

1 PRESS CONFERENCE ON CUBAN MIGRATION

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3

Washington, D.C.

4

Friday, September 9, 1994

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Statement of THE HONORABLE JANET RENO,

6

Attorney General of the United States, taken at

7

the Department of Justice, Public Affairs

8

Department, 10th and Constitution Avenue, N.W.,

9

Washington, D.C., at 4:16 p.m. on Friday,

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September 9, 1994, and the proceedings being

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taken down by Stenotype by JO ANN CIARAMELLO and

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transcribed under her direction.

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C O N T E N T S

1		
2	ADDRESS	PAGE
3	By Attorney General Reno	3
4	By Mr. Tarnoff	5
5	Question and Answer Period	8
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

P R O C E E D I N G S

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2 ATTORNEY GENERAL RENO: Today we have
3 reached agreement with the Government of Cuba on
4 a series of migration measures. These measures
5 will help to deter people from undertaking
6 dangerous journeys on unsafe boats and help to
7 ensure that the migration between our two
8 countries is safe, legal, and orderly.

9 The procedures we are establishing as a
10 result of this agreement will help to deter
11 irregular immigration and promote lawful entry
12 into the United States. The terms of the
13 agreement call for the United States to do three
14 things with regard to migration of Cubans to the
15 United States.

16 First, we will continue to issue visas
17 to immediate relatives of United States
18 citizens. This includes spouses, parents and
19 minor children.

20 Secondly, an additional 20,000 Cubans
21 will be admitted annually to the United States.
22 This will be achieved through a variety of
23 measures including normal immigrant visa and
24 refugee processing and making up the difference
25 through the use of the parole authority of the

1 attorney general.

2 While the final procedures for the
3 special parole programs are not yet established,
4 our goal is to use parole authority to keep
5 family units together and to address compelling
6 humanitarian concerns. The aim is to identify
7 Cubans who have strong reasons for seeking exit
8 from Cuba and entry to the United States and have
9 U. S. sponsors.

10 Finally, for the first year of this
11 agreement, the U. S. will authorize the legal
12 migration of those Cubans currently on the
13 immigrant visa waiting list. Although there are
14 currently approximately 19,000 names on the Cuba
15 visa waiting list, we project that 4 to 6,000
16 people are actually waiting for their visa.

17 Over the next several days we will be
18 developing procedures for applying for legal
19 immigration into the United States under this
20 agreement. Let me please urge Cubans and their
21 relatives here in the United States to wait for
22 announcements we anticipate making in the latter
23 part of the week.

24 Until the program is in place, I'm
25 asking please do not call or visit the United

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1 States Interests Section in Havana or INS offices
2 in the United States so we can devote our efforts
3 to developing a procedure that is orderly and
4 understood.

5 We will be working with the State of
6 Florida, local officials, and the citizens in
7 this community to continue to address concerns.

8 Now I'd like to turn it over to
9 Mr. Tarnoff from the State Department.

10 MR. TARNOFF: Thank you, Madam Attorney
11 General.

12 Attorney General Reno has described for
13 you the details of the agreement concluded today
14 between the U.S. and Cuba which provides for
15 there to be safe, orderly and legal migration
16 from Cuba to the United States. I would like to
17 briefly address other aspects of the current
18 situation

19 First, to answer the question why the
20 recent immigration crisis occurred. This crisis
21 happened primarily because the people of Cuba are
22 losing hope that their lives are likely to
23 improve any time soon. It also occurred when,
24 early in August, the Cuban Government made clear
25 it would not oppose departure of Cubans to the

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1 United States, even in unsafe vessels, and then
2 the rush for the beaches in the boats followed.

3 Why was this recent migration crisis
4 resolved? This outcome was clearly a result of
5 quick and decisive action by President Clinton.
6 He made following decisions in the hours and days
7 following the outbreak of the crisis.

8 He decided first that there would be no
9 repetition of the Mariel boatlift, which had
10 brought 130,000 Cubans illegally to the United
11 States in 1980. He also decided that all Cubans
12 who entered this country illegally would no
13 longer be paroled into the United States. He
14 decided that Cubans intercepted without visas
15 would be settled in Guantanamo and other safe
16 havens. He also decided that the U.S. would make
17 a fair and reasonable immigration offer to Cubans
18 interested in legal migration to the United
19 States, as described a moment ago by the Attorney
20 General. He also decided that there would be
21 sharp cutbacks on remittances from the United
22 States to Cuba that primarily benefited the Cuban
23 Government.

24 It was the impact of all of these
25 Presidential decisions that brought us to the

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1 point of agreement today.

2 I'd like now to say a word or two about
3 the future of U.S. -Cuban relations. The United
4 States continues to believe, as it has over the
5 past three decades, that there should be a
6 peaceful transition to democracy in Cuba. We
7 will continue to work to that end, and the Cuban
8 Democracy Act, passed overwhelmingly with
9 bipartisan support in 1992, provides a framework
10 for our policy.

11 If it is seriously interested in
12 reform, the Government of Cuba must agree to be
13 in touch with its own people. Countries
14 throughout the world, including in the Caribbean
15 and Latin America, have made that transition
16 successfully in recent years. And leaders
17 throughout this hemisphere have urged this course
18 of action on Mr Castro, unfortunately, to no
19 avail.

20 It will not hasten political and
21 economic reform in Cuba, the United States to
22 negotiate the terms and conditions of change in
23 that country, with its unelected government, over
24 the heads of the Cuban people.

25 However, as Secretary Christopher said

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1 publicly the week before last, and consistent
2 with the Cuban Democracy Act, if there are
3 significant steps towards democracy, free-market
4 economy and human rights in Cuba, the United
5 States will respond with carefully calibrated
6 measures of its own.

7 This remains our strategy, because we
8 believe that it represents the best way for the
9 United States to work effectively to establish
10 democracy in Cuba.

11 Ms. Reno.

12 QUESTION: Were there any
13 understandings or agreements accompanying this
14 immigration agreement that would have to do with
15 the U.S.?

16 ATTORNEY GENERAL RENO: I would let the
17 State Department --

18 MR. TARNOFF: None whatsoever.

19 QUESTION: Part of the agreement is for
20 the Cuban government to deter Cubans from
21 leaving. Why does this not violate their human
22 rights?

23 ATTORNEY GENERAL RENO We are --
24 continue to be concerned about human rights
25 violations in the in-country processing that has

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1 been available, and Cuba will continue and we
2 will continue to address that issue.

3 What we're concerned about, however,
4 here are people setting off in unsafe rickety
5 rafts. We have seen the pictures of these rafts,
6 inner tubes tied together with fish line and
7 fishnets. This is what we are trying to prevent
8 in the ultimate interest of humanity. And we are
9 also trying to look at alien smuggling which,
10 again, is inconsistent with the other concerns.

11 We continue to be concerned about human
12 rights, but we do want to work with the
13 Government of Cuba to make sure that people do
14 not set out in unsafe vessels, and clearly, our
15 message is if they are intercepted they will be
16 taken to safe havens, but that is not the way to
17 come to the United States.

18 We are developing and will announce in
19 the latter part of next week procedures by which
20 people can come to this country legally, and that
21 will be our effort.

22 QUESTION: Ms Reno, does this in any
23 way affect the policies on immigration at sea and
24 detention at Guantanamo, detention Crome and Port
25 Isabell in the United States, and what will

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1 happen to those people? And thirdly, the policy
2 that the President announced on remittances and
3 charters that other (inaudible).

4 ATTORNEY GENERAL RENO: Let me address
5 the migration issues and then Mr. Tarnoff, the
6 other.

7 With respect to people intercepted at
8 sea, they will be taken to Guantanamo Our
9 policy will not be changed. They will be given
10 the opportunity for safe haven. If they desire
11 to return to Cuba, they can -- we will do so
12 through diplomatic channels,

13 They will not be eligible for
14 processing into the United States from
15 Guantanamo. If they want to be considered for
16 legal admittance to the United States, they must
17 return to Cuba. With respect to detention, this
18 agreement does not change the policy.

19 QUESTION: So the people in Guantanamo
20 now who don't want to go back to Cuba, what
21 happens to them?

22 ATTORNEY GENERAL RENO: They will
23 remain at Guantanamo or other safe havens.

24 QUESTION: What about those now at
25 Crome or Port Isabell?

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1 ATTORNEY GENERAL RENO: Again, they are
2 being processed now and through orderly
3 procedures for those under detention.

4 QUESTION: Those being repatriated,
5 voluntarily repatriated in Cuba, has there been
6 any agreement with the Cubans that there will be
7 no repercussions against them?

8 ATTORNEY GENERAL RENO: Yes. We have
9 stressed that they will be free to come back to
10 Cuba without repercussions, and they will be
11 eligible just as other Cubans would be eligible
12 for applying for legal migration to the United
13 States.

14 QUESTION: Has Cuba agreed to take them
15 back?

16 MR TARNOFF: Cuba has agreed to begin
17 discussions about the manner in which they will
18 be returned through consul channels. I remind
19 you that over the past decade or so a small
20 number of Cubans who were living in the United
21 States have asked to return voluntarily to Cuba,
22 and there have been procedures for them to be
23 allowed to return, agreed by the U.S. and Cuban
24 Governments.

25 QUESTION: Could you answer the

1 question on remittances other points?

2 MR. TARNOFF: Yes. As you can see,
3 that is not part of the agreement, and nothing of
4 that sort is contemplated.

5 QUESTION: Ms. Reno, how many of the
6 20,000 additional immigrants a year, have you got
7 projections on how many of those will be given
8 visas through the normal immigrant process, how
9 many would be refugees and how many would be
10 paroled, and a breakdown of that kind of thing?

11 ATTORNEY GENERAL RENO: Again, let me
12 stress it's not 20,000 additional because
13 currently we have processed people for, refugees
14 through in-country processing. That will
15 continue -- so it will not be an additional
16 20,000. It will include those. I think it's
17 been up to 3,000. Doris, it's up to 3,000?

18 COMMISSIONER MEISSNER: On immigrants
19 visas?

20 ATTORNEY GENERAL RENO: No, on
21 refugees.

22 COMMISSIONER MEISSNER: Refugees
23 program is 3,000 and we expect --

24 QUESTION: I mean, apart from the
25 immediate family. 20,000 apart from the

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1 immediate family.

2 COMMISSIONER MEISSNER: Apart from the
3 immediate family, that would be through the
4 preference immigrant visas, that will be through
5 refugee processing, and that will be through the
6 parole. How it breaks down at this point, we
7 don't know.

8 QUESTION: And is this going to involve
9 any significant expansion of how your parole
10 authority has been interpreted in the past in
11 terms of granting that to broad classes of
12 people?

13 ATTORNEY GENERAL RENO: No. It will
14 not require an expanded interpretation. We
15 believe that the Immigration and Nationalization
16 Act -- Nationality Act will -- gives us that
17 authority. It has been used before and we will
18 continue to use it.

19 QUESTION: Ms Reno, a lot of the
20 congressional experts on immigration say that
21 this contemplated use of your parole authority
22 that never had been contemplated by Congress that
23 parole authority was intended just to be used for
24 unique circumstances, not to allow thousands and
25 thousands of people. They say that this is a way

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1 of circumventing the congressional laws on quotas
2 that are passed for refugees and illegal
3 immigrants.

4 ATTORNEY GENERAL RENO: What I would
5 ask is, so that we can get the language precise,
6 I would ask that Doris Meissner and Alex Lynakoff
7 address the specific language of the Immigration
8 and Nationality Act that gives to the Attorney
9 General the parole authority in situations
10 according to the public interest.

11 QUESTION: Has the United States
12 Government promised, assured the Cuban Government
13 that it will now prosecute all Cubans who come to
14 the United States by hijacking the vessels
15 violently?

16 ATTORNEY GENERAL RENO: No. You can't
17 do that because you have to look at the evidence
18 in the law. But we have, as the agreement
19 states, said that we will do everything we
20 possibly can to oppose violence and to take
21 appropriate action.

22 QUESTION: Does that mean the
23 government will now push prosecuting?

24 ATTORNEY GENERAL RENO: We will do
25 everything we possibly can under the law.

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1 QUESTION: Do you have communications
2 that the United States will discontinue this
3 agreement for granting parole for (inaudible) and
4 on the (inaudible)? That would assume, that
5 would mean to me that airline hijackers and
6 people that could be, practically everything that
7 has come in, so those people would be turned back
8 and hijackers would be arrested?

9 ATTORNEY GENERAL RENO: As I indicated,
10 for those that are intercepted at sea who come
11 out in the unsafe rafts or who are intercepted at
12 sea as part of an alien smuggling initiative will
13 be taken to Guantanamo. They will not be
14 admitted into United States. And from Guantanamo
15 some will be taken to other safe havens. They
16 will not be admitted to the United States.

17 For those that come to this country
18 through irregular manner and not according to the
19 legal processes that we have established, they
20 will be held in detention and will be processed
21 accordingly.

22 REPORTER: Can I ask a question?
23 (Inaudible)

24 MR. TARNOFF: No. That, of course, is
25 not part of our policy. And I might say that in

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1 the statement that Secretary Christopher made
2 that I referred to, he limited himself very
3 carefully to say that there would be a response
4 on the part of the United States if certain
5 things happened in Cuba. That's what the Cuban
6 Democracy Act provides for. It's not going to
7 happen if it does happen as a result of
8 negotiations and talks between the United States
9 and Cuba.

10 VOICE: Thank you. Can we continue
11 with Commissioner Meissner and General Counsel
12 Aleinikoff?

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