

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
--------------------------	---------------	------	-------------

001. memo	Memorandum of Conversation re: Meeting with Presidents Rodriguez of Costa Rica, Calderon Sol of El Salvador, Flores of Honduras and Aleman of Nicaragua and Vice President Flores of Guatemala (7 pages)	00/00/0000	P1/b(1)
-----------	--	------------	---------

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Irene Bueno
OA/Box Number: 17172

FOLDER TITLE:

Central America: DED [Deferred Enforced Departure]

2017-1120-S

ry2226

RESTRICTION CODES

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

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

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

THE WHITE HOUSE
WASHINGTON

April 3, 1998

Dear Representative Diaz-Balart:

Thank you for your letter urging me to grant Deferred Enforced Departure (DED) to Hondurans.

As you know, my Administration sought greater fairness for all those foreign nationals with pending immigration cases who were adversely affected by 1996 changes in rules relating to suspension of deportation. I am pleased that the bill achieved for some people a relaxation of the more restrictive rules, but disappointed that it did not do so for all. I am particularly concerned by Congress' decision to continue to apply to most aliens with pending suspension cases a new and harsher rule relating to their accumulation of time in the United States. As I indicated in my statement when I signed the bill, I will seek to have the Congress restore the old rule for these people.

Although we recognize that these deficiencies in the recent legislation have had adverse effects for many people, including Hondurans, we do not believe there is a basis for granting DED to all of these individuals. Nor do we believe there is a sufficient basis for granting DED to Hondurans by themselves.

DED is reserved for extraordinary circumstances where there is no other legal remedy for a particular group and there is a compelling foreign policy reason for delaying the ordinary application of our immigration laws to that group. While Hondurans were certainly affected by the civil wars in Central America, there was no civil war or widespread violence in Honduras compelling Hondurans to seek the protection of the United States. Moreover, those Hondurans who may have come here because of political or other persecution were entitled to apply for asylum in the United States. We believe that such a remedy ensured the fair treatment of Hondurans who may have been forced to seek protection in the United States.

I appreciate your interest in this important matter.

Sincerely,

Rita Clinton

The Honorable Lincoln Diaz-Balart
House of Representatives
Washington, D.C. 20515

Congress of the United States

Washington, DC 20515

June 22, 1998

In other words, "Thanks for the Memories . . ."

Dear Colleague:

On January 20th various Members of Congress mailed a letter to President Clinton asking him to grant Deferred Enforced Departure (DED) to Hondurans who escaped civil strife in their country and who now live in refuge in the United States. The President declined the request and we now ask that you join us in sending him a second letter asking him to reconsider his position.

For many years during the 1980's Hondurans demonstrated their strong support for democracy and for the United States by allowing their native homeland to be utilized as a war base by the US-backed Nicaraguan Contras during the war against the communist Sandinista regime. Thousands of Hondurans were forced to leave their native land and seek refuge in the United States due to civil war and bloodshed that had spilled into their homeland. Today, these law abiding Honduran refugees have worked hard, paid their taxes and have raised their US born children who will be severely traumatized by their parents' deportation.

As a recent article in The Miami Herald points out, President Clinton announced last May, "We ought to be sensitive to the disruptions that were caused (to Hondurans) during those tough years." Furthermore, President Clinton sent a letter to former Honduran President Carlos Roberto Reina stating that he would intervene in the matter of the massive deportations of Hondurans from the United States.

Yet, on April 3rd President Clinton responded to our request of granting DED to Hondurans by writing, "there was no civil war or widespread violence in Honduras compelling Hondurans to seek the protection of the United States."

In other words, "Thanks for the memories!"

We ask that you join us in cosigning a second letter to President Clinton asking him to keep his promises by justly granting Hondurans Deferred Enforced Departure until some sort of immigration legislative relief is sought. To sign on please contact Jessie Torres in the office of Congresswoman Ileana Ros-Lehtinen at 5-3931.

Sincerely,

Ileana Ros-Lehtinen

Frank Diaz-Balart

Blanca Pichardo

Robert Menendez

UNION OF BORN MILITARY

700 SOUTH CALIFORNIA

AND THE WORKFORCE

CHAIRMAN
SUBCOMMITTEE ON POSTSECONDARY EDUCATION,
TRAINING, AND WORKING LEARNING

COMMITTEE ON NATIONAL SECURITY

SUBCOMMITTEE ON MILITARY PROCEEDINGS

SUBCOMMITTEE ON MILITARY READINESS



Congress of the United States
House of Representatives
Washington, DC 20515-0535

June 5, 1998

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20503

Dear Mr. President:

I am writing to ask your consideration to grant Deferred Enforced Departure status to Honduran nationals who have sought refuge and freedom in the United States. On December 23, 1997, you made a similar grant to Haitian nationals. A few months ago you wrote a letter to Carlos Roberto Reina, President of Honduras, promising your intervention in the large-scale deportation of Hondurans from the United States.

The Honduran people are strongly supportive of democracy and the United States. They let the Nicaraguan Contras use their land during the war against the Sandinista regime. When the Nicaraguan war for freedom spilled over to Honduras, many Hondurans sought refuge in the United States.

Now, after many years in exile, Honduran people living in the United States, and particularly in the Los Angeles area, have gotten married, established their families and have children born in this country. They are hard workers and pay their taxes. This very productive community have made the United States their home, and strongly support the principles that have made America great: life, liberty and the pursuit of happiness.

There are currently proposals before Congress addressing this issue. At this point, however, we need emergency help via a presidential order halting deportations of Honduran nationals until this issue is settled.

Sincerely,

Howard P. "Buck" McKern
HOWARD P. "BUCK" MCKERN
Member of Congress

HEM/CE

WASHINGTON OFFICE
337 CANTON HOB
WASHINGTON, DC 20515
WASHINGTON, DC 20515
1201 274-1201

CENTRAL
1000 W. VALLEJO BLVD. SUITE
WEST GATE
SANTA CLARITA, CA 91351

SANTA CLARITA VALLEY OFFICE
2302 W. VALLEJO BLVD. SUITE
SANTA CLARITA, CA 91351
1805 254-2111

ANTELOPE VALLEY OFFICE
100 WEST AVENUE, SUITE
PALMDALE, CA 91351
1805 274-2028

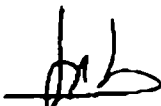
SAN FERNANDO VALLEY
18151 903-1032

Honduras currently cannot accept all the individuals the INS seeks to deport. If the INS is successful, this will cause social, political and economic turmoil in Central America. This is not acceptable nor is it in the best interest of the United States. If current INS policy is enforced and hundreds of thousands of individuals are sent to Central America, the result will most likely be war.

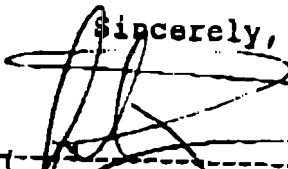
This situation is dramatically harming U.S. citizen children. [See Jose Lagos v. President William J. Clinton, Case No. 98-0220, U.S. District Court Southern District of Florida.]

I am respectfully requesting an opportunity to meet with you so that we can present more information and seek a fair solution to this unjust situation.

Sincerely,



Jose Lagos
Honduran Unity, Miami, Fl.
President



Julio Gagnon
Honduran Unity D.C.
President



Javier Hernandez
Honduran Unity, N.Y.
President

Congress of the United States
Washington, DC 20515

January 20, 1998

The Honorable William Jefferson Clinton
The White House
1600 Pennsylvania Avenue
Washington DC 20500

Dear Mr. President:

On December 23rd, you graciously granted Deferred Enforced Departure to qualified Haitians who sought refuge in the United States. We thank you for your action and respectfully urge you to grant the same Deferred Enforced Departure to those Honduran nationals who similarly sought safety and freedom in the United States.

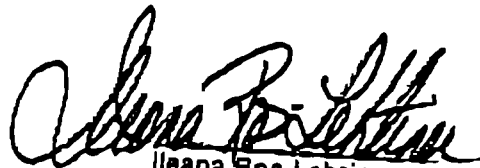
You recently wrote to The Honorable Carlos Roberto Reina, the current President of Honduras, stating that you would intervene in the matter of the massive deportations of Hondurans from the United States and work for all Central Americans to receive fair treatment from Immigration authorities. We congratulate you for this stand because the US and Honduras enjoy a special relationship.

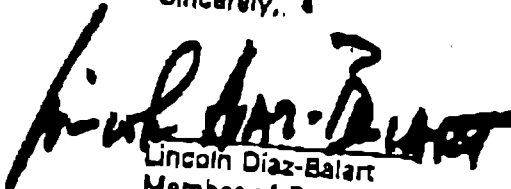
Honduras served as a land of refuge itself, generously receiving 5,000 Haitians during the refugee crisis at the Guantanamo Naval Base in Cuba. In addition, Honduran nationals demonstrated their strong support for democracy and for the United States by allowing their native homeland to be utilized by the Nicaraguan Contras during the war against the communist Sandinista regime. As the freedom war in Nicaragua expanded, bloodshed continued to spill into areas of Honduras, causing Hondurans to seek safety and refuge elsewhere. Today, after so many years, Honduran exiles who came to the United States have married, raised families, worked and paid taxes. This productive community has made the United States home and Honduran-Americans have committed themselves to the principles upon which our country was founded: life, liberty and the pursuit of happiness.

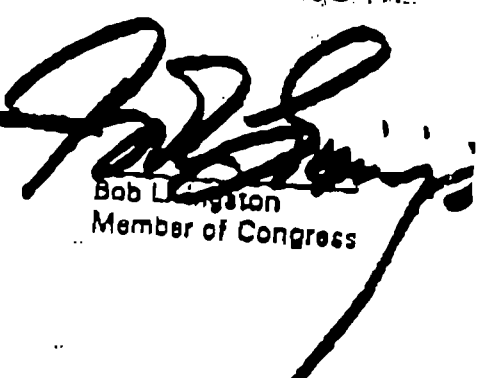
Many of our colleagues will join us in working for justice for members of the Honduran community. In the meantime, we urge you to grant Deferred Enforced Departure until Immigration legislative relief is approved for the Honduran community. We further request that you order the Attorney General to suspend all deportation proceedings in Immigration court, in the Executive Office for Immigration Review (EOIR) and in EOIR's Board of Immigration Appeals.

Thank you for your consideration.

Sincerely,


Ilana Ros-Lehtinen
Member of Congress


Lincoln Diaz-Balart
Member of Congress


Bob Livingston
Member of Congress

5731

Congress of the United States**Washington, DC 20515**

AUG 10 PM 5:02

August 6, 1998

The Honorable William Jefferson Clinton
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

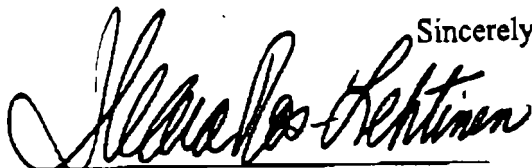
We write you, once again, to respectfully request that you reconsider granting Deferred Enforced Departure, (DED) to the thousands of Honduran nationals who have sought safety and freedom in the United States.

Having allowed the US-backed Contras to utilize their native homeland as a base to defeat the communist Sandinista government in Nicaragua, many Hondurans felt the political turmoil caused by the brutal dictatorship in Nicaragua. As a result, many citizens of this loyal US ally nation were forced to flee their homeland.

Most of the Honduran community residing in refuge in the United States are hard working individuals who pay taxes, obey the law, and responsibly raise their families. They have embodied the principles upon which our country was founded; life, liberty and the pursuit of happiness. Many Hondurans have intermarried with persons of other cultures and have given life to American-born children who are being deeply traumatized by their parents' daily deportations.

You have previously granted DED to Haitians who similarly sought refuge and safety in the US and we urge that until immigration relief is found for the Honduran refugee community, you likewise grant them DED status. Once again, we additionally request that you reconsider ordering the Attorney General to suspend all deportation proceedings in the immigration courts of the Executive Office for Immigration Review (EOIR) and in EOIR's Board of Immigration Appeals.

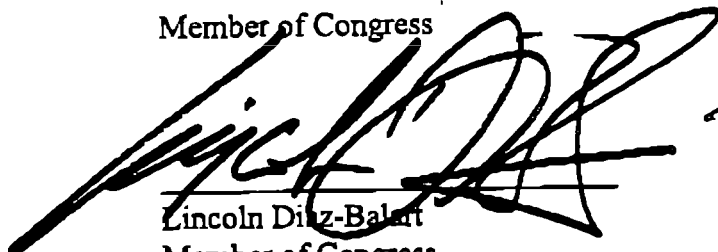
Sincerely,



Ileana Ros-Lehtinen
Member of Congress



Bob Livingston
Member of Congress



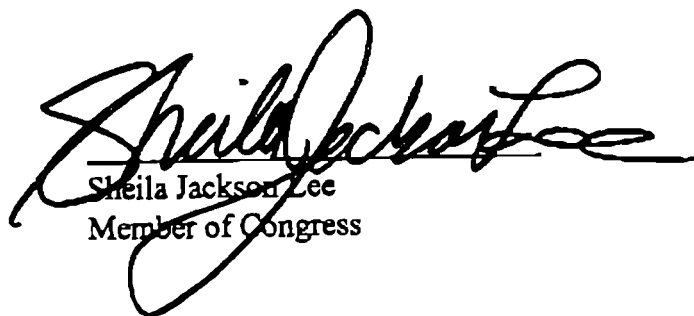
Lincoln Diaz-Balart
Member of Congress



Robert Menendez
Member of Congress



Dennis Kucinich
Member of Congress



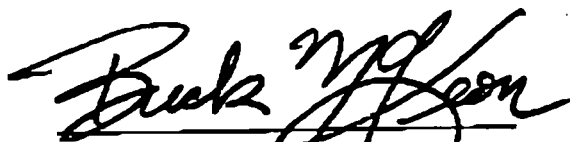
Sheila Jackson Lee
Member of Congress



Phil English
Member of Congress



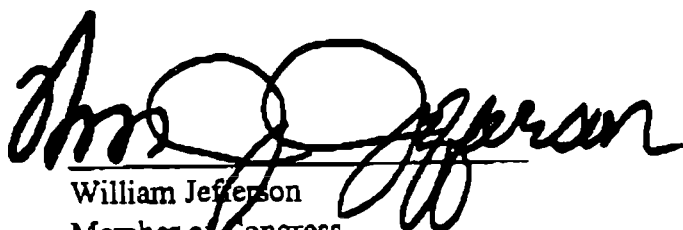
Lucille Roybal-Allard
Member of Congress



Howard "Buck" McKeen
Member of Congress



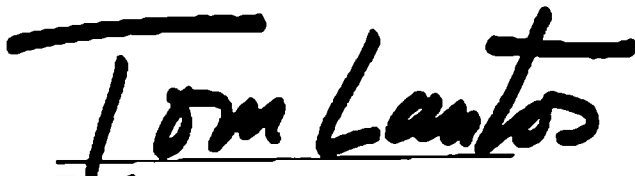
Edolphus Towns
Member of Congress



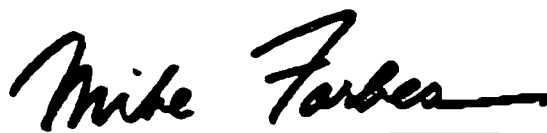
William Jefferson
Member of Congress



Peter Deutsch
Member of Congress



Tom Lantos
Member of Congress



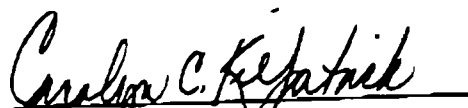
Michael Forbes
Member of Congress



Peter King
Member of Congress



Bennie G. Thompson
Member of Congress


Carolyn C. Kilpatrick

Member of Congress

NATIONAL SECURITY COUNCIL

OFFICE OF MULTILATERAL
AND HUMANITARIAN AFFAIRS

FAX COVER SHEET

NATIONAL
SECURITY
COUNCIL17th & Penn, N.W.
Washington, D.C.
20504Did you get a complete,
clear transmission? If not,
please call:

(202) 456-9141

From: SCOTT BUSBY

To: JOHN MORTON 514-9077
KELLY RYAN 514-0455Agency: TERRY RUSCH / 663-1061
Fax Number: WHITNEY REITZ

Date/Time: JULIE FERNANDES DPC 65581

No. of pages to follow: 3

Message:

FMI. I'LL BE RUNNING OUR
RESPONSE BY YOU BEFORE IT
GOES.

~~_____~~
THE WHITE HOUSE

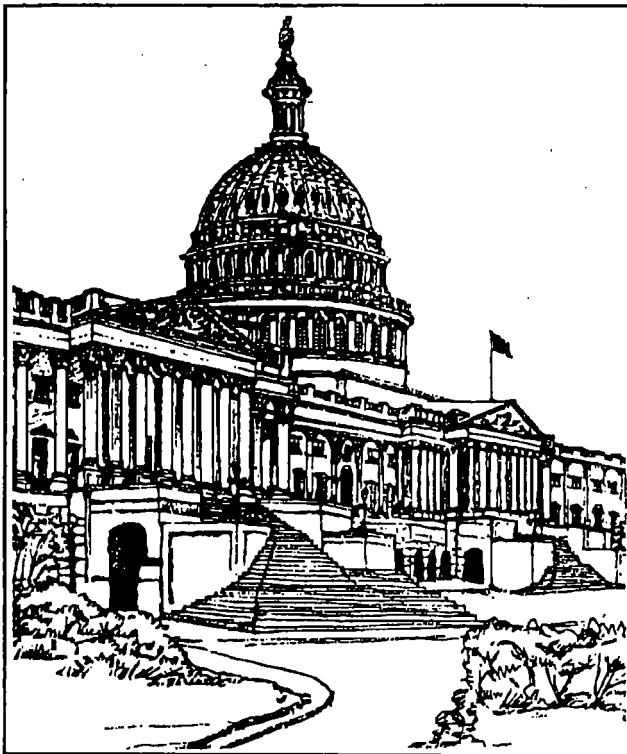
October 30, 1998

Maria Echaveste
Scott Busby
Julie Fernandez✓

Attached is a letter from Rep. Gutierrez to the President discussing DED to Honduran nationals. I wanted to ensure that you had a copy of the letter.

Thanks -

Janet Murguia



Congressman Luis V. Gutiérrez
2438 Rayburn HOB
Washington, D.C. 20515
Tel. (202) 225-8203
Fax. (202) 225-7810

Fax Transmission Cover Sheet

DATE: October 29, 1998

TO: Janet Murguia, The White House
FROM: Jennice Fuentes, Legislative Director
FAX#: (202) 456-6220

NUMBER OF PAGES (INCLUDING COVER SHEET): 2

If you have any problems with this transmission, please call (202) 225-8203. Thank you.

NOTE:

Congressman Gutiérrez asked me to send you a copy of this letter. Please channel it to the right people.

Saludos,

JF

*.. Still no Handwritten letter, by fax
or mail*

Congress of the United States
House of Representatives
Washington, DC 20515-1304

COMMITTEES:
BANKING AND FINANCIAL SERVICES
SUBCOMMITTEES:
HOUSING AND COMMUNITY OPPORTUNITY
CAPITAL MARKETS, SECURITIES AND
GOVERNMENT SPONSORED ENTERPRISES
VETERANS' AFFAIRS
SUBCOMMITTEE:
HEALTH
RANKING DEMOCRAT

October 26, 1998

The Honorable Bill Clinton
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear President Clinton:

During a recent Congressional Hispanic Caucus visit to the White House, I was pleased to hear of your continued commitment to fairness and justice for Central American immigrants and your dedication to the principle that equitable relief should be provided to individuals who entered the United States under virtually identical circumstances.

As you requested during that meeting, I was pleased to provide you soon thereafter with a detailed explanation of the circumstances that led hundreds of thousands of people to flee Honduras. This material supported the argument that Hondurans, who—like Nicaraguans, Salvadorans and Guatemalans—were subjected to severe persecutions and threats of civil war and political violence, deserve continued protection in the United States.

As you know, other refugees from Central America were granted relief in recognition of the violent circumstances which existed in the region during the 1980's and early 1990's and the volatility which exists to the present. Such benefits were also expanded to include certain Caribbean refugees.

Unfortunately, no action was taken to provide any form of relief to Honduran immigrants in this country despite the fact that more than one hundred House members signed onto legislation calling for such protection. They now face mass deportations and many thousands have already been expelled. I am writing to request that you grant discretionary relief from deportation in the form of deferred enforced departure (DED) to Honduran nationals who entered this country on or before December 1, 1995.

The denial of any type of relief for Honduran immigrants runs counter to the principles of implementing our immigration and refugee policies in an equitable fashion. While Honduran nationals have faced hardships similar in nature to those experienced by other protected groups—in the form of political persecution, government destabilization, threats of violence and severe disruption of daily life—they are denied relief while current law offers permanent resident status to other Central American immigrants.

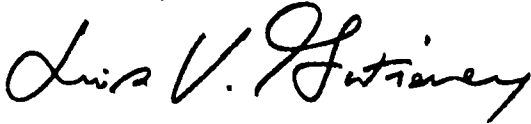
While DED does not provide a permanent resolution to the plight of Honduran immigrants in this country, it would give Congress and your administration the opportunity to fully deliberate this issue in the months ahead without endangering the individuals who would be at risk of deportation in the meantime.

Page 2
Letter to President Clinton

Mr. President, I believe that your granting of deferred enforcement departure to Hondurans would be entirely consistent with your commitment to fairness and equity for immigrants and refugees.

I welcome any opportunity to discuss this issue further with you or your designated staff.

Sincerely,

A handwritten signature in black ink, reading "Luis V. Gutierrez". The signature is fluid and cursive, with the first name "Luis" and last name "Gutierrez" clearly legible.

Luis V. Gutierrez,
Member of Congress

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Memorandum of Conversation re: Meeting with Presidents Rodriguez of Costa Rica, Calderon Sol of El Salvador, Flores of Honduras and Aleman of Nicaragua and Vice President Flores of Guatemala (7 pages)	00/00/0000	P1/b(1)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Irene Bueno
OA/Box Number: 17172

FOLDER TITLE:

Central America: DED [Deferred Enforced Departure]

2017-1120-S
ry2226

RESTRICTION CODES

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

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

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

Moe Vela

Julie -

Per our discussion
and for your review!

Pls. advise (69002)
how to proceed

Thy
D
69002

UNIDAD HONDURENA / HONDURAN UNITY
A National Organization of Honduran-Americans
Los Angeles
5727 South Normandy Ave.
Los Angeles, California 90044
(213) 752-2345

Washington, DC	Miami, FL	New York
2420 Wilson Blvd.	6850 Coral Way# 506	445 Bleeker St#1R
Arlington, VA 22201	Miami, FL 33155	Brooklyn, NY. 11237
(703)- 525-4343	(305)-667-0884	(718)- 628-8409
Fax(703)-525-8684	Fax(305)-667-3819	Fax(718)-323-2512
Affiliates: New Jersey, Atlanta, Austin, Dallas, Houston, Chicago, New Orleans, Salt Lake City.		

December 7, 1998

Re: Deferred Enforced Departure for Honduras and Legal Residency
TEMPORARY PROTECTED STATUS

Dear Vice President Albert Gore:

First, we wish to express our gratitude for the aid delivered last month by Mrs. Gore along with a congressional delegation in Central America particularly Honduras. The assessment by the delegation headed by Mr. Gore is crucial not only for the damages caused by Hurricane Mitch but to continue prompt relief.

As you may be aware by now Hondurans were left out of the Nicaraguan Adjustment and Central American Relief Act (NACARA). By not making prompt efforts to amend this situation and approve to provide similar humanitarian relief would constitute a betrayal to the longstanding loyalty of a country and its people who assisted the United States when requested. The U.S. government has been deporting Hondurans more than any other country except Mexicans. Thus we have been urging this administration to stop this grave injustice by urging President Clinton to consider granting Hondurans Deferred Enforced Departure [DED] while we work together to pass legislation to end this tragedy.

No bills are currently pending to give hardworking, taxpaying and law abiding Honduran families currently living in the United States permanent resident status. The administration should consider having this kind of legislation introduced in a bipartisan manner.

Honduras and other Central American countries currently cannot accept all the individuals the INS seeks to deport. If the INS is successful, this will cause social, political and economic turmoil in Central America. This is not acceptable nor is it in the best interest of the United States. This is especially true since hurricane Mitch has destroyed Central America.

This situation is dramatically harming U.S. citizen children. [See Jose Lagos v. President William J. Clinton, Case No. 98-0220, U.S. District Court Southern District of Florida.] The Honduran Community feels that you have a moral obligation to urge our president to consider granting promptly DED and/or Temporary Protected Status [TPS] to Hondurans and other Central Americans until appropriate legislation is passed. Several members of Congress and Senate have written to President Clinton requesting it's approval.

The Honduran community is kindly requesting the above relief be considered and issued due to the urgency of the matter for Hondurans and other Central Americans affected by Hurricane Mitch:

1. All those who were in the United States from the affected countries prior to November 2, 1998 should be granted TPS and/or DED.
2. TPS should be granted for 18 months as the foreign states in question are unable to handle the return of its nationals and these foreign states have already affirmatively requested TPS designation.
3. This 18 month period can be extended if the extraordinary conditions still exist in the affected Central American countries.
4. No Orders to Show Cause or Notices to Appear shall be issued to those from the affected Central American Countries.
5. All Orders to Show Cause or Notices to Appear that have been issued since November 2, 1998 to those from the affected Central American Countries shall be withdrawn by INS and shall be null and void have of no effect.
6. No person from the affected Central American Countries shall be removed or deported from the United States. Any one from such a country shall be permitted to leave the United States voluntarily.
7. All persons from the affected Central American countries shall be issued employment authorization cards by December 31, 1998.
8. No person from the affected countries shall be detained on the basis of his or her immigration status.
9. All those from the affected Central American countries may travel abroad with permission of INS but will not be placed in exclusion proceedings upon their return to the United States.

10. All those from the affected Central American countries may adjust or change their status in the United States regardless of whether they entered the United States illegally or via advance parole.

11. The DED and/or TPS regulations will state that the INS's position in respect to suspension of deportation and cancellation of removal is that those from the effected countries are deemed to have extreme unusual and unique hardship if forced to return to their countries of origin.

12. Any time in the United States accumulated under DED and/or TPS does not cause a break in time period for cancellation of removal. Time period counts toward removal regardless of whether the Attorney General determines that extreme hardship exists.

13. Evidence of nationality can be established by affidavit.

14. Convictions of misdemeanors is not a bar to TPS and/or DED.

15. Any ineligibility for TPS and/or DED regarding a felony conviction the INS will hold the 1985 INA shall apply.

16. No fee shall be charged for the first application I-821, I-765, or fingerprints.

17. No proof of residency shall be required.

18. No requirement will exist requiring an applicant to re-register.

19. A termination of TPS of DED must be published in the Federal Register and give 60 days notice of termination.

20. If the DED and/or TPS program is terminated person's designation and employment authorization remain valid until expiration.

21. Applicants are not required to appear in person.

22. Applicants have the right to counsel.

23. Judicial review shall exist for any determination with respect to DED and/or TPS.

24. All information regarding TPS and/or DED shall be confidential.

25. Various forms of exchange control or requirements to report money transfers and money order purchases shall be lifted for those from the affected Central American Countries.

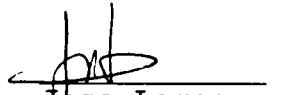
Also, we kindly request your assistance to obtain a humanitarian visa to enable Mrs. Olivia Cordero Bautista native of Honduras visit her brother Mr. Candido Enamorado whom was struck by a car over 3 months ago and remains in coma at Jackson Memorial Hospital in Miami, Fl. According to his physician Dr. Phillip Villanueva her presence is crucial to assist with the patients recovery and coma stimulation process. Mr. Enamorado is father to 4 children in Honduras whose Christmas wish is to see him. As the Holiday Season approaches helping and making a difference in a family like the Enamorado's whom are going thru so much pain keeps the spirit of Christmas alive.

Please assist us in seeking a fair solution to this situation.

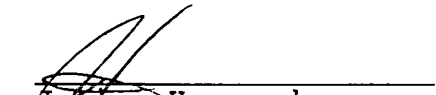
Sincerely,


Julio Gagnon
Washington, D.C.
Honduran Unity

Macario Irias
Los Angeles, CA
Honduran Unity


Jose Lagos
Miami, Fl
Honduran Unity

Sergio Mejia
Austin/Dallas, TX
Honduran Unity


Javier Hernandez
New York, New York
Honduran Unity

Jose Funez
Boca Raton, Fl
Honduran Unity

NATIONAL SECURITY COUNCIL

OFFICE OF MULTILATERAL AND HUMANITARIAN AFFAIRS

FAX COVER SHEET

**NATIONAL
SECURITY
COUNCIL**17th & Penn, N.W.
Washington, D.C.
20504Did you get a complete,
clear transmission? If not,
please call:

(202) 456- 9141

From: Scott Busby 456-9141 (phone) /456-9140 (fax)

To: James Carthello / John ^{FAX} 514-9077
Mather

Date/Time: Julie Fernandez 655x1

No. of pages to follow: Debra Heria 647-2597

RE:

DE D rationale. Please
share w/ ORC.

DRAFT

Foreign Policy Rationale for Granting DED to Salvadorans and
Guatemalans covered by NACARA

Given the serious physical and economic consequences that Hurricane Mitch had for both Guatemala and El Salvador, it is important that the United States facilitate rehabilitation and reconstruction efforts in these societies to the extent we reasonably can. We are doing so by providing substantial forms of direct assistance, financial and other, to the region.

One way of further contributing to the rehabilitation effort is by deferring the return and ensuring the ongoing provision of employment authorization to the approximately 300,000 Salvadorans and Guatemalans covered by the Nicaraguan Adjustment and Central American Relief Act (NACARA). This will ensure that these individuals can continue to provide the substantial remittances they currently provide to their home countries at a critical time in the reconstruction effort. (Although we do not have statistics on the size of the remittances provided by these particular groups of Salvadorans and Guatemalans, the overall estimate for remittances provided by Salvadorans in 1997 is \$1.2 billion -- 10.5% of the GDP and 20% of foreign exchange of El Salvador -- and \$500 million for Guatemalans -- approximately 3.34% of its GDP and 20% of its foreign exchange.) In addition, it will temporarily alleviate the burden of assimilating these individuals if they were returned.

Furthermore, the disparate treatment received by Salvadorans and Guatemalans under NACARA as compared to Nicaraguans has negatively affected our relations with El Salvador and Guatemala. In the spring of 1997, during his trip to Central America, the President stated to the Presidents of Central America his intention to address the circumstances of their nationals who had fled the region due to civil war. The Administration put forward a legislative proposal that would have offered similar treatment to nationals of these countries. However, the legislation ultimately passed by the Congress afforded greater benefits to Nicaraguans than to Salvadorans and Guatemalans. Both Guatemala and El Salvador have criticized their second-class treatment under this legislation, particularly in light of the President's commitment to treat them equally. It is important to our foreign policy to demonstrate that we treat similarly situated individuals in the United States similarly. Granting DED to Salvadorans and Guatemalans in the United States, while not identical to the relief enjoyed by Nicaraguans under NACARA, will help to diminish the effects of such unequal treatment.

Foreign Policy Rationale for Granting DED to Salvadorans and Guatemalans covered by NACARA

Given the serious physical and economic consequences that Hurricane Mitch had for both Guatemala and El Salvador, it is important that the United States facilitate rehabilitation and reconstruction efforts in these societies to the extent we reasonably can. We are doing so by providing substantial forms of direct assistance, financial and other, to the region.

One way of further contributing to the rehabilitation effort is by deferring the return and ensuring the ongoing provision of employment authorization to the approximately 300,000 Salvadorans and Guatemalans covered by the Nicaraguan Adjustment and Central American Relief Act (NACARA). This will ensure that these individuals can continue to provide the substantial remittances they currently provide to their home countries at a critical time in the reconstruction effort. (Although we do not have statistics on the size of the remittances provided by these particular groups of Salvadorans and Guatemalans, the overall estimate for remittances provided by Salvadorans in 1997 is \$1.2 billion -- 10.5% of the GDP and 20% of foreign exchange of El Salvador -- and \$500 million for Guatemalans -- approximately 3.34% of its GDP and 20% of its foreign exchange.) In addition, it will temporarily alleviate the burden of assimilating these individuals if they were returned.

Furthermore, the disparate treatment received by Salvadorans and Guatemalans under NACARA as compared to Nicaraguans has negatively affected our relations with El Salvador and Guatemala. In the spring of 1997, during his trip to Central America, the President stated to the Presidents of Central America his intention to address the circumstances of their nationals who had fled the region due to civil war. The Administration put forward a legislative proposal that would have offered similar treatment to nationals of these countries. However, the legislation ultimately passed by the Congress afforded greater benefits to Nicaraguans than to Salvadorans and Guatemalans. Both Guatemala and El Salvador have criticized their second-class treatment under this legislation, particularly in light of the President's commitment to treat them equally. It is important to our foreign policy to demonstrate that we treat similarly situated individuals in the United States similarly. Granting DED to Salvadorans and Guatemalans in the United States, while not identical to the relief enjoyed by Nicaraguans under NACARA, will help to diminish the effects of such unequal treatment.

1. DoJ Memo on Extreme Hardship Presumption

2. TPS package (TPS+DED+parity commitment)

A. TPS

-- What will cut-off date be?

B. DED

-- Will ensure that NACARA-covered persons will work and not be subject to deportation while we seek parity

-- Scope of class covered

-- is rationale legally sufficient?

C. Other Announcements

-- commitment to seeking parity, either administratively or legislatively

3. Timing of Annoucement

4. Q & As

① DOJ to explore alternative to DED ② DED w/OLC

DED may not get us more

stay removal of those denied NACARA benefits
for a period of time
tied to legislation

a couple of hundred people.

→ Senate O.K. for an announcement of leg. party
Jan 19th is first day to introduce bills.

Members want the reg.
(Hatch (+) Hispanic Caucus).

→ How soon could we complete consultation w/members

→ Hook leg. party to something larger

Regs not until April

→ Signal on the regulation after end of comment period.

Jan. 25th — end of comment period.

stays →

freer to
give opinions
on legal Qs.

(3) DOT - how specific leg proposal to tie to one-year stay

(1) Chuck ^{w/ Dan} to 6-9111 (COB Monday) coordinate gathering info from task force (including FP concern)

(B) Standard to do virtue plan

(2) DOT - what facts relevant to AG exten 7 star

(C)

(1) TPS + commitment to panth ABC through leg.

(4) Paul: Don's availability

(+) Stay for them (for one year)

(2) TPS + extension 4 blanket stay for Sal/Guat

An extra month?

2

(~~troops~~ troops in Sal/Guat until February)

(+) phased/measured return Starting w/ criminals.

NSC thinks a case can be made that return is not OK on Jan 7th but maybe OK in March 7th

TPS + quasi-blanket stay (returning criminals)

during time, we are looking @ leg/admin options

based on foreign policy concerns

(mixture of the two)

(+) not many departed