

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	Jamie Gorelick to Sandy Berger, re: [Fund] (1 page)	07/17/1994	P5
002a. memo	Jamie S. Gorelick to Samuel Berger, re: [Fund] (2 pages)	07/18/1994	P5
002b. memo	Jamie S. Gorelick to Samuel Berger, re: [Fund] (2 pages)	07/18/1994	P5
003. memo	Tony Lake and Alice Rivlin to the President, re: Funding Haiti Migration/Safe Haven Operations (4 pages)	ca. 1994	P5 4370
004. note	Jamie Gorelick to Sandy Berger, re: [Fund] (1 page)	07/17/1994	P5

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
OA/Box Number: 3416

FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [5]

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Kara Ellis
2011-1045-F
ke1571

RESTRICTION CODES

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

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

- 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]

- 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]
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- 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]

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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.

THE WHITE HOUSE
WASHINGTON

Haiti - Safe Haven

MEMORANDUM FOR THE PRESIDENT

FROM: Tony Lake
Alice Rivlin

SUBJECT: Funding Haiti Migration/Safe Haven Operations

Although several departments and agencies have been involved in the Haitian migration effort, there has been interagency agreement that Defense would serve as "executive agent" for the government in establishing processing centers and camps, without prejudice to ultimate funding responsibilities.

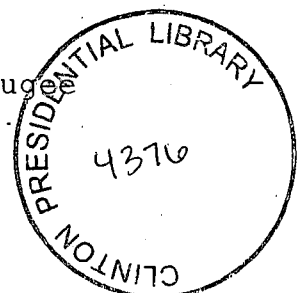
Defense estimates the cost of migrant centers in Jamaica, Turks and Caicos, and Guantanamo and anticipated safehaven camps will total approximately \$140 million through the end of the fiscal year, and has requested full reimbursement from State and Justice. Additional costs may include incentives negotiated with host countries.

There are emergency authorities for funding efforts in response to migration and refugee costs:

- Justice resources of up to \$36 million in their Immigration Emergency Fund (IEF) can be used if you so authorize.
- State has ~~\$25~~ ²⁵ million in their Emergency Refugee and Migration Account (ERMA), which could be used if you so authorize, plus \$5 million you have already authorized but which remains unobligated.
- Defense has \$55 million remaining in its Defense Emergency Response Fund (DERF) which may be used at the Secretary's discretion. Additional Defense assistance may be provided by using operations and maintenance operations funding, which could be supplemented, if necessary, by drawdowns of goods and services worth up to \$75 million under Sec. 506(a)(2) of the Foreign Assistance Act, with your authorization (this allows DoD to drawdown existing goods and services, thereby diverting previously appropriated funds).

In addition to these emergency resources, other funds are available. State has about \$20 million in its regular refugee account (MRA) not required for its original programmed use.

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State might also be able to use its Peacekeeping Operations (PKO) funding, now that the OAS/UN Civilian Monitor operation in Haiti has been suspended (\$13 million had been made available for that purpose). In addition, State might be asked to consider using Economic Support Fund (ESF) balances intended for other countries; \$11 million of ESF is unallocated at this time.

Any proposed use of these funds would have problems. The use of each for Haiti would force difficult tradeoffs with other high priority activities: DoD is being asked to fund and carry out major efforts with regard to Haiti sanctions and would carry most of the burden for establishment of peacekeeping operations; State programs are under serious demands from crises in Rwanda and Bosnia; and Justice faces strong pressures to meet domestic immigration requirements. Each use could be, unfortunately, a target of Congressional and public criticism.

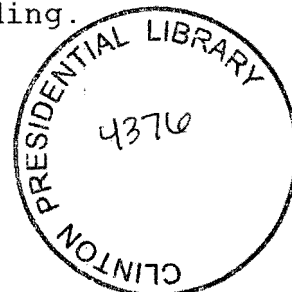
We see ~~three~~ ^{two} possible options:

Option A: ~~Mo~~ Costs, including those incurred by DoD, would be covered by State and Justice.

Under this option, all of State's available ERMA (\$25 million to be drawdown and \$5 million to be obligated) and MRA (\$20 million) and all of Justice's IEF (\$36 million) would have to be used for this purpose. State might be able to use other foreign assistance resources. We might request back most of the \$13 million in PKO paid to the OAS for the civilian monitors, while speedy recovery of the unused funds may be difficult. In addition, it might be possible to reprogram the unallocated ESF. This has not been discussed with AID.

Pros:

- o DoD could use its resources instead to fund its commitments to maintain sanctions operations and to support efforts at setting up a peacekeeping operation;
- o Defense-minded Senators and Congressmen would support this approach. It would be consistent with their view, and that of DoD, that migrant assistance is not a true DoD mission. They will be vocally critical of imposing migrant processing, a non-Defense function on the defense budget at the expense of O&M ("readiness").
- o Alternative foreign aid sources may be available to meet competing needs in lieu of emergency funding.



Cons:

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- o This would fall \$~~20~~ million short of the total cost estimate, and it is therefore likely that DoD would be asked to fund this remainder.
- o There would be no funds readily available for other important refugee needs. The recent outflow of refugees from Rwanda led to a UN appeal for \$52 million last Sunday, in addition to over \$120 million in recent appeals from international organizations. State has proposed to commit \$20 million of the ERMA funds towards these needs. Using regular refugee funds (MRA) would also eliminate that as a potential source for Rwanda. State will oppose.
- o Using all of Justice's IEF funds would prevent the Attorney General from using any of it for domestic purposes, for which \$20 million has been informally planned. There would be strong criticism from state and local governments (Florida, California, etc) were this to occur. The Attorney General has so far not approved any use of the fund for overseas migration purposes.
- o Justice authorizers and appropriators would likely challenge the use of the IEF for this purpose.
- o Foreign affairs authorizers may object to the use of State refugee funds to pay for, in their view, military-style detention camps. We do not know foreign operations appropriator's views.
- o Alternative foreign aid sources (PKO, ESE) are uncertain and might not be easy to reprogram or apply to this effort.

Option A: DoD Funds All Costs.

Under this option, DoD would use all of ⁷⁶ ~~its available~~ \$55 million DERF. Additional funding (up to \$85 million) would come from other Defense appropriations, including operations and maintenance.

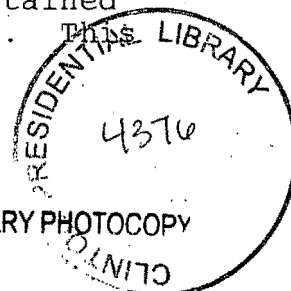
Pros:

- o DoD, as executive agent through USACOM, has maintained control over expenditures and operations to date.

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Adm. Sec. 17
its available in
ERMA
defense emergency fund.

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option would put budgetary responsibility with execution responsibility.

- o DoD has the authority to fund these efforts.

Cons:

- o The Administration would be criticized by Defense authorizers and appropriators for using DoD as a "cash cow", while expecting it to fund other efforts such as sanctions enforcement and peacekeeping operations.
- o Use of DoD funding for refugee operations may be seen as inappropriate to DoD's mission. The use of DoD operations and maintenance funds could detract from military readiness funding.

Option B DoD Pays Half, State and Justice Pay Half;

Additionally, State Pays \$19 million for Rwanda Emergency

From its regular
refugee account
(MRA)

Under this option DoD would be asked to pay 50% of estimated costs or \$70 million (\$55 million from DERF and \$15 million from O&M accounts). State and Justice together would pick up the other half: State, \$25 million from ERMA plus \$5 million already drawdown, and \$20 million from ~~ERMA~~ reprogramming; and Justice, \$20 million from IEF. ~~State would use the remaining \$19 million from ERMA to make an immediate U.S. contribution to the Rwanda relief effort.~~

Pros:

- o The DERF, from which \$55 million already has been obligated for these operations, was established to meet emergencies such as this one.
- o This would spread the cost burden equitably among the agencies and might lessen somewhat the argument that DoD resources are being abused.
- o It would leave enough ~~ERMA to contribute \$19 million for Rwanda, and enough IEF (\$16 million) for payments to U.S. localities.~~

Cons:

- o This would exhaust FY 1994 refugee funds available for other contingencies that might arise.

