

Weekly Muster

Week of Muster: Immediate

Topic: Changes to Parole and Expedited Removal Policies Specific to Cuban Nationals

HQ POC/Office: (b) (6), (b) (7)(C) Enforcement Programs Division

- On January 12, 2017, The Secretary of Homeland Security rescinded the parole policy for arriving Cuban nationals, commonly known as “wet-foot/dry-foot” and the Cuban Medical Professionals Parole Program. These policy changes are effective immediately.
- Effective January 13, 2017, the United States has resumed full diplomatic relations with the Government of Cuba eliminating the exception to removal under 8 CFR 235(b)(1)(F) for Cuban nationals.
- As a result, Cuban nationals who are unable to overcome the presumption of being an intended immigrant are inadmissible under section 212(a)(7)(A)(i) of the Immigration and Nationality Act (INA) and subject to Expedited Removal under 235(b).
- The Cuban Family Reunification Parole (CFRP) Program, administered by USCIS, which allows certain eligible residents to apply for advanced parole for their family members in Cuba remains intact.
- Dual nationals, with Cuban citizenship who apply for admission under the Visa Waiver Program (VWP), presenting a VWP passport as their identity document for entry, will be treated as any VWP applicant, and subject to removal under section 217 of the INA.
 - If a VWP applicant claims fear of return, normal VWP procedures for referral to an Immigration Judge for limited review of the asylum claim must be followed.
- All aliens awaiting credible fear interview will be referred to Immigration and Customs Enforcement, Enforcement and Removal Operations (ERO) for detention pending credible fear determination and removal.
- Nothing in this muster precludes the exercise of discretion for aliens who are inadmissible due to a minor or technical violation of the INA, or to permit the withdrawal of an application for admission in lieu of formal removal.
- All individuals, to include citizens of Cuba, who present valid advanced parole authorization issued by CIS or Significant Public Benefit paroles issued by ICE will continue to be inspected and processed per existing policy.

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Exemplar Scenarios

Valid in Airport, Land, or Seaport environments

1. **Properly Documented Visitor:** (b) (7)(E)
(b) (7)(E)
(b) (7)(E) There is no apparent inadmissibility. Admit as appropriate.

2. (b) (7)(E) A citizen of Cuba (b) (7)(E)
(b) (7)(E)

3. (b) (7)(E)
4. (b) (7)(E)

5.
6.
7.

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