



# Questions and Answers

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## Cuban Family Reunification Parole Program

### **Q. What is the Cuban Family Reunification Parole (CFRP) Program?**

**A.** Under this program, U.S. Citizenship and Immigration Services (USCIS) is offering beneficiaries of approved family-based immigrant visa petitions an opportunity to come to the United States rather than remain in Cuba to apply for lawful permanent resident status (i.e., a “green card”). The purpose of the program is to expedite family reunification through safe, legal, and orderly channels of migration to the United States and to discourage dangerous and irregular maritime migration.

### **Q. What is the authority that allows an individual to be paroled into the United States?**

**A.** The Immigration and Nationality Act provides that USCIS may exercise its discretionary parole authority “for urgent humanitarian reasons or significant public benefit.” See INA § 212(d)(5)(A), 8 U.S.C. § 1182(d)(5)(A); see also 8 CFR § 212.5(c) & (d) (discretionary authority for granting parole).

The CFRP Program will supplement other existing programs (e.g., family-based immigrant visas, refugee settlement, and parole) to provide another avenue for the United States to meet the commitment of issuing travel documents under the U.S.-Cuba Migration Accords.

### **Q. What other avenues of legal migration are available to Cubans attempting to emigrate?**

**A.** Under the U.S.-Cuba Migration Accords, the United States endeavors to provide a minimum of 20,000 travel documents annually to aspiring Cuban emigrants. In so doing, the United States offers a safe, legal, and orderly means of coming to the United States. To date, the majority of travel documents issued under the Migration Accords falls into one of three programs: family-based immigrant visas; refugee resettlement; and parole under the Special Cuban Migration Program, also referred to as the Cuban Lottery.

### **Q. Why extend another parole authority when there are three potential avenues of legal migration?**

**A.** Two aspects of the existing array of migration programs limit the ability of the United States to effectively promote safe, legal, and orderly migration as an alternative to irregular maritime crossings from Cuba. First, with the exception of “immediate relatives” (e.g., spouse, unmarried child) of U.S. citizens, the number of family-based immigrant visas that are available in any given year is limited by statute. See Immigration and Nationality Act (INA) § 201(c), 202(a) & 203, 8 U.S.C. §§ 1151(c), 1152(a) & 1153. Second, the United States has not been permitted to hold a new registration period for the Cuban Lottery Program since 1998 due to constraints placed on the program by the Cuban Government. This fact greatly reduces the pool of individuals to whom the United States may issue travel documents.

**Q. Was the United States able to provide 20,000 travel documents in Fiscal Year 2007?**

A. No. The Government of Cuba's interference in the operations of the United States Interests Section (USINT) hindered USINT's ability to carry out its migration-related and other functions at full-capacity. As a consequence, the United States Government was not able to process a minimum of 20,000 Cubans to immigrate legally to the United States in fiscal year 2007.

**Q. Will the CFRP Program increase the number of Cubans who are allowed to migrate to the US under the Migration Accords?**

A. No. Paroles granted under the CFRP Program will count towards the annual 20,000 goal as set forth in the Migration Accords. USCIS expects to grant fewer paroles under the Cuban Lottery Program to offset those granted under the CFRP Program.

**Q. Will those eligible for the CFRP Program be allowed to enter the United States in the first year of implementation?**

A. While some people approved under the CFRP Program will be able to travel in the first year of implementation, it is anticipated that the CFRP Program will be a multi-year program complementing several programs of legal migration that help meet the goal of issuing 20,000 travel documents annually pursuant to the Migration Accords.

**Q. Is the CFRP Program available to aliens who qualify as "immediate relatives"?**

A. No. Participation in the CFRP Program is not available to aliens who qualify as "immediate relatives" under section 201(b)(2)(A)(i) of the INA, 8 U.S.C. § 1151(b)(2)(A)(i). The CFRP Program is not needed for these aliens, because they may seek visas for travel to the United States immediately upon the approval of an I-130 *Petition for Alien Relative*.

**Q. Who is eligible to participate in this program?**

A. Cuban nationals who reside in Cuba and who are the beneficiaries of a properly filed Form I-130, *Petition for Alien Relative*, that has been approved, but for which an immigrant visa is not yet immediately available.

**Q. Who is not eligible to participate in this program?**

A. There are certain individuals who are not eligible to participate in the CFRP Program. Cuban nationals who are not residing in Cuba are ineligible to participate. In addition, Cubans who have committed serious crimes or who fail to pass security checks will not be granted parole.

**Q. What do I need to do to have my beneficiaries participate in the CFRP Program?**

A. Participation in the CFRP Program does not require any additional forms or fees on your part. If you already have filed Form I-130, *Petition for Alien Relative* **and** you have received an approval notice, you will be contacted by USCIS or the Department of State's National Visa Center (NVC) with a written notice explaining your beneficiary's eligibility to participate in the CFRP Program and the procedures for requesting parole.

**Q. What do I need to do if I have already filed an I-130 for my relatives in Cuba but have not yet received an approval notice?**

A. You do not need to do anything until you have received an approval notice AND a written notice regarding the CFRP Program from USCIS or the Department of State's National Visa Center.

**Q. After I have returned the necessary paperwork for my beneficiary to the NVC, what do I need to do next?**

**A.** Once the NVC has a CFRP Program package from a petitioner in the United States, the NVC will send a second letter with information regarding the scheduling of an interview for your beneficiary. Please do not call USCIS or USINT at this time to schedule an appointment.

**Q. Will the granting of parole under the CFRP Program be automatic?**

**A.** No. A discretionary grant of parole for a particular alien remains a case-by-case determination. All applicants will need to pass security background checks and provide additional information if requested. If USCIS exercises its discretion to grant parole, it will issue the necessary U.S. travel documents to the beneficiary in Cuba. These travel documents will enable the beneficiary to travel to the United States in a safe, legal and orderly manner.

**Q. Will the beneficiary of a CFRP parole be able to request parole for other family members who are not beneficiaries of an approved I-130?**

**A.** CFRP beneficiaries who are over 21 years of age may request parole for certain family members. On the morning of the parole interview, the applicant should advise the Consular staff that he or she would like to request parole for (a) family member(s) not included in the I-130 petition. Final decisions regarding parole requests are made by an USCIS official. Applicants receive the outcome of their parole requests several weeks after their interview day.