

NLWJC - Kagan

DPC - Box 032 - Folder 017

Immigration - Honduras

Immig - Hondurans
and
Immig - Section 377

▶ **Julie A. Fernandes**
10/29/98 09:27:18 PM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Laura Emmett/WHO/EOP
Subject: NCLR briefing

As I mentioned on Monday, OPL has asked that I brief the NCLR board Friday morning at 10am on current immigration issues. I am attaching talking points on two issues (Hondurans and Section 377 (late amnesty)). Please let me know if these are o.k. Thanks.

julie


NCLR.TP

Section 377 (late amnesty)

- Last term, we attempted to include in the omnibus appropriations package a change to the INS's registry date that would have allowed those in the country prior to January 1982 to apply to for legal permanent residency. We were unsuccessful.
- We have engaged in discussions with the Department of Justice to determine whether there are any administrative options that could appropriately address the concerns of those who were deterred from applying for amnesty during the 1987-88 window.

Hondurans

- As you know, the Administration fought hard to achieve greater fairness for all foreign nationals, including Hondurans, with pending immigration cases who were adversely affected by the 1996 changes in rules related to suspension of deportation. While we were pleased that the Congress decided to offer relief to some nationalities through NACARA, we were disappointed that others were left out. We will continue to urge Congress to reconsider the exclusion of these other groups.
- In addition, we agree that our immigration and refugee policies should treat similarly situated people similarly. After careful review, we have concluded that some of the Hondurans who came to the U.S. during the 1980s share some of the characteristics of those Salvadoran and Guatemalan who also sought the protection of the U.S. during that period.
- Thus, we are prepared to work with Congress to develop an appropriate legislative solution for those Hondurans who are in the same position as Salvadorans and Guatemalans granted relief under NACARA.
- However, we continue to hold the view that the situation of Hondurans in the United States does not warrant the exercise of the President's extraordinary authority to direct the Attorney General to delay their deportation.

Lunig - Hondurans

FAX TRANSMISSION

WHITE HOUSE

DOMESTIC POLICY COUNCIL

TO: Elena Kagan

FAX NUMBER: 456-2878

PHONE NUMBER:

FROM: Julie Fernandes

FAX NUMBER: 202/456-5581

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TOTAL PAGES (including this page): 3

Comments: Attached please find two NSC letters re: Hondurans. As you recall, NSC has now concluded that some Hondurans are equivalent to the Salvadorans and Guatemalans who received relief in NACARA. The letter from Ros-Lehtinen requested DED for Hondurans. While NSC has concluded that some Hondurans should receive the relief given to Salvadorans and Guatemalans in NACARA, they do not believe that there would be a foreign policy reason for granting DED to this group. The letter from Gutierrez made a push for parity (btwn Hondurans and Sal/Guat) but also made a push for amnesty (green cards) for all three groups. Both letters look o.k. to me. -- julie

DRAFT

Dear Representative Ros-Lehtinen:

Thank you for your letter requesting that I reconsider granting Deferred Enforced Departure (DED) to Hondurans in the United States.

As you know, my Administration fought hard to achieve greater fairness for all foreign nationals, including Hondurans, with pending immigration cases who were adversely affected by the 1996 changes in rules relating to suspension of deportation. While we were pleased that the Congress decided to offer relief to some nationalities through the Nicaraguan Adjustment and Central American Relief Act (NACARA), we were disappointed that others were left out. As I indicated in my signing statement, I strongly urge the Congress to reconsider the exclusion of these other groups.

Despite our belief that the legislation passed last year was inadequate, I continue to hold the view that the situation of Hondurans in the United States does not warrant the exercise of my extraordinary authority to direct the Attorney General to delay their deportation. Nevertheless, we are prepared to work with you to develop an appropriate legislative solution for those Hondurans who are in the same position as Salvadorans and Guatemalans granted relief under NACARA.

Again, thank you for sharing your views with me on this issue.

Sincerely,

The Honorable Ileana Ros-Lehtinen
House of Representatives
Washington, D.C. 20515

DRAFT

Dear Luis:

Thank you for your letter regarding the situation of Hondurans in the United States. I appreciate the opportunity to continue our exchange on this issue.

I agree with you that our immigration and refugee policies should treat similarly situated people similarly. After careful review, we have concluded that some of the Hondurans who came here during the 1980s share some of the characteristics of those Salvadorans and Guatemalans who also sought the protection of the United States during that period. Thus, we are prepared to support legislative relief for this group similar to that provided to Salvadorans and Guatemalans under the Nicaraguan and Central American Relief Act. I have asked my staff to speak with you and your staff about this issue.

Again, thank you for sharing your views with me.

Sincerely,

The Honorable Luis Gutierrez
House of Representatives
Washington, D.C. 20515

Humanitarian

NATIONAL SECURITY COUNCIL

OFFICE OF MULTILATERAL AND HUMANITARIAN AFFAIRS

FAX COVER SHEET

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COUNCIL**

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

FAX

To: MARIA ECHAVEITE
JANET MURGUIA

6 6703

6 6220

Date/Time: ELENA KAGAN

6 2878

No. of pages to follow: 2

RE:

*Revised @ Letters on
Handovers per Maria's
suggestions.*

DRAFT

Dear Luis:

Thank you for your letter regarding the situation of Hondurans in the United States. I appreciate the opportunity to continue our exchange on this issue.

I agree with you that our immigration and refugee policies should treat similarly situated people similarly. After careful review, we concluded that those Hondurans who came to the United States during the period of upheaval in Central America and applied for asylum share characteristics with other Central Americans who sought the protection of the United States during that period. During this past legislative session, we sought relief for these Hondurans similar to that provided to Salvadorans and Guatemalans under the Nicaraguan and Central American Relief Act. Unfortunately, our efforts were unsuccessful. Nevertheless, we are prepared to work with you during the next session to achieve a positive outcome.

Again, thank you for sharing your views with me.

Sincerely,

The Honorable Luis Gutierrez
House of Representatives
Washington, D.C. 20515

DRAFT

Dear Representative Ros-Lehtinen:

Thank you for your letter requesting that I reconsider granting Deferred Enforced Departure (DED) to Hondurans in the United States.

As you know, my Administration fought hard to achieve greater fairness for all those foreign nationals with pending immigration cases who were adversely affected by the 1996 changes in rules relating to suspension of deportation. While we were pleased that the Congress decided to offer relief to some nationalities through the Nicaraguan Adjustment and Central American Relief Act (NACARA), we were disappointed that others, including Hondurans, were left out. I have consistently urged Congress to reconsider the exclusion of these groups.

Despite our view that the legislation passed last year was inadequate, I continue to believe that the situation of Hondurans in the United States does not warrant the exercise of my extraordinary authority to direct the Attorney General to delay their deportation. Nevertheless, I do believe that those Hondurans who came to the United States during the period of upheaval in Central America and applied for protection share many characteristics with other Central Americans who sought the protection of the United States during that period. We sought to obtain relief for these Hondurans during this legislative session but were unsuccessful. We are prepared to work with you during the next session to achieve a positive outcome on this issue.

Thank you again for sharing your views with me.

Sincerely,

The Honorable Ileana Ros-Lehtinen
House of Representatives
Washington, D.C. 20515