



United States Department of State

Washington, D.C. 20520

JUL 24 2018

FOIA Control Number F-2018-04960

Randolph McGrorty, Esq and CEO
Catholic Charities Legal Services, Inc.
28 West Flagler Street, Suite 1000
Miami, FL 33130


Dear Mr. McGrorty:

This letter is to acknowledge receipt of your Freedom of Information Act (FOIA) request dated June 25, 2018 pursuant to FOIA 5 U.S.C. § 552 [552a], to the Department of State (DOS), in which you requested records regarding treaties and other international Acts Series 17-112.

The Department of State, Office of Information Programs and Services (IPS) received your FOIA request on July 2, 2018. Your request was assigned the tracking number at the top of this letter. Please include the tracking number in all future communications concerning this FOIA request. In addition, we have placed your request in the complex category.

This Office has adopted a first in/first out practice of processing all incoming requests. Your request has been placed in chronological order based on the date of receipt and will be handled as quickly as possible. If you have any questions regarding the status of your request or to discuss any aspect of your request, you may contact our FOIA Requester Service Center or our FOIA Public Liaison via email at FOIAstatus@state.gov or by telephone at (202) 261-8484.

Sincerely,


Eric F. Stein, Director
Office of Information Programs and Services



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June 25, 2018

U. S. Department of State
Office of Information Programs and Services
A/GIS/IPS/RL
SA-2, Suite 8100
Washington, D. C. 20522-0208

RE: Freedom of Information Act Request

Dear FOIA Clerk:

This letter is a formal request under the Freedom of Information Act (FOIA), as amended (5 U.S.C. §552), for all non-exempt portions of the information described below.

We request documentation providing further clarification into the characteristics make Cuban citizens eligible for repatriation from the United States to Cuba, (See Joint Statement made between the United States of America and Cuba on January 12, 2017 signed in Havana, Treaties and Other International Acts Series 17-112) including, but not limited to:

- Policy directives
- Implementation directives
- Implementation guidelines
- Internal guidelines, memos, and correspondence
- Details of Cuban cases related to repatriation or removal following the Joint Statement
- Any memos, emails, or other documents influencing the creation of the Joint Statement and how it has been enforced

According to the Department of Justice, except for commercial requesters, there is no charge for the first 100 pages of reproduction and 2 hours of search time. After the first 100 pages, a fee of \$.10 per page is charged. Search fees are charged per quarter hour; \$4.00 (clerical), \$7.00 (professional/computer operator), and \$10.25 (managerial). Fees must exceed \$14.00 before a fee is charged. Requests are deemed to constitute an agreement to pay any applicable fees that may be chargeable up to \$25 without notice. Most requests do not require any fees; however, if fees exceed \$25.00, please notify our office prior to completion of the request. We agree to pay up to \$25.00 should a fee arise.

Main Office
28 West Flagler Street, Suite 1000
Miami, Florida 33130
Tel: 305-373-1073

Doral Office
7855 NW 12th Street, Suite 114
Miami, Florida 33126
Tel: 305-887-8333

Miramar Office
6081 SW 21 Street
Miramar, Florida 33023
Tel: 954-306-9537



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We ask that you respond within 20 working days, as is required by law. If you have any questions regarding this request, please feel free to call our office at (305)373-1073. If the request is not stated with sufficient specificity, or if the request refers to documents or information not available in your office, we request a conference with you to remedy any defects in the request, pursuant to 5 CFR §10310(s)(2).

Thank you in advance for your immediate attention to this matter.

Sincerely,

Randolph McGrorty, Esq. and CEO
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TREATIES AND OTHER INTERNATIONAL ACTS SERIES 17-112

MIGRATION AND REFUGEES

**Joint Statement Between the
UNITED STATES OF AMERICA
and CUBA**

Signed at Havana January 12, 2017



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

CUBA

Migration and Refugees

*Joint Statement signed at Havana
January 12, 2017;
Entered into force January 12, 2017.*

JOINT STATEMENT

MOTIVATED by an interest in the normalization of bilateral relations consistent with the Purposes and Principles enshrined in the Charter of the United Nations, including those related to the sovereign equality of States, settlement of international disputes by peaceful means, respect for the territorial integrity and political independence of States, respect for equal rights and self-determination of peoples, non-interference in the internal affairs of States, and promotion and encouragement of respect for human rights and fundamental freedoms for all;

ENCOURAGED by the re-establishment of diplomatic relations on July 20, 2015 based on mutual respect and the political will to strengthen bilateral relations and establish new understandings in various areas of common interest;

AWARE of the necessity to facilitate regular migration to the benefit of both countries, and to discourage irregular migration;

COMMITTED to preventing irregular migration, impeding departures from the Republic of Cuba that risk loss of human life, combating acts of violence associated with irregular migration, such as trafficking in persons and alien smuggling; and beginning the regular return of Cuban nationals, as set forth in this Joint Statement.

The United States of America and the Republic of Cuba have agreed to take a major step toward the normalization of their migration relations, in order to ensure a regular, safe and orderly migration. The Joint Communiqués dated December 14, 1984 and September 9, 1994 and the Joint Statement of May 2, 1995 remain in effect except as modified by this Joint Statement (collectively known as 'Migration Accords'). This Joint Statement is not intended to modify the Migration Accords with respect to the return of Cuban nationals intercepted at sea by the United States or the return of migrants found to have entered the Guantanamo Naval Base illegally.

In this framework, the United States of America shall henceforth end the special parole policy for Cuban nationals who reach the territory of the United States (commonly referred to as the wet foot-dry foot policy), as well as the parole program for Cuban health care professionals in third countries. The United States shall henceforth apply to all Cuban nationals, consistent with its laws and international norms, the same migration procedures and standards that are applicable to nationals of other countries, as established in this Joint Statement.

1. From the date of this Joint Statement, the United States of America, consistent with its laws and international norms, shall return to the Republic of Cuba, and the Republic of Cuba, consistent with its laws and international norms, shall

receive back all Cuban nationals who after the signing of this Joint Statement are found by the competent authorities of the United States to have tried to irregularly enter or remain in that country in violation of United States law.

The United States of America and the Republic of Cuba state their intention to promote changes in their respective migration laws to enable fully normalized migration relations to occur between the two countries.

2. The United States of America and the Republic of Cuba shall apply their migration and asylum laws to nationals of the other Party avoiding selective (in other words, discriminatory) criteria and consistent with their international obligations.
3. The United States of America shall continue ensuring legal migration from the Republic of Cuba with a minimum of 20,000 persons annually.
4. The United States of America and the Republic of Cuba, determined to strongly discourage unlawful actions related to irregular migration, shall promote effective bilateral cooperation to prevent and prosecute alien smuggling and other crimes related to migration movements that threaten their national security, including the hijacking of aircraft and vessels.
5. The Republic of Cuba shall accept that individuals included in the list of 2,746 to be returned in accordance with the Joint Communiqué of December 14, 1984, may be replaced by others and returned to Cuba, provided that they are Cuban nationals who departed for the United States of America via the Port of Mariel in 1980 and were found by the competent authorities of the United States to have tried to irregularly enter or remain in that country in violation of United States law. The Parties shall agree on the specific list of these individuals and the procedure for their return.
6. The Republic of Cuba shall consider and decide on a case-by-case basis the return of other Cuban nationals presently in the United States of America who before the signing of this Joint Statement had been found by the competent authorities of the United States to have tried to irregularly enter or remain in that country in violation of United States law. The competent authorities of the United States shall focus on individuals whom the competent authorities have determined to be priorities for return.

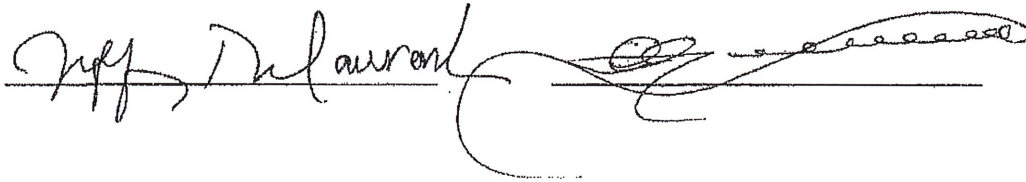
As from the date of signing of this Joint Statement, the Parties shall carry out the necessary procedures for its implementation. The Parties may meet and revise such procedures from time to time to ensure effective implementation.

The competent authorities of the United States of America and the Republic of Cuba shall meet on a regular basis to ensure that cooperation under these Migration Accords is carried out in conformity with their respective laws and international obligations.

Signed on the 12th day of January, 2017, in Havana, Cuba, in the English and Spanish languages, both texts being equally authentic.

For the Government of the
United States of America:

For the Government of the
Republic of Cuba:

The image shows two handwritten signatures on a horizontal line. The signature on the left is written in cursive and appears to be 'Jeff DeLaurentis'. The signature on the right is also in cursive and is more stylized, possibly representing a Cuban official. Both signatures are written in dark ink.