the Office of the General Counsel. Their mission is to ensure that each and every migrant interviewed on board the Comfort receives a decision that fully conforms to United States legal standards.

This operation involves close cooperation and consultation between our Government and the United Nations High Commissioner for Refugees (UNHCR). UNHCR has assigned ten seasoned refugee officers to work as observers and consultants with the INS team. The International Organization for Migration will play a critical role in preparing applicants for their INS interviews.

The Administration has also reached agreement with the Government of the Turks and Caicos Islands and the United Kingdom

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to provide for a land-based refugee processing center on Grand Turk Island. This operation will begin in July, once the site has been prepared. It will be staffed in the same manner as the processing center aboard the Comfort, and will also involve the close cooperation of UNHCR.

We address our task of refugee adjudication under this new policy with a heightened sense of duty and commitment. In the meantime, we remain committed to maintaining and improving our in-country refugee processing program in Haiti.

In February of 1994, the Department of State, in consultation with INS, established a new set of guidelines designed to give genuine refugees access to the program. These new criteria have been in effect for only a short period of time, but the preliminary results indicate that the new criteria are allowing us to reach a larger number of more meritorious claims.

Another recent improvement in the program has been the increased participation of non-governmental organizations and persons familiar with the human rights situation in Haiti. The INS and the Department of State is looking to these organizations for referrals of persons with refugee characteristics. Many of these organizations have considerable, long-term experience with the Haitian political scene. They possess invaluable information about a broad range of issues relevant to refugee adjudications, from general trends in Haitian events to specific details about particular grass roots political movements. The developing relationship between the refugee program and these organizations has already been extremely helpful to the program as it seeks to

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identify and protect genuine refugees.

INS has also enhanced the refugee adjudications process through extending the details of INS interviewers and providing targeted, ongoing training. During most of the program's history, refugee applications have been adjudicated by Immigration Officers detailed to the Haiti program for relatively short periods of time. Currently, however, Immigration Officers are detailed to Haiti for six month periods. The Quality Assurance Officer, who reviews all adjudications, is assigned to the program for a full year. as are the Officer in Charge and Assistant Officer in Charge. The ability to keep officers for longer periods greatly enhances the program's resources. The officers are able to develop greater experience in the adjudication of Haitian refugee claims and expertise in the social, political and cultural contexts of those claims. The continuity will enhance the working relationship between the refugee program and the non-governmental organizations which refer refugee applicants to the program.

Prior to their assignment in Haiti, INS officers receive specialized training to assist them in making refugee determinations. Included in the training are presentations on international and United States law, country conditions, issue identification, case analysis, and decision writing. This training is updated periodically during the course of the officers' details.

I welcome the opportunity to respond to your specific questions regarding both the in-country program and the new

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adjudications process for interdicted Haitian migrants at the conclusion of my prepared remarks. In the remainder of my testimony, I would like to focus on the specific legislative proposals regarding Haiti that are the subject of this hearing. H.R. 3663 and H.R. 4114

H.R. 3663, the Haitian Refugee Fairness Act, and H.R. 4114, the Governors Island Reinforcement Act of 1994, contain similar provisions regarding two important aspects of immigration law. First, both bills seek to end the former policy of interdiction and repatriation of Haitian migrants. They do so by declaring that the obligation of non-refoulement under Article 33 of the United Nations Convention on the Status of Refugees applies to actions of the United States on the high seas. Second, the bills would designate Haiti as a state whose nationals are eligible for temporary protected status in the United States under section 244A of the Immigration and Nationality Act. Third, both bills place certain restrictions on the conduct of United States foreign policy regarding Haiti. I will discuss each of these aspects in turn.

Restrictions on U.S. Interdiction and Repatriation of Migrants

Section 2 of H.R. 3663 and Section 6 of H.R. 4114 would restrict the ability of the United States to interdict on the high seas foreign vessels engaged in the smuggling of undocumented aliens to the United States. While clearly intended to affect the interdiction of Haitian vessels, this provision would impact all U.S. interdiction efforts aimed at alien smuggling. Both bills state the sense of Congress that Article

33 of the 1951 Geneva Convention Relating to the Status of Refugees, as applied under Article I of the 1967 United Nations Protocol Relating to the Status of Refugees, applies to the actions of states wherever they act, whether within or outside their territorial boundaries.

In addition, the bills would prohibit the United States from returning, causing to be returned, or affecting movement in any manner which results in returning, any person who is outside the territorial boundaries of his or her country of nationality or last habitual residence, and in which the person claims persecution, unless the United States first determines, in accordance with the procedural and substantive standards in the 1951 Convention and 1967 Protocol, that the person is not a refugee. The bills would extend the same prohibition to a person who is within the territorial waters of his or her country of nationality or last habitual residence.

Legal Issues

These provisions would overturn the Presidential directives regarding interdiction and return of Haitian refugees that last year were upheld by the Supreme Court in an 8-1 ruling. Sale v. Haitian Centers Council, Inc., 113 S. Ct. 2549 (1993) (HCC). The Court specifically rejected the argument that the United States bears obligations under Article 33 with respect to persons outside of United States territory. 113 S. Ct. at 2562-2567. The Court also held that section 243(h) of the Immigration and Nationality Act, which was amended in 1980 to conform federal

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The Administration has, in the past, afforded some opportunity to those persons interdicted outside of United States territory to establish that they may be genuine refugees. In certain situations, for example, the Government has cooperated with the United Nations High Commissioner for Refugees to screen passengers of interdicted vessels for refugee characteristics before conducting repatriations. In the specific case of Haiti, of course, the Administration has gone even farther, first enhancing the refugee processing program there so that persons who have been interdicted and repatriated can pursue refugee protection, and now providing for a full refugee status determination before the migrants are repatriated.

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The Administration has not, however, regarded such activities as its legal obligation, as would be the case were this legislation to become law. This legislation would unduly infringe on the authority of the President in matters of foreign relations and national security by severely restricting the options available to address alien smuggling and immigration emergencies.

Nor would the extent of the legal obligation imposed on the Administration be entirely clear. The legislation's proposed standard for conducting refugee determinations -- "procedural safeguards consistent with internationally endorsed standards and guidelines" -- is vague and subject to possibly conflicting interpretations. Thus, the legislation would override current Administration policy and hamper interdiction efforts without establishing an enforceable substantive or procedural standard to protect genuine refugees.

Designation of Haiti Under Temporary Protected Status

Section 3 of H.R. 3663 and Section 7 of H.R. 4114 would designate Haiti as a foreign state whose nationals may be granted temporary protected status (TPS) in the United States under 244A(b) of the Act. The designation would take effect on the dates of enactment and remain in effect until the President certifies to Congress that a democratically elected government has been reinstated in Haiti. H.R. 3663 would set a minimum period of 24 months for this designation.

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These sections would alter the current statutory mechanism for TPS designations, in which Congress delegated this authority to the Attorney General. Under 244A(b)(1) of the Act, the "Attorney General, after consultation with appropriate agencies of the Government, may designate any foreign state" as a TPS state. The Department of Justice has consulted frequently with the Department of State concerning conditions in Haiti since the September 30, 1991 coup.

Inconsistency with Established TPS Procedures

The proposed designations in both bills do not appear to conform to the conditions set forth in sections 244(a)(2) and (3) of the Act regarding the duration, periodic review, termination, and extension of TPS designations. Under section 244A(b)(2), the initial period of designation of a foreign state is "the period, specified by the Attorney General, of not less than 6 months and not more than 18 months." Section 244A(b)(3) provides that "[a]t least 60 days before the end of the initial period of designation, . . . the Attorney General, after consultation with appropriate agencies of the Government, shall review the conditions in the foreign state . . . and shall determine whether the conditions for such designation under this subsection continue to be met." The Attorney General must then provide publication of notice of each such determination, including periods of extension of designation or termination of designation. INA § 244A(b)(3)(A), (B).

Section 3(a)(2) of H.R. 3663 would designate Haiti as a TPS state for 24 months or "until such time as the President

certifies to Congress that a democratically elected government is securely in place in Haiti, whichever occurs later." Section 7(c) of H.R. 4114 provides that the designation shall end "on the date on which the President certifies to Congress that the democratically-elected President of Haiti has been reinstated and Haiti's military high command has met its obligations under the Governors Island Agreement." These open-ended designations clearly exceed the 18-month initial designation period permitted under section 244A(b)(2). In addition, H.R. 4114 explicitly, and H.R. 3663 by implication, provide that the provisions of section 244(b)(3) governing periodic review, terminations, and extensions of a TPS designation do not apply to this designation of Haiti. The open-ended nature and the lack of periodic review for this proposed designation are thus inconsistent with the current statutory provisions.

It should be noted that Section 3(b) of H.R. 3663 and Section 7(b) of H.R. 4114 define the persons eligible under TPS narrowly as "an alien who is a national of Haiti." Under section 244A(c)(1)(A) of the Act, however, TPS eligibility is provided not only for nationals of a designated country but for persons who, having no nationality, last habitually resided in that designated state. Also, sections 3(b) of H.R. 3663 and 7(b) of H.R. 4114 omit the requirement of section 244A(c)(1)(A)(ii) that an eligible alien must have "continuously resided in the United States since such date as the Attorney General may designate." In fact, Section 7(b)(1) of H.R. 4114 would, during the entire period of the designation, grant TPS to any national of Haiti who

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is present in the United States, or in the custody or control of the United States, including on any vessel or facility of the United States Government. This would appear to be inconsistent with the proviso in section 244A(c)(5) that the TPS provisions must not "be construed as authorizing an alien to apply for admission to, or to be admitted to, the United States in order to apply for temporary protected status."

Interference with President's Authority over Foreign Policy

Sections 2 and 4(a) of H.R. 4114 also appear to interfere unduly, and perhaps unconstitutionally, with the President's power to conduct foreign policy on behalf of the United States. Section 2(a) attempts to legislate economic sanctions against Haiti, a step that has already been taken by the United Nations, acting on the request of the United States. Section 2(c) would require the President to take punitive action against nations that are found not to be cooperating with economic sanctions. Such a requirement would be an unwarranted intrusion into the President's authority to engage in diplomatic or other efforts to encourage compliance with the existing sanctions. Section 2(d) is improper for similar reasons: by directing the President to give particular instructions regarding the enforcement of sanctions to the United States Ambassador to the United Nations, this section attempts to specify the terms or objectives of diplomatic negotiations with foreign powers. This would breach an exclusive power of the Executive. Finally, section 4(a) would prohibit any "officer or employee of the United States" from attempting, directly or indirectly, to "amend, reinterpret,

or nullify the Governors Island Agreement." This provision would improperly restrict the President and other Executive officers from engaging in diplomatic activities intended to bring about a solution to the Haitian crisis that might be different in some respects from that proposed in the Governors Island Agreement.

Immigration Emergency Fund

Section 4 of H.R. 3663 mandates that the Attorney General reimburse State and local governments from the Immigration Emergency Fund established by Section 404(b) of the INA. We believe that this mandatory language is inconsistent with Section 404(b). Congress established the Immigration Emergency Fund to ensure that the Service and State and local governments are financially able to effectively deal with the unexpected needs arising from an immigration emergency or other urgent circumstances. Section 404(b) allows the President and the Attorney General discretion in determining whether conditions warrant accessing these funds. Section 4 of the Haitian Refugee Fairness Act would undermine that discretion and require expenditure of the funds regardless of the urgency of the circumstances. This would jeopardize the ability of States and local governments to access the fund in the event of an immigration emergency.

Conclusion

The situation in Haiti demands a refugee policy that is both firm in its commitment to protection of genuine refugees and flexible in its ability to reach such persons and protect other vital interests of the United States. The Administration has

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adopted new policies in keeping with these demands. The proposed enactments under consideration today, while echoing the Administration's firm commitment to refugees, risk taking away the flexibility that the President, the Department of State, and the Immigration and Naturalization Service require to meet that commitment. For these reasons, we cannot support these proposals.

We look forward to continued close cooperation with you, Mr. Chairman, and the other Members of this Subcommittee in addressing the issues presented by the plight of Haitian migrants.

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

09-Nov-1994 01:46pm

TO: Stephen C. Warnath

FROM: Carol H. Rasco
 Economic and Domestic Policy

SUBJECT: RE: cuba meeting; asylum regs

I ask Tony's office about the asylum regs every day, ever since you first brought it to my attention. I will also continue to bring it up to Tony in front of Panetta.

Thanks.



OFFICE OF THE VICE PRESIDENT
WASHINGTON

M E M O R A N D U M

DATE: June 5, 1995
TO: The Vice President
FROM: Karin Willis, Staff Correspondent *KW*
RE: U.S. Policy Toward Cuba and Cuban Immigration

Following Attorney General Reno's announcement last month on changes in Cuban immigration policy, a number of Americans (including Cuban Americans) have written to state their views on U.S. policy toward Cuba in general and, particularly, on Cuban immigration. While most of the letters you have received express opposition to, or anger about, the Administration's policies, the reasons for this discontent vary widely.

Some writers express exasperation with immigration in general. As might be expected, most of these people live in areas directly affected by immigration from Cuba and other Latin nations. Others, particularly Cuban Americans, express a sense of betrayal by the Administration for what they view as a reversal in U.S. policy to forcibly return Cuban refugees who attempt to enter the U.S. illegally. Finally, some constituents feel our policy toward Cuba, particularly the trade embargo, is not achieving its intended purpose.

Frustration with Immigration

American antagonism toward immigrants is particularly high in areas with large numbers of immigrants, including several Florida communities. Constituents write to express a variety of frustrations, ranging from language-barrier problems in the service sector to anger that local taxpayers are being forced to cover welfare benefits for incoming Cuban refugees. These writers feel that the federal government will once again leave it up to states and localities to shoulder the financial burdens of immigrants--in this case, thousands of refugees from Cuba.

"They should be forced to enter as any other immigrant and they should have their family members here sign an agreement that they will give them financial help so our government won't be taken away from our older people who need help...They should have to pay their own medical bills--as we all have to."

-- Mrs. Boni of Orlando, Florida

*Steve
Warnath: FYI &
For Your
Eyes Only.
Kumli
6/6/95*

Cuban Issues

page 2

"Today, I read in my newspaper where you and your President are going to allow those 20,000 Cubans at our naval base in Guantanamo Cuba to settle on the Florida taxpayers. Mr. Vice President, many of us U.S. citizens are tired of refugees pushing their language and culture onto us...All those immigration laws you, Congress, and your President have written don't work and are worthless."

-- **Lewis Grier of Cantonment, Florida**

"My great concern is the lack of requirements of the Cuban population arriving on our shores to speak, at least, conversational English...How come all those people sitting around in Guantanamo Bay all these months weren't doing something like learning the English language."

-- **Roy Holmes of St. Petersburg, Florida**

Cuban Americans Feel Betrayed

Cuban American writers express a quite different sentiment than that just mentioned. Since the recent shift in U.S. policy, Cuban Americans have written to complain that the Administration has gone back on its word. Until the recent "secret deal" with Fidel Castro, they claim, the U.S. government would never forcibly repatriate those who ran from dictatorship in order to find freedom and democracy. These people feel betrayed by this Administration's recent policy change.

"The Cuban American community, citizens and exiles alike, wish to express our indignation, sense of betrayal and frustration with President Clinton and his Administration's expatriation policy. The return of 13 Cuban rafters by a U.S. Coast Guard vessel to the port of Cabanas, Cuba, is the latest saga of a long list of broken promises by this administration. It is a day of infamy."

-- **Miguel Morales and Rigoberto Peguero, officers of
United Cuban Organizations, Union City, New Jersey**

"For the second time my people [have] been betrayed by the American Government under Democratic Administration. First, Bay of Pigs, and now your secret agreement with Castro. You have destroyed my confidence in your administration. I'm a Republican who voted for you."

-- **Carlos Sanchez of Miami, Florida**

Cuban Issues

page 3

Opposition to U.S. Embargo Against Cuba

Finally, some Americans recently have written to express skepticism that the U.S. trade embargo against Cuba is actually having the desired effect. These letters may not represent the views of the majority of the American people, but their timing seems to indicate that some Americans tie the recent influx in Cuban immigration to an overall "failed" U.S. policy toward Cuba. According to these constituents, the embargo against Cuba is not strangling the Castro dictatorship, but rather is harming the very Cuban citizens who we are trying to help.

"The subject is our country's inhumane pursuit of the intense embargo against Cuba. The net result is to put millions of innocent Cubans into abject living conditions with perennial shortages of food, soap, medicines and other essentials, to continually imperil the health of their children, and to take away a decent future. This is happening within 90 miles of our shores and Mr. Clinton's administration turns its back and maintains this travesty."

-- Donald Allen of Menlo Park, California

Conclusion

Judging by the mail, you quickly can conclude that no decision regarding Cuban policy will please everyone. People have varying and sometimes contradictory reasons for the sentiments they express.

More aid to communities that must shoulder the burdens of a greater immigrant population, stronger assurances that these new immigrants will learn the English language, and more evidence that our policy toward Cuba is working are some approaches that are likely to increase support for this Administration's Cuba policy.

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

Per Leon's conversation with Governor Chiles on Wednesday, no decision is going to be made regarding the change in policy on allowing Cubans from Guantanamo into Miami until the President returns. As the Governor conveyed to Leon in his conversation, he believes it would be a major mistake for this to occur and would like to speak with the President on Monday when he returns to Washington so that he can have a more thorough discussion of his thoughts on this subject. Of course, his desire to speak with the President is contingent upon whether these options are still under consideration.

Attachment



LAWTON CHILES
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-0001

November 18, 1994

Reta/Keith:

Here are draft estimates of program costs for new entrants. Obviously, without knowing the exact make up of the population coming over we can't make a more valid estimate. Also, this does not include any construction costs for new schools, etc. which will be required. After you have looked these over give me a call and we can discuss.

Thanks,

Tom Herndon

Tom Herndon

Attachment

CUBAN.XLS

DRAFT**STATE COST PROJECTIONS FOR CUBAN ENTRANTS**

Assuming the Clinton policy affects 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) + 62) x 12)	\$5,064	2,667	100.00%	\$13,505,688	\$5,942,503	\$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	\$900,000	
Health Screenings (\$164 x pop x 82.26%)	\$164	8,000	82.26%	\$1,079,251	\$1,079,251	
Immunizations (\$76 x pop)	\$76	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 90%)	\$4,758	3,000	90.00%	\$12,846,600	\$12,846,600	
Employment (\$1,270 x pop)	\$1,270	5,000	100.00%	\$6,350,000	\$6,350,000	
SUB-TOTAL				\$78,798,755	\$43,496,754	\$35,302,001
Criminal Justice (15,534 x pop x 5%)	\$15,534	8,000	5.00%	\$6,213,600	\$6,213,600	
TOTAL				\$85,012,355	\$49,710,354	\$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)
- **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)