

Statement on Deferred Enforced Departure for Haitians December 23, 1997

Today I have directed the Attorney General and the Immigration and Naturalization Service to defer for one year the deportation of Haitians who were paroled into the United States or applied for asylum prior to December 31, 1995. This action implements the commitment I made to address the situation of Haitians when I signed immigration legislation last month offering relief to Central Americans and others. It will shield these Haitians from deportation while we work with Congress to provide them long-term legislative relief.

Haitians deserve the same treatment we sought for Central Americans. Like Central

Americans, Haitians for many years were forced to seek the protection of the United States because of oppression, human rights abuses, and civil strife at home. Many of them have established strong ties and made significant contributions to our communities. And while we have been encouraged by Haiti's progress following the restoration of democratic government in 1994, the situation there remains fragile. Staying the deportation of these Haitians and obtaining for them permanent legislative relief will help support a stable and democratic Haiti—which, in turn, is the best safeguard against a renewed flow of Haitian migrants to the United States.

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Memorandum for the Attorney General

Subject: Measures Regarding Certain Haitians in the United States

Over the past several decades, many Haitians have been forced to flee their country because of human rights abuses and civil strife and have sought the protection of the United States. A significant number of these Haitians were brought into the United States from Guantanamo Bay Naval Base by President Bush following the overthrow of President Aristide in 1991. Other Haitians arrived here through other means and were paroled or applied for asylum. Many of these Haitians continue to be without legal status in the United States.

Pursuant to my constitutional authority to conduct the foreign relations of the United States, I have determined that it is in the foreign policy interest of the United States to defer for 1 year the deportation of any Haitian national who was paroled into the United States before December 31, 1995, or who filed for asylum before December 31, 1995, and who has been continuously present in the United States since that date.

Accordingly, I now direct you to take the necessary steps to implement for these Haitians:

1. deferral of enforced departure from the United States for 1 year from the date of this memorandum; and
2. authorization for employment for 1 year from the date of this memorandum.

This directive shall not apply to any Haitian national: (1) who has been convicted of an aggravated felony; (2) who is found to be a persecutor of others within the meaning of 8 U.S.C. 1101(a)(42); (3) whose removal you determine is in the interest of the United States; (4) whose presence or activities in the United States the Secretary of State has reasonable ground to believe would have potentially serious adverse foreign policy consequences for the United States; (5) who voluntarily returned or returns to Haiti or his or her country of last habitual residence outside the United States; (6) who was deported, excluded, or removed prior to the date of this memorandum; or (7) who is subject to extradition.

These measures shall be taken as of the date of this memorandum.

WILLIAM J. CLINTON