

FOIA MARKER

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Folder Title:

Ireland-Deportees, 1995

Staff Office-Individual:

Staff Director-Soderberg, Nancy

Original OA/ID Number:

1397

Row:

49

Section:

1

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3

Position:

1

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V

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

0260

January 18, 1996

ACTION

MEMORANDUM FOR ANDREW D. SENS

THROUGH: ALEXANDER VERSHBOW *AV*

FROM: MARY ANN PETERS *MAP*

SUBJECT: Additional Information on Deportation of Irish
Nationals

*TO KB -
lets set up
meeting with
Alan & MAP
to discuss*

Attached at Tab I is a memo from you to Maggie Williams revising guidance we gave to her in December on Irish deportation cases and forwarding a draft interim reply to Representative Nadler.

Concurrence by: Alan Kreczko *AK*

RECOMMENDATION

That you sign the memo to Maggie Williams at Tab I.

Attachments

Tab I Memo to Maggie Williams

Tab A Draft Interim Reply to Representative Nadler

Tab B Memorandum of December 7

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

0260

MEMORANDUM FOR MAGGIE WILLIAMS

FROM: ANDREW D. SENS

SUBJECT: Additional Information on Deportation of Irish
Nationals

On December 7 I sent you a memo in response to your request for guidance on Administration policy on deportation of Irish nationals who have been involved in terrorist activities (Tab B). Debby Both subsequently sent to NSC staff for comments a draft letter to Congressman Nadler from the First Lady which was based on that memo. For your information, the President has also received letters from members of Congress on this issue. We have not yet provided replies because the NSC legal staff is still looking into the issue.

I understand the urgency of replying to Congressman Nadler, but I think a brief interim reply would be most appropriate at this point. A suggested draft is at Tab A. Please also note that the December memo to the President suggested a Congressional private relief bill as the best option for the families of the deportees to pursue. We have now learned that the relevant Subcommittees have tightened their procedures and ruled out private bills for people whose cases are still before the courts, as is the case with these Irish nationals.

Attachments

Tab A Draft Interim Reply to Congressman Nadler

Tab B Memorandum of December 7

THE WHITE HOUSE

WASHINGTON

Dear Representative Nadler:

Thank you for getting in touch with me regarding the pending deportation cases of Kevin Crossan and other Irish nationals who have been involved with the IRA. This issue has been brought to the attention of the White House in recent months by family members of the potential deportees, members of Congress, and members of the Irish-American community.

While I understand that the law gives the Administration little flexibility in cases of individuals convicted of a terrorist or other serious crime, we are continuing to look into these cases. The Attorney General has assured us they are being handled fairly.

Sincerely,

Margaret A. Williams
Chief of Staff
to the First Lady

The Honorable Jerrold Nadler
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

Date 1/8/95

MEMO FROM DEBORAH BOTH X 67284
TO: ANDREW SEN'S

The attached is for your:

Information _____

Advice ✓

Action _____

COMMENTS:

As you can see, I simply
paraphrased your language.
Let me know if it is O.K. if not,
please revise and make it right.
Thanks alot ... DEBBY

DRAFT

Draft to
Mary Ann
Peters 8670

January 4, 1995

Congressman Jerrold Nadler
Congress of the United States
U. S. House of Representatives
Washington, D.C. 20515

Dear Congressman Nadler:

In response to your conversation and November 3rd letter to the First Lady regarding eleven Irish nationals facing deportation, we conferred with staff at the National Security Council. They informed us that the issue has been brought to its attention several times in recent months by other members of Congress, attorneys and the families of the deportees.

After a detailed review, it has been determined that these individuals have been treated fairly under the law. Immigration law severely limits granting deportation relief to aliens convicted of serious crimes, even if they have American spouses. Further, if the Administration were to intervene on behalf of the Irish deportees but not on behalf of others in similar circumstances, e.g., eight Palestinians currently being deported on terrorism grounds, we would be vulnerable to charges of arbitrariness or discrimination.

It has been suggested that the best course of action is for the families to seek Congressional passage of a private relief bill. If you have any further questions, please do not hesitate to contact me.

Sincerely,

Margaret A. Williams
Chief of Staff
to the First Lady

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

8670

December 7, 1995

MEMORANDUM FOR MAGGIE WILLIAMS

FROM: ANDREW D. SENS ^{ASS}

SUBJECT: Deportation of Irish Nationals

The issue raised in Congressman Nadler's letter of November 3 to the First Lady has been brought to the NSC's attention a number of times in recent months, by members of Congress, attorneys and the family members of the deportees. The law generally gives the Administration little flexibility on these cases, because most of the individuals in question have been convicted of a terrorist or other serious crime. If the Administration were to intervene on behalf of the Irish deportees but not on behalf of others in similar circumstances (Palestinians, for instance), it could be open to charges of arbitrariness or discrimination. In our view the best course for these families is to seek Congressional passage of a private relief bill.

For your background, I am attaching a copy of a recent information memorandum to the President on this issue.

Attachments

Tab A Memorandum to the President dated November 28, 1995
Tab B Incoming correspondence

THE WHITE HOUSE
WASHINGTON

November 28, 1995

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE
JACK QUINN

SUBJECT:

Irish Nationals in Deportation Proceedings

The cases of eleven Irish nationals currently facing deportation have generated widespread interest in the Irish-American community. Although all the cases are different, most of the deportees have been convicted of IRA-related terrorist offenses. Most of them have American wives, which would normally entitle them to stay, but for their criminal conviction. The families of the deportees and their supporters in the Irish-American community and on the Hill argue that these men are being singled out by the INS at the behest of the British Government. They are requesting that the Administration do whatever is necessary to end the deportation proceedings. The AG has reviewed the cases and believes the individuals are being treated fairly under the law.

Immigration law severely limits granting deportation relief to aliens convicted of serious crimes, even if they have American spouses. Some of the 11 individuals are statutorily ineligible for relief. Others are unlikely to qualify because of the high standard for relief: Because conditions in Ireland are not unsafe, based on the standards currently used by INS, the deportees do not qualify for either political asylum or suspension of deportation on humanitarian grounds. Changing the standards as a general matter would make it difficult to deport nationals of other countries that are far less livable than Ireland.

Executive action for this group would be difficult to justify without appearing arbitrary or discriminatory. For instance, there are 8 Palestinians currently being deported on terrorism grounds, and their cases are difficult to distinguish from those of the Irish. Leniency could also be criticized as inconsistent with our strong commitment to the deportation of alien criminals

cc: Vice President
Chief of Staff

and terrorists. We believe the better course is for the families to seek Congressional passage of a private relief bill; we have encouraged them to explore this possibility without indicating that the Administration would actively support such a bill.

You should be aware that the wives of the deportees have indicated they may picket or otherwise protest while you are in Northern Ireland or Ireland. Nancy Soderberg met with several of the wives to try to discourage them from doing so, but we do not know what their plans are.

THE WHITE HOUSE

Andy —

What can be done
about this - anything?

HRC spoke to Congress-
man Nadler - and said
she would follow up -

Grudance please

Maggie

NADLER
New York

REPLY TO

WASHINGTON OFFICE:
100 CANNON BUILDING
WASHINGTON, DC 20515
(202) 225-6880

DISTRICT OFFICE:
1001 BROADWAY
SUITE 800
NEW YORK, NY 10003
(212) 485-6880

DISTRICT OFFICE:
200 WESTFORD AVENUE
BROOKLYN, NY 11211
(718) 875-6880

Congress of the United States
House of Representatives
Washington, DC 20515

TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE
SUBCOMMITTEES:
AVIATION
RAILROADS
JUDICIARY COMMITTEE
SUBCOMMITTEES:
COMMERCIAL AND
ADMINISTRATIVE LAW
CRIMINAL JUSTICE
INTELLECTUAL PROPERTY

To: Hillary Rodham Clinton

Date: 11/3/95

From: Jerrold Nadler

Re: Kevin Crossan
A 72 470 18888

This is a follow-up to our conversation on 11/2/95 regarding my constituents, Mr. Kevin Crossan and his wife, Ms. Joyce Crossan. Mr. Crossan's application for permanent resident status was denied by the Immigration and Naturalization Service in June 1995 despite his 1991 marriage to a United States citizen. The denial was based upon convictions which stem from his involvement in the Irish Republican movement.

Mr. Crossan's trial took place in a diplock court which is reserved for political cases and which Amnesty International has stated denies defendants fundamental due process. Mr. Crossan was accused of killing a woman who was caught in crossfire during a shootout between British troops and the IRA. Mr. Crossan was released from prison in January 1990 after serving 14 years and came to the United States in March 1991 under the visa waiver program.

The Crossans were married in December 1991 and Mr. Crossan applied for permanent resident status several months later. The decision on his application was not rendered until nearly three years after his interview at INS. He faces deportation although an Order to Show Cause has not yet been issued.

It is my understanding that there are several others who currently face deportation as a result of their involvement in the conflict in Ireland. Mr. Crossan's attorney has met with Mr. David Martin, General Counsel of the Immigration and Naturalization Service. I met with Mr. Crossan and his wife on 10/28/95.

A resolution of these situations would not have any diplomatic consequences as they do not involve extradition requests. The alleged crimes were political in nature and the validity of the convictions is suspect at best because of the political nature of the court and its denial of fundamental due process rights. No moral or diplomatic purpose would be served by deporting these men. To the contrary, it would be cruel to separate them from their American wives and children. These cases are a major issue in the Irish community and are the subject of a great deal of publicity. It would be a great thing in the Irish community if the President helped resolve these cases favorably, prior to his trip to Ireland.

If additional information is needed, please feel free to contact me. Again, many thanks for your help in this.

SENT BY:

11-16-86 : 17:28 :

BPM-1

1# 2/ 2



Don't Deport Our Families

Eleven Irish and Irish American families face deportation and exile because their husbands and fathers were political prisoners in Ireland.

Help stop the deportations and keep them in America.

Demonstrate

Saturday, December 2nd

1pm-3pm 26 Federal Plaza

Broadway and Worth Street, New York City

N or R to City Hall; 2 or 3 to Park Place

A, C or E to Chambers Street; 4, 5 or 6 to Brooklyn Bridge

Sponsors: Irish American Families Against Political Deportation
Contact: (212) 747-0105

TOTAL P. 01

TIME STAMP

NATIONAL SECURITY COUNCIL EXECUTIVE SECRETARIAT STAFFING DOCUMENT

SYSTEM LOG NUMBER:

8670

ACTION OFFICER:

Peters

DUE:

ASAP☐ Prepare Memo For Lake/Berger☐ Appropriate Action☐ Prepare Memo For WH Staff Secretary☐ Prepare Memo For Sens☒ Prepare MemoSen

to

Williams

CONCURRENCES/COMMENTS*

PHONE* to action officer at ext.

6-9151

Concur

FYI

Concur

FYI

Concur

FYI

☐☐ Andreasen☐☐ Ficklin☐☐ Poneman☐☐ Armstrong☐☐ Fried☐☐ Rice☐☐ Appel☐☐ Froman☐☐ Roth☐☐ Baker☐☐ Gardner☐☐ Samore☐☐ Bassett☐☐ Grummon☐☐ Satterfield☐☐ Beers☐☐ Haines☐☐ Schifter☐☐ Bell☐☒ Halperin☐☐ Schmidt☐☐ Bendick☐☐ Harmon☐☐ Schokor☐☐ Benjamin☐☐ Harris☒☐ Schwartz☐☐ Blacker☐☐ Heslin☐☐ Seaton☐☐ Blinken☐☐ Johnson☐☐ Sestak☐☐ Bradley☒☐ Kreczko☐☐ Sheehan☐☐ Breeland☐☐ Kyle☐☐ Showalter☐☐ Brown☐☐ Leary☐☐ Sigler☐☒ Clarke☐☐ Litwak☐☐ Simon☐☐ Claussen☐☐ Lorin☐☐ Suettinger☐☐ Cullin☐☐ Malley☐☐ Tarullo☐☐ Daalder☐☐ McCormick☐☐ Tyler☒☐ Danvers☐☐ Miscik☐☐ Van Tassel☐☐ DeShazer☐☐ Nuccio☐☒ Vershbow☐☐ Eddy☐☐ Parris☐☐ Verville☐☐ Eisenhower☐☐ Pascual☐☐ Wales☐☐ Fairfax☐☐ Peters☐☐ Walsh☐☐ Feeley☐☐ Pifer☐☐ Witkowsky☐☐ Fetig☐☐ Pollack☐☐

INFORMATION

☒ Sens☐ Dohse☐ Soderberg☐ Exec Sec Desk☐ Lake☐ Berger☐ Bass☒ Records Mgmt.

COMMENTS

Logged By

MZC

Return to Records Mgmt.

379 OEOB

Source: Reuters

Subject : IRISH

To Jodi -
put in Book
under deportees

a0293

^BC-IRISH (SCHEDULED)

^Britain frees 84 prisoners in N.Ireland gesture

By Martin Cowley

BELFAST, Nov 17 (Reuter) - Britain freed over 80 Catholic and Protestant prisoners on Friday under new rules to reward 15-month guerrilla ceasefires and keep alive hopes that a fragile peace will turn into an elusive political settlement.

The gates of the top-security Maze prison outside Belfast were opened on the stroke of 8.30 a.m. (GMT) to allow inmates jailed for security offences to go home under new rules relaxing the qualification for remission.

A total of 84 prisoners will get early release, equally divided between Catholic Republicans, who fought to end British rule, and Protestant Loyalists, who battled to maintain it.

The first few prisoners to leave the Maze and two other top-security jails in Northern Ireland said nothing as they were reunited with their families and headed home.

Sinn Fein, political wing of IRA guerrillas, dismissed the move as cosmetic and repeated its call for full release of all of what it calls political prisoners.

Close to 1,000 men and women are held in British jails for security offences ranging from arms possession to murder in connection with the 25-year Northern Ireland conflict.

Easier remission terms will eventually trim the prison population to about half that, prison sources said, leaving mainly long-term prisoners and those serving life sentences.

Britain refuses to amnesty the prison population or to recognise the offences for which they were jailed as political but eased remission terms in a gesture to reward ceasefires to a war which killed 3,200.

The Irish government, which partners Britain in efforts to reconcile Northern Ireland's Protestants and Irish Catholic nationalists, has freed 36 IRA prisoners in recent months, years ahead of schedule.

The Irish Republican Army and Protestant gunmen have observed truces for 15 months but the peace process they helped launch is deadlocked.

Britain insists that the gunmen start handing over their weapons to gain admission for their political spokesmen to new all-party talks on a lasting settlement.

But Sinn Fein has ruled out any IRA disarmament as a surrender and says the issue can only be discussed at the all-party talks as part of the settlement.

British Prime Minister John Major accused Sinn Fein this week of being the main stumbling block to peace and urged it to soften its opposition to disarmament and get the IRA to end its so-called punishment beatings in Catholic communities.

These have continued unchecked throughout the ceasefire and are again on the front pages of the island's newspapers after the abduction of a 19-year-old by an IRA gang on Thursday.

John Hegarty was taken from his home in Strabane by five armed and masked men who said they were from the IRA. He has not been seen since and police have mounted a major search.

There are fears among churchmen and political leaders that the peace process would suffer a serious setback if he became the first person to be killed in a punishment beating since the historic ceasefires.

SMH-702?

The IRA sees itself as an anti-colonial organisation and has set itself up as a community policeman in Catholic communities against crime, especially a thriving drugs trade.

Hegarty was questioned by the mainly Protestant Royal Ulster Constabulary police recently about an armed robbery on a Catholic parish hall.

Hall, Wilma G.

~~86~~

NES

From: Kreczko, Alan J.
To: @UP - APNSA Special Assistants; @EXECSEC - Executive Secretary
Cc: /R, Record at A1; Baker, James E.; Peters, Mary A.
Subject: Irish [UNCLASSIFIED]
Date: Monday, December 04, 1995 5:17PM

One of the 11 "Irish deportee" cases presented by the Irish American Union has been resolved favorably to the individual. INS has decided not to appeal the awarding of asylum to Paul Campbell. INS/GC who personally reviewed the case and made the non-appeal decision, stressed to me that the decision was made in accordance with standard INS practices and policies.

File Deportees

Patricia McDonnell-Megahey
3021 Corlear Avenue
Bronx, N.Y. 10463
718-884-6921

*File
Deputes*

November 27, 1995

Ms. Nancy Soderburg
National Security Council
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Ms. Soderburg:

I'd like to thank you for taking the time to meet with me, Mary Ellen Barr, Noreen Walsh and Mary Pike on November 14, 1995. I'm glad we got an opportunity to meet to discuss my husbands case and the cases of the other men facing deportation back to Ireland.

The deportation proceedings against our husbands are devastating to us, both financially and emotionally. We would like to put all of this behind us and get on with our lives. But sometimes it's all we can think about. It becomes very consuming. All we want is to live in peace, raise our children and live and work in our communities.

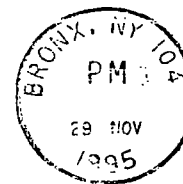
I voted for President Clinton in the last election and hope to vote for him again in the 1996 election. I think he is a good man and I agree with most of his policies. I do feel he is the only President who has done anything to help with the situation in Ireland. We really need him to do something to help us too. The Irish community is looking to him for solutions to these deportation problems.

Thank you again for meeting with us. I hope you enjoy your trip to Ireland and that it doesn't rain the whole time you are there.

Sincerely yours,

Patricia McDonnell-Megahey
Patricia McDonnell-Megahey

MS. PATRICIA MCDONNELL
3021 CORLEAR AVE.
BRONX, NY 10463-5138



Ms. Nancy Soderburg
National Security Council
1600 Pennsylvania Avenue
Washington, D.C. 20500

20500-0006 01





Irish american unity conference

National Office:
National Press Building
529 14th Street N.W., Suite 837
Washington, D.C. 20045
1-800-947-4282
Phone: 202-662-8830
Fax: 202-662-8831

*File
Depts*

*cc
TD
Mark
MM
m*

November 27, 1995

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Noreen A. Walsh
National Secretary

Marie T. Smith
National Treasurer

Ms. Nancy Soderburg
National Security Council
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Ms. Soderburg:

Thank you for spending time with Patricia Megahey and Mary Ellen Barr, the two wives of the Irish deportees, Mary Pike and myself on November 14. I felt the meeting went well in regards to letting the women air their concerns and fears and hearing that the White House is looking into the situation to hopefully gain a fair resolution for all sides.

These women are basically fighting to keep their families together, here in America, and are almost at their wit's end with the rulings from the Justice Department - we cannot ignore their situation. The families have raised their plight across the United States over this past year through articles in newspapers and through radio talk shows and television stations.

The private bill which Alan mentioned is a last resort which can only be considered once all other avenues have been exhausted. The IAUC is working with a few law offices to come up with a solution which either the White House or the Justice Department can follow to resolve these eleven cases.

The Barrs are filing this week for a normal spousal petition with INS and are now sitting tight as Mary Ellen told me she felt that the Administration was positive in their response last week when we met. We are hopeful that after these past twelve long years, this is the final phase for the Barr family.

Each of these families is fighting their cases separately but joined together as a group to gather support. I have enclosed a copy of an editorial from the *St. Louis Post* and a recent letter from one of the wives. Please understand the absolute stress upon them and their children.

ADVISORY BOARD

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NYC Commissioner to UN, Retired

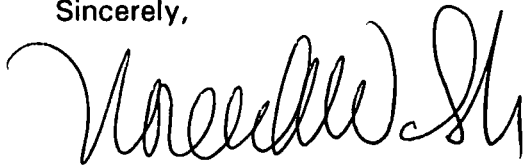
Mary Borez Pike, Esq.

Stephen A. Somerstein, Esq.

Fr. Desmond Wilson, Director
Springhill Community House

I firmly believe that working together, we can achieve a positive win/win situation for all sides, especially President Clinton in this coming election year. As discussed, the IAUC national office will keep in touch with Marianne Peters if anything crops up before our next meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Noreen Walsh". The signature is fluid and cursive, with the first name "Noreen" written in a larger, more prominent script than the last name "Walsh".

Noreen A. Walsh
National Vice President IAUC
(201)235-5368 work
(201)661-1235 home

w/encl

cc: A. Crezco
M. Peters

ST. LOUIS POST-DISPATCH

TUESDAY, NOVEMBER 21, 1996

A Senseless Deportation

Time is running out for Matt Morrison, the Irish immigrant the government is trying to deport because he belonged to the Irish Republican Army 20 years ago. Mr. Morrison, who lives in University City with his wife and two children, is awaiting word on his appeal of a deportation order, but, based on what he hears through the grapevine, he is not expecting good news.

Attorney General Janet Reno has the authority to set aside the deportation order; in doing so, she would be promoting both justice and humanitarianism.

There is no compelling reason to deport Mr. Morrison, so it is puzzling that the Immigration and Naturalization Service is trying so hard to do so. Mr. Morrison served 10 years in prison after firing a shot at an Ulster police officer in 1975. He was 19 at the time and caught up in the IRA cause. After completing his sentence, Mr. Morrison came to the United States.

The Immigration and Naturalization Service began proceedings against him after he acknowledged that he had denied, when he entered the country, ever having been convicted of a crime. But he was

not a criminal in the ordinary sense of the word and, in any case, he has lived a constructive, law-abiding life in the 10 years he has been in this country. The INS concedes that his false statement could be forgiven; but it says his membership in a terrorist organization 20 years ago cannot.

Why not? It is not as though Mr. Morrison is promoting terrorism today or sending money or guns to the IRA. He is attending college and living life as a family man.

In the face of such government inflexibility, one is forced to conclude that Mr. Morrison, along with seven or eight other Irishmen in similar circumstances, is being sacrificed so the United States can show the British government that Washington does not provide asylum to people with an IRA past. British sensibilities can be tended to in other, more substantive ways.

If Mr. Morrison is deported to Northern Ireland, his American wife and American-born children would be uprooted with him. Moreover, in that place of long memories, Mr. Morrison's past IRA membership could put him at risk. What purpose of state or interest of justice is served by such a result?

All Our Children Want for Christmas Is Their Fathers

Matthew
Morrison



Mary Kate
Morrison

President Clinton:

As you join in lighting up Belfast City Centre, we celebrate with you the second Christmas in Ireland that the guns are silent. For your part in that, we applaud you and hope, with you, that reconciliation and a new day are truly possible for the people of Ireland.

But, as we celebrate the possibilities of the future, we ask you to look at some unfinished business from the past. Matthew and Mary Kate are my children. Their father, Matt Morrison is fighting deportation from the U.S. based on his former status as a Special Category prisoner in the north of Ireland. There are other families in our situation. All we ask is the chance to live, work, contribute to our communities, and raise our children in peace.

Our husbands have paid a high price for their decision to fight for their country. They have accepted the consequences of their decision and are not complaining. But must another generation of children suffer? Must our children lose their fathers . . . or their country?

We need your help to stop these deportations. Let there be a new day for Ireland and for our families.

All our children want for Christmas is their fathers.

Francie Broderick Morrison P.O. Box 3008 St. Louis, MO 63130