

ADD/DDP

Memorandum

HQOPS 70/23-C

Subject Deferred Enforced Departure for Certain Haitian Nationals	Date DEC 23 1997
To Regional Directors Regional Counsel District Directors District Counsel Officers in Charge (including SPCs) Chief Patrol Agents	From Office of Field Operations

President Clinton today directed the Attorney General to provide certain Haitian nationals with Deferred Enforced Departure (DED) and employment authorization for one year. With certain exceptions, the directive covers Haitian nationals who applied for asylum, or were paroled into the country, before December 31, 1995, and who have remained in the United States since that time. The exceptions include 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 INA section 101(a)(42);
3. whose removal the Attorney General determines 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;
5. who voluntarily returned or returns to Haiti or to the alien's country of last habitual residence outside the United States;
6. who was deported, excluded, or removed prior to Dec. 23, 1997; or
7. who is subject to extradition.

Aliens covered by the presidential directive and not subject to one of the listed exceptions shall not be removed from the United States while the directive remains in effect. Such aliens should also be released from custody, except that IIQOPS should be contacted if the alien is subject to mandatory detention or if the alien's release would present a danger to the community. Aliens falling within the exceptions may be detained and removed as

