Extent

121 folders, approximately 7,663 pages

Summary

This collection consists of records concerning the Clinton Administration’s immigrant detention policy as implemented through the Immigration and Naturalization Service, the United States Border Patrol, and the U.S. Marshals Service Joint Prisoner Alien Transport System. Immigration topics dealt with throughout the Clinton Administration included alien smuggling, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA), the Antiterrorism and Effective Death Penalty Act (AEDPA), and the granting of Delayed Enforce Departure (DED) or Temporary Protected Status (TPS) to various immigrant groups. The records in this collection consist of briefing material, emails, official statements, congressional testimony, reports, correspondence, and press materials.

Scope and Content Note

The materials in FOIA 2011-1044-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. FOIA 2011-1044-F contains records regarding the Clinton Administration’s immigrant detention policy as implemented through the Immigration and Naturalization Service (INS), the United States Border Patrol, and the U.S. Marshals Service Joint Prisoner Alien Transport System (JPATS). The White House Staff and Office records relating to immigrant detention primarily concern INS, yet also reference U.S. Border Patrol and JPATS. Clippings, fact sheets, legislative proposals, press releases, reports, and statements discuss INS detention policy relating to the affect of large scale immigration policies on INS detention efforts, mandatory detention requirements, an increase in additional detention bed space, improved management of immigrant detention facilities, and expedited removal procedures. Staff and Office records also contain clippings, letters, and reports critical of the

operation of immigrant detention facilities. The Automated Records Management System (ARMS) and Tape Restoration Project (TRP) Emails contain electronic correspondence among administration staff regarding numerous immigration policy related topics. These include press clippings, official statements by the President, staff discussions, and congressional testimony on various matters including Cuban migrants, alien smuggling, the IIRAIRA, the issuing of TPS for Nicaraguans and Hondurans, and the use of classified evidence in deportation proceedings. Further, some email may best be described as correspondence concerning changing immigration policy. The NSC Cables, Emails, and Records Management system also holds responsive material. Electronic correspondence between members of the National Security Council on topics related to immigration policy can be found in the NSC Emails. These emails consist of press guidance, Presidential statements, memos, draft correspondence on a variety of issues, including: immigrant detention repatriation policy, Cuban migrants, immigration laws, the Golden Venture detainees, Irish deportation cases, the issuance of DED and TPS for various groups, use of classified evidence in immigration cases, and matters regarding the southwestern United States border. The emails also include a copy of the 1998 International Crime Control Strategy, which directed INS to continue its criminal migrant detention efforts, and portions of the Seaport Commission Report, which included INS in its study. The NSC Records Management numbered documents primarily contain materials regarding the Irish deportation cases. These documents include Congressional letters on behalf of the Irish men and testimony at a Congressional hearing from their spouses and supporters. The numbered documents also contain Legislative Referral Memorandums (LRMs) on various proposed changes to immigration law and to the Immigration and Naturalization Service.

Biographical Note

Numerous laws and incidents impacted immigration policy during the Clinton Administration. In May 1995, the administration negotiated the Cuban Migration Agreement. The agreement, originally intended to address the circumstances of over 30,000 Cuban migrants at the U.S. Naval Base in Guantanamo Bay, resulted in the “wet foot, dry foot” policy toward illegal Cuban immigrants. Those who were intercepted at sea by the U.S. Coast Guard were returned to Cuba, except in circumstances resulting in a legitimate claim of political asylum. Those who reached

U.S. soil, usually the beaches of Florida, were allowed to obtain immigration status under the Cuban Adjustment Act after a brief detention by the Immigration and Naturalization Service. One of the issues affecting almost every aspect of immigration policy during the Clinton Administration was the problem of alien smuggling. Though this practice occurred with Haitians and Cubans in the Caribbean and with Central Americans along the southwestern border, one of the most significant incidents involved Chinese migrants. On June 6, 1993, a ship carrying more than 200 undocumented Chinese aliens, the Golden Venture, ran aground off the coast of New York. The Immigration and Naturalization Service detained the migrants while they pursued political asylum. Some received asylum and others were deported. However, 52 migrants remained in INS custody until President Clinton released them in February 1997. The issue of alien smuggling, and its humanitarian implications, continued to posed concerns for immigration policy throughout the Clinton Administration. In 1996, Congress passed two laws that had a major impact on the administration's immigrant detention policies. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRAIRA) stiffened the penalties for entering the United States illegally. It also made it easier for the INS to pursue deportation proceedings. Before the passage of the law, only major crimes triggered deportation proceedings. After 1996, misdemeanors such as shoplifting became grounds for deportation. The act also applied retroactively, meaning that offense committed before 1996 were considered. In 1999, INS changes its legal interpretation of the mandatory detention requirements of IIRAIRA. This change allowed for additional hearings for the release of criminal aliens whom had completed their sentences. The other 1996 law passed by Congress, the Antiterrorism and Effective Death Penalty Act (AEDPA), required the deportation of those convicted of terrorism-related offenses and made them ineligible for political asylum. It also allowed for the use of classified evidence in INS hearings. The combination of these two laws resulted in the controversial deportation proceedings in 1997 of nine Irish immigrants who had been associated with the violence in Northern Ireland and convicted by the British for political crimes. Several times during his presidency, President Clinton directed his administration to grant forms of immigration relief to a specific group of immigrants in response to environmental or humanitarian crises. In 1997, Clinton issued a Delayed Enforced Departure (DED) directive for Haitians. This protected Haitians who had come to the U.S. prior to 1996 from deportation for a year while the administration sought a long-term solution for their status. Liberians in the United States as of September 29, 1999 also received

DED. Nicaraguans and Hondurans received Temporary Protected Status (TPS) following Hurricane Mitch in December 1998. This protected them from deportation and allowed them to work in the United States.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in these collection areas – Clinton Presidential Records: White House Office of Records Management (WHORM) Subject Files, Clinton Presidential Records: White House Staff and Office Files, Clinton Presidential Records: ARMS Emails, Clinton Presidential Records: TRP Emails, and Clinton Presidential Records: NSC Cable, Email, and Records Management Systems. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Subject file was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. WHORM files are processed at the document level, whereas, Staff and Office fields are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area. The Automated Records Management System (ARMS) is a database that contains email records of the Executive Office of the President. This system maintained unclassified Presidential email. The ARMS dataset is comprised of 6 sub-series of email records called “Buckets.” The buckets include NPR, OPD, POTUS, WHO, CEA, and Default. ARMS emails are arranged chronologically by creation date. The Tape Restoration Project (TRP) is a database consisting of restored emails from the Automated Records Management System from July 1994 through June of 2000. The TRP is a database that contains email records of the Executive Office of the President. This system maintained unclassified Presidential record email. The TRP dataset is comprised of 6 sub-series of email

records called “Buckets.” The buckets include NPR, OPD, POTUS, WHO, CEA, and Default. ARMS emails are arranged chronologically by creation date. FOIA 2011-1044-F includes WHORM records from these subject codes: FG006-01 White House Office FG017-03 Immigration and Naturalization Service.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the presidential Records Act (PRA) (44 USC 2201) and the Freedom of Information Act (FOIA) (5 USC 552, as amended) and therefore may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 USC, 101) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Organization Names

United States. Immigration and Naturalization Service
U.S. Border Patrol

Topical Subjects

Emigration and immigration
Detention of persons
Noncitizens

Processed by

Staff Archivist, 2012. Previously restricted materials are added as they are released.

Last Modified Date

2015-05-21

Container List

The following is a list of documents and folders processed in response to FOIA 2011-1044-F:
Box 1
Clinton Presidential Records: WHORM: Subject File
Category Case Number
FG006-01 429386
FG017-03 075728
FG017-03 095810CU
Clinton Presidential Records: White House Staff and Office Files
Chief of Staff
Shin, Clara
INS [Immigration and Naturalization Service] Detention [OA/ID 23698]
Mandatory Detention [OA/ID 23698]
Counsel’s Office
Johnson, Rochester (Ches)
INS [Immigration and Naturalization Service] [OA/ID CF 1619]
Domestic Policy Council

Bueno, Irene
Detention / Discretion – Border Issues [OA/ID 25025]
Detention / Discretion – Border Patrol [OA/ID 25025]
Detention / Discretion – Detention [OA/ID 25025]
Detention / Discretion – Detention Problems [OA/ID 25025]
Detention / Discretion - Expedited Removal [OA/ID 25025]
Detention / Discretion – Immigration and Naturalization Service Monthly Statistical Report January 2000 [OA/ID 25025]
Detention / Discretion – Interior Enforcement [OA/ID 25025]
Detention / Discretion – Quick Response Teams [OA/ID 25025]
Detention / Discretion – Ramirez [OA/ID 25025]
Detention / Discretion – San Diego Border Fence [OA/ID 25025]
Detention / Discretion – SCAAP [State Criminal Alien Assistance Program] [OA/ID 25025]
Detention / Discretion – Smith Substitute [OA/ID 25025]
Detention / Discretion – Vanguard [OA/ID 25025]
INS [Immigration and Naturalization Service] Detention [OA.ID 25023]
Shimabukuro, Leanne
Crime / INS [Immigration & Naturalization Service] Detention [OA/ID 21300]
Box 2
Clinton Presidential Records: White House Staff and Office Files
Domestic Policy Council
Warnath, Stephen
Removals [1] [OA/ID 8557]
Removals [2] [OA/ID 8557]
Removals [3] [OA/ID 8557]
Criminal Aliens Detention Deportation [binder] [1] [OA/ID 8557]
Criminal Aliens Detention Deportation [binder] [2] [OA/ID 8557]
Criminal Aliens Detention Deportation [binder] [3] [OA/ID 8557]
Criminal Aliens Detention Deportation [binder] [4] [OA/ID 8557]
Criminal Aliens Detention Deportation [binder] [5] [OA/ID 8557]
Legislative Affairs
Subject Files
Deportation / Detention [1] [OA/ID 17133]
Deportation / Detention [2] [OA/ID 17133]
Deportation / Detention [3] [OA/ID 17133]
Box 3

Clinton Presidential Records: White House Staff and Office Files
National Security Council
International Economic Affairs
INS [Immigration and Naturalization Service] [1] [OA/ID 554]
INS [Immigration and Naturalization Service] [2] [OA/ID 554]
Speechwriting
Boorstin, Robert
Immigration – INS [Immigration and Naturalization Service] (Agency)
Clinton Presidential Records: Automated Records Management System (ARMS) Emails
OPD [OA/ID 250000]
[Detention, INS, Border Patrol]
[10/06/1994 – 12/08/1999]
[02/25/2000 – 03/20/2000]
WHO [OA/ID 500000]
[Detention, INS, Border Patrol]
[06/24/1994 – 07/02/1999]
[05/12/2000 – 12/21/2000]
Default [OA/ID 1000000]
[Detention, INS, Border Patrol]
[06/29/2000]
NSC [OA/ID 1200000]
[Immigration and Naturalization]
[12/30/1996 – 07/09/1998]
[08/24/1998 – 12/21/1998]
[01/13/1999 – 02/19/1999]
[03/05/1999 – 03/31/1999]
[04/15/1999 – 07/21/1999]
[08/04/1999 – 12/23/1999]
Box 4
Clinton Presidential Records: Automated Records Management System (ARMS) Emails
NSC [OA/ID 1200000]
[Immigration and Naturalization]
[05/01/2000 – 09/29/2000]
[10/04/2000 – 11/27/2000]
Clinton Presidential Records: Tape Restoration Project (TRP) Emails

NSC [OA/ID 1200000]
[Immigration and Naturalization]
[03/02/1999 – 04/20/1999]
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems
NSC Emails
A1 – Record (Jan 93 – Sept 94)
[Immigration and Naturalization]
[02/23/1993 – 09/16/1994] [OA/ID 570000]
A1 – Non-Record (Apr 94 – Sept 94)
[Immigration and Naturalization]
[09/16/1994 – 09/22/1994] [OA/ID 580000]
MSMail – Record (Sept 94 – Sept 97)
[Immigration and Naturalization]
[09/28/1994 – 12/29/1994] [OA/ID 590000]
[02/02/1995 – 04/10/1995] [OA/ID 590000]
[05/02/1995 – 12/15/1995] [OA/ID 590000]
[01/05/1996 – 04/25/1996] [OA/ID 590000]
Box 5
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems
NSC Emails
MSMail – Record (Sept 94 – Sept 97)
[Immigration and Naturalization]
[06/04/1996 – 12/18/1996] [OA/ID 590000]
[01/06/1997 – 02/20/1997] [OA/ID 590000]
[03/11/1997 – 04/29/1997] [OA/ID 590000]
[04/30/1997] [OA/ID 590000]
[05/02/1997 – 05/08/1997] [OA/ID 590000]
[05/09/1997 – 05/13/1997] [OA/ID 590000]
[05/14/1997 – 05/16/1997] [OA/ID 590000]
Box 6
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems
NSC Emails
MSMail – Non-Record (Sept 94 – Sept 97)
[Immigration and Naturalization]
[02/15/1995 – 08/05/1996] [OA/ID 605000]
[02/06/1997 – 05/13/1997] [OA/ID 605000]
Exchange – Record (Sept 97 – Jan 01)

[Immigration and Naturalization]
[09/25/1997 – 12/23/1997] [OA/ID 620000]
[01/09/1998 – 05/25/1998] [OA/ID 620000]
[05/29/1998] [OA/ID 620000]
[06/11/1998 – 12/28/1998] [OA/ID 620000]
[01/20/1999 – 02/02/1999] [OA/ID 620000]
[02/03/1999 – 02/28/1999] [OA/ID 620000]
Box 7
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems
NSC Emails
Exchange – Record (Sept 97 – Jan 01)
[Immigration and Naturalization]
[03/01/1999 – 12/22/1999] [OA/ID 620000]
[01/03/2000 – 03/15/2000] [OA/ID 620000]
[03/17/2000 – 04/24/2000] [OA/ID 620000]
[05/09/2000 – 05/17/2000] [OA/ID 620000]
[05/18/2000 – 06/21/2000] [OA/ID 620000]
[07/13/2000 – 07/28/2000] [OA/ID 620000]
[08/02/2000 – 08/21/2000] [OA/ID 620000]
[08/22/2000 – 08/30/2000] [OA/ID 620000]
Box 8
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems
NSC Emails
Exchange – Record (Sept 97 – Jan 01)
[Immigration and Naturalization]
[09/06/2000 – 09/22/2000] [OA/ID 620000]
[09/28/2000] [OA/ID 620000]
[10/31/2000] [1] [OA/ID 620000]
[10/31/2000] [2] [OA/ID 620000]
[11/01/2000] [OA/ID 620000]
[11/02/2000] [OA/ID 620000]
[11/03/2000 – 01/17/2011] [OA/ID 620000]
Exchange – Non-Record (Mar 97 – Jan 01)
[Immigration and Naturalization]
[12/18/1997 – 04/13/1998] [OA/ID 630000]
Box 9
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems

NSC Emails
Exchange – Non-Record (Mar 97 – Jan 01)
[Immigration and Naturalization]
[05/13/1998 – 05/22/1998] [OA/ID 630000]
[06/01/1998 – 11/16/1998] [OA/ID 630000]
[01/22/1999 – 03/11/1999] [OA/ID 630000]
[04/27/1999 – 09/28/1999] [OA/ID 630000]
[01/12/2000 – 08/14/2000] [OA/ID 630000]
[08/15/2000 – 08/23/2000] [OA/ID 630000]
[09/14/2000 – 01/11/2001] [OA/ID 630000]
NSC Records Management
[Immigration and Naturalization]
9306703 [OA/ID 160]
9401916 [OA/ID 187]
9502204 [OA/ID 572]
Box 10
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems
NSC Records Management
[Immigration and Naturalization]
9701235 [1] [OA/ID 1603]
9701235 [2] [OA/ID 1603]
9701235 [3] [OA/ID 1603]
9701235 [4] [OA/ID 1603]
9701235 [5] [OA/ID 1603]
9701235 [6] [OA/ID 1603]
9701895 [OA/ID 1608]
9701900 [OA/ID 1608]
9701913 [OA/ID 1608]
9701985 [OA/ID 1609]
9702460 [OA/ID 1613]
9702738 [OA/ID 1615]
9702849 [OA/ID 1616]
9703361 [OA/ID 1620]
9703424 [OA/ID 1621]
9703754 [OA/ID 1623]
9703986 [OA/ID 1624]
9704304 [OA/ID 1627]

9704344 [OA/ID 1627]
9704656 [OA/ID 3531]
9705305 [OA/ID 1634]
9705312 [OA/ID 1634]
9705800 [OA/ID 1637]
9802064 [OA/ID 2024]
9804630 [OA/ID 2046]