

U.S. CUSTOMS AND BORDER PROTECTION
Department of Homeland Security

Memorandum

AUG 12 2003

MAN-I:FO:BSF:PO SD

TO : Directors, Field Operations
Interim **Director**, Preclearance Operations

FROM : Assistant Commissioner
Office of Field Operations

SUBJECT: Guidance Regarding Admissibility of Aliens **Who** Violate the Terms of
Special Registration, Special Registration Guidance #7

(b) (7) (E)

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Vigilance ★ *Service* ★ *Integrity*

(b) (7) (E)

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(b) (7)(E)

Please ensure that this policy and the attachments are disseminated to all ports of entry in your jurisdiction. Please also ensure that supervisors at the inspection musters, brief this issue. If you have any questions please contact (b) (6), (b) (7)(E) Executive Director, Border Security and Facilitation, at (b) (6), (b) (7)(E)

(b) (6), (b) (7)(E)

Attachments



U.S. Department of Justice
Immigration and Naturalization Service

HQINS 70/28

Office of the Executive Associate Commissioner

425 I Street NW
Washington, DC 20536

ME (b) (6), (b) (7)(C) 2002
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Aliens Already Admitted

The purpose of this memorandum is to establish Immigration and Naturalization Service (INS) procedures for the implementation of any call-in registration ordered by the Attorney General. This memorandum has five parts: Current Federal Register Notice Criteria, Penalties, Registration Guidance, Enforcement Guidance, and Conclusion.

On September 11, 2002, the INS began implementation of the National Security Entry Exit Registration System (NSEERS) or Special Alien Registration Program. The purpose of Special Alien Registration, or NSEERS, is to ensure that certain aliens, whose presence in the United States requires closer monitoring in the national security and/or law enforcement interests of the United States, provide specific information at regular intervals to verify their compliance with their visa and admission; and to verify that they depart the United States at the end of their authorized stay. Prior to November 15, 2002, the only nonimmigrant aliens who had been subject to the NSEERS program were those who met the established criteria and applied for admission at ports of entry (POEs) on or after September 11, 2002.

Pursuant to Title 8, Code of Federal Regulations, Part 264.1(f)(4), the Attorney General may, via publication of a notice in the Federal Register, impose special registration requirements upon nonimmigrant aliens who are nationals, citizens, or residents of specified countries or territories (or a designated subset of such nationals, citizens, or residents) who have already been admitted or who are otherwise in the United States. Exercise of this authority is more commonly referred to as a "call-in" registration.

Current Federal Register Notice Criteria

The Attorney General has determined that certain nonimmigrants who were present in the United States on or before September 10, 2002, and who meet his

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Subject: Special **Registration** of Certain **Nonimmigrant** Aliens Already **Admitted** to the **United States**

established criteria, **must** be specially registered. A Federal **Register Notice (FR Notice)**, published on **November 6, 2002**, specifies the criteria for this "call-in" **registration**.

Currently, an alien is required to register pursuant to the FR Notice if the alien is a male who was born on or before November 15, 1986; is a citizen or national of Iran, Iraq, Libya, Sudan, or Syria; was inspected by the INS and last admitted to the United States as a nonimmigrant on or before September 10, 2002; and will remain in the United States at least until December 16, 2002. Aliens who have nationality or citizenship in one of the above countries are required to register, notwithstanding any dual nationality or citizenship. Future Federal Register Notices may require call-in registration of citizens or nationals of additional countries.

The **FR Notice** is inapplicable to any alien who (1) is presently in an **A or G nonimmigrant** classification; (2) is lawfully admitted to the **United States** for permanent residence; or (3) has applied for **asylum** on or before **November 6, 2002**, or has been **granted asylum**, under section 208 of the **Immigration and Nationality Act (Act)**.

An alien who is registered through the call-in process is subject to the same requirements as an alien registered upon **arrival** at a POE, except for the 30-40 day interview. **See** paragraph (e) of the FR Notice and 8 **CFR 264.1(f)(5)-(9)**. **These requirements include** the annual interview for **reregistration**; **departure registration**; and notification of **changes in address, educational institution or employer**. **For more information regarding these requirements, please refer to the September 5, 2002, memorandum from the Executive Associate Commissioner for Field Operations, titled "Standard Operating Procedures for Alien Registration" (September 5 Policy Memorandum).**

When other nationalities are added to the call-in registration program, additional Federal Register notices will be published. The scope of future call-in registration requirements could change over time. Therefore, it is important to note that the language of future Federal Register notices will supersede the instructions in this memorandum if there is a conflict

Penalties

(b) (7) (E)

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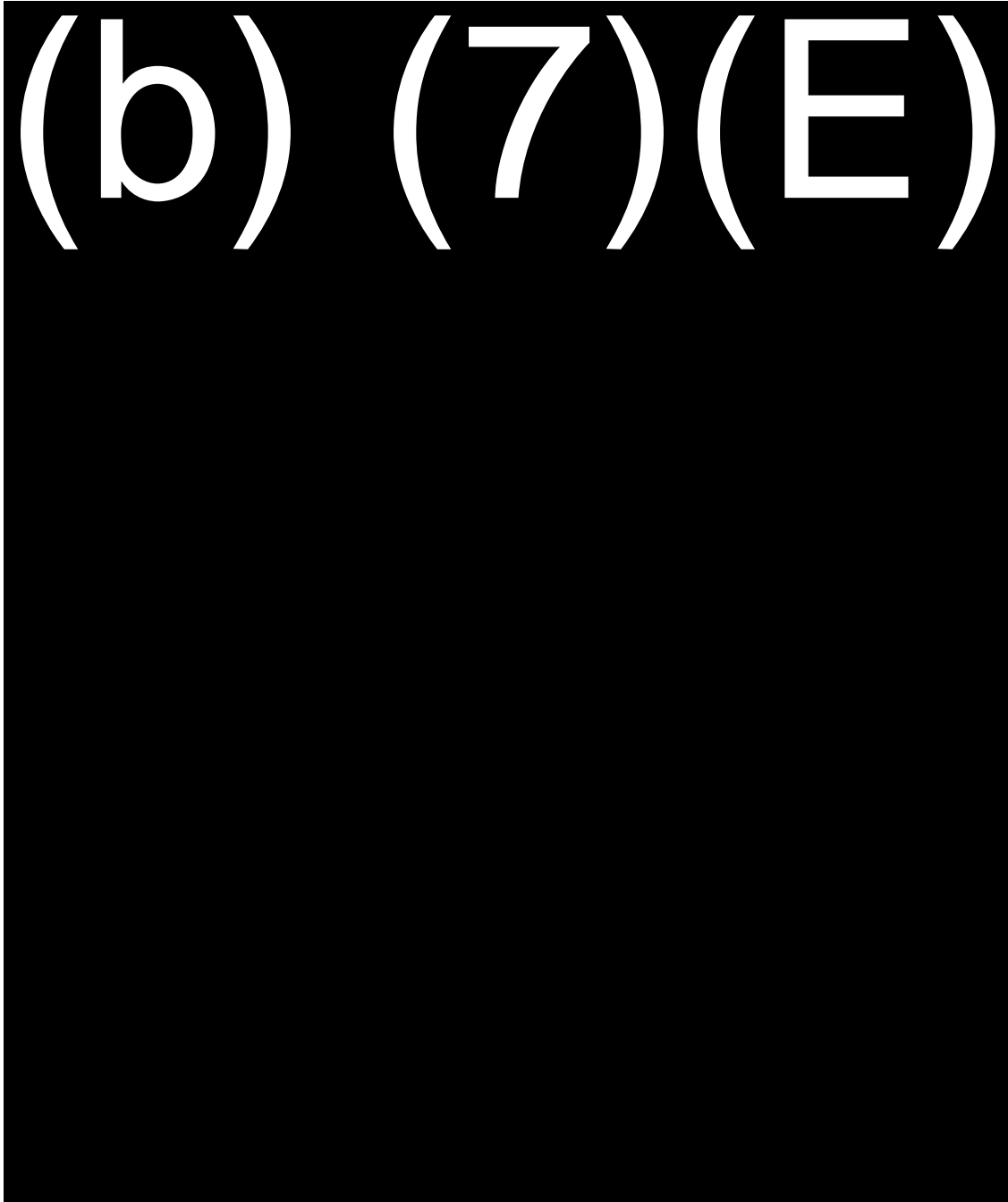
Registration Guidance

(b) (7) (E)

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Subject Special Registration of Certain **Nonimmigrant Aliens** Already Admitted to the United States

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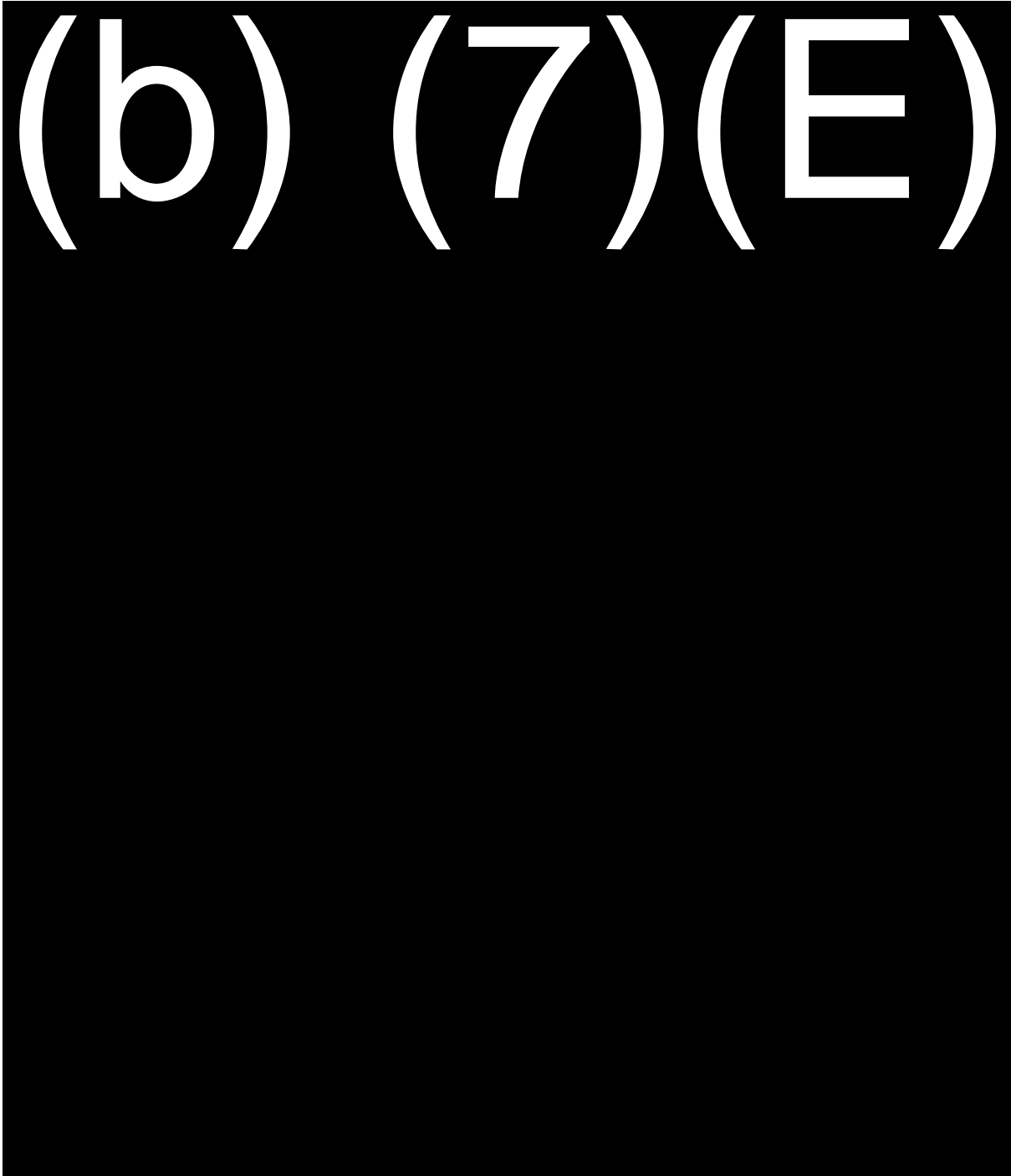
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Subject: Special Registration of Certain **Nonimmigrant** Aliens Already Admitted to the
United States

(b) (7) (E)

Enforcement Guidance

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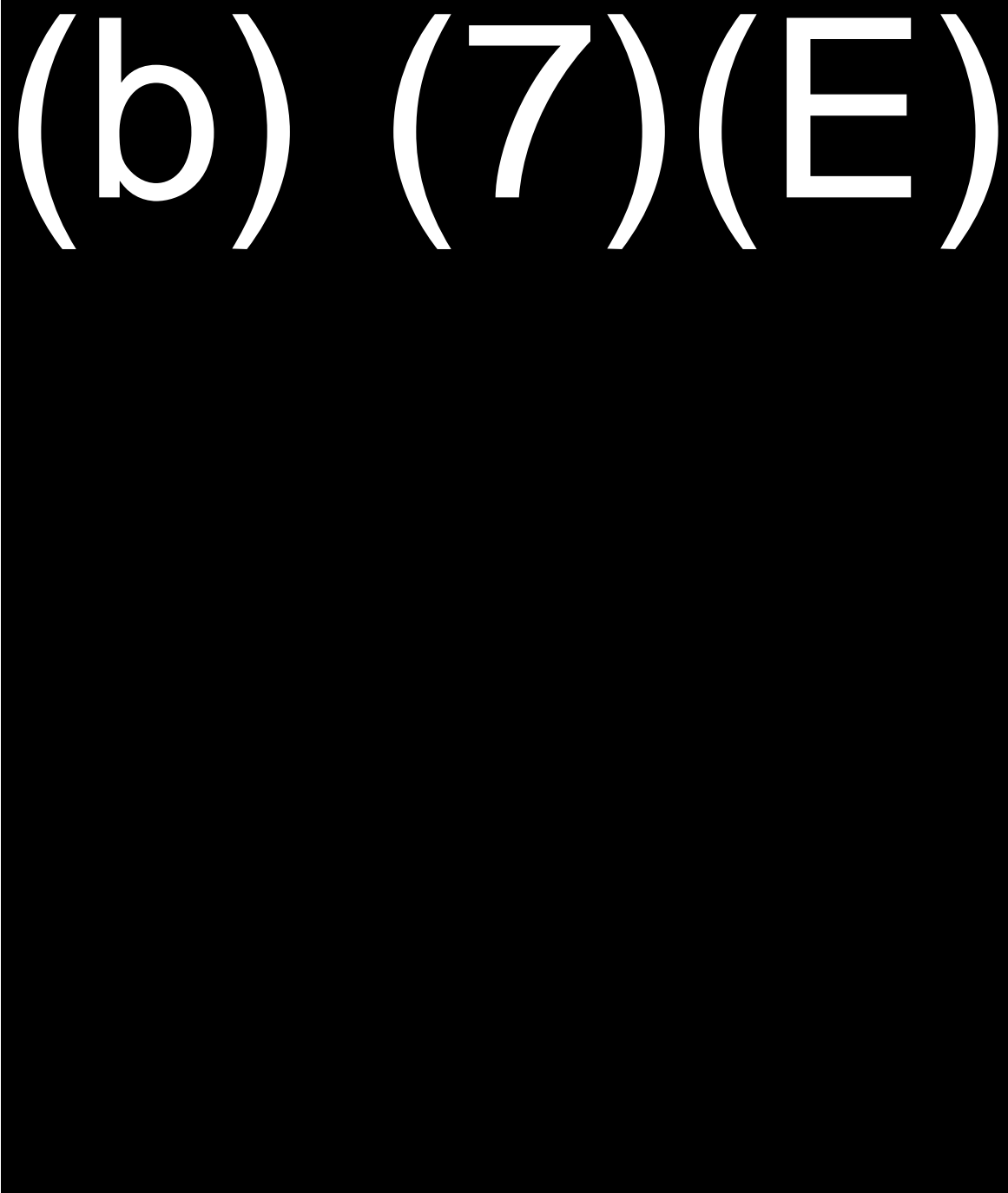
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Subject: **Special Registration of Certain Nonimmigrant** Aliens Already Admitted to the
United States



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Subject: Special Registration of **Certain Nonimmigrant** Aliens Already Admitted to the **United States**



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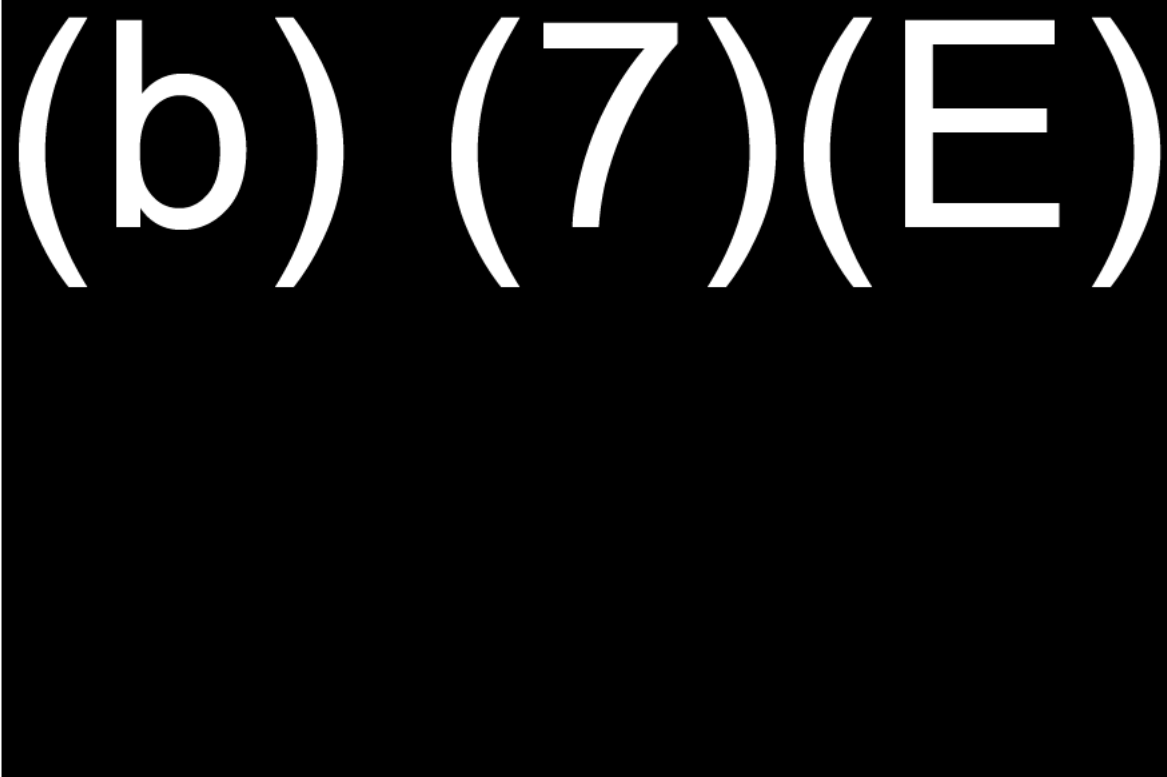
Subject: Special **Registration** of Certain **Nonimmigrant** Aliens Already Admitted to the United States

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Conclusion

Combined efforts from personnel in all programs are essential to the successful implementation of this important Attorney General directive. Field personnel having questions regarding this memorandum should refer their questions through established protocol to the appropriate Headquarters personnel who are available for guidance:

Inspections - (b) (6), (b) (7)(C) Benefits - (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) Investigations - (b) (6), (b) (7)(C) Detention and Removal -
(b) (6), (b) (7)(C) and Border Patrol - (b) (6), (b) (7)(C)



U.S. Department of Justice
Immigration and Naturalization Service

HQINS 70/28

Office of the Executive Associate Commissioner

425 I Street NW
Washington, DC 20536

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(b) (6), (b) (7)(C)

MEMO

FROM

SUBJECT

Registration System (NSEERS),

On September 11, 2002, the **Immigration and Naturalization Service (INS)** implemented the **NSEERS** program. Due to the **remarkable efforts of officers and employees** throughout the **INS**, **the overall results to date have been impressive.** In the short time since the **Attorney General** announced this project, the **INS** has developed a **system, deployed** hardware and software, **implemented policies and trained** thousands of **officers.** **These** accomplishments are significant, **yet there** are still areas within the **NSEERS** program that can be strengthened.

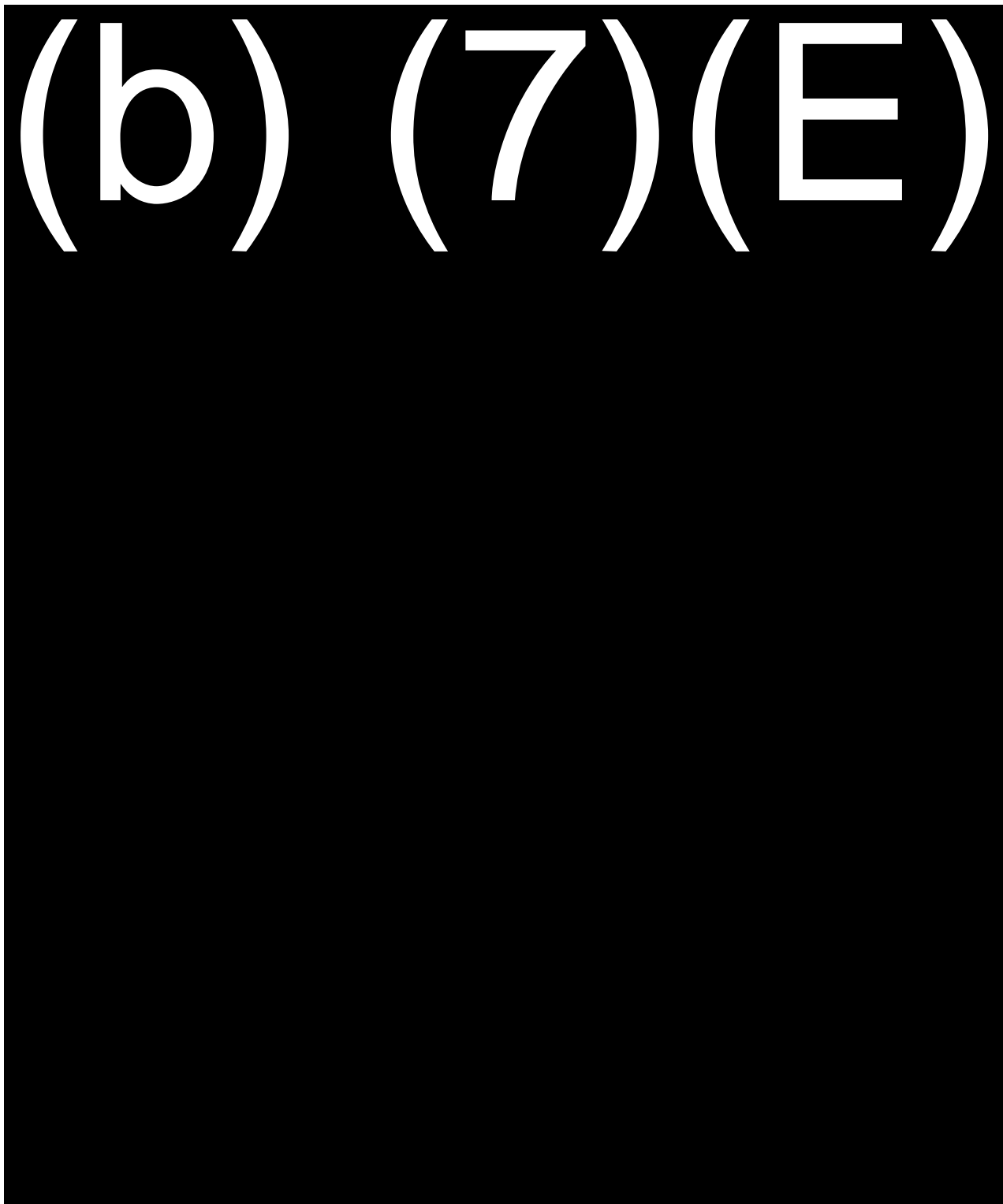
Complete Registration Records and **Quality Assurance**

(b) (7) (E)

Memorandum for Regional Directors, et al

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Subject: Strengthening the National Security Entry Exit Registration System (NSEERS), or the Special Alien Registration Program



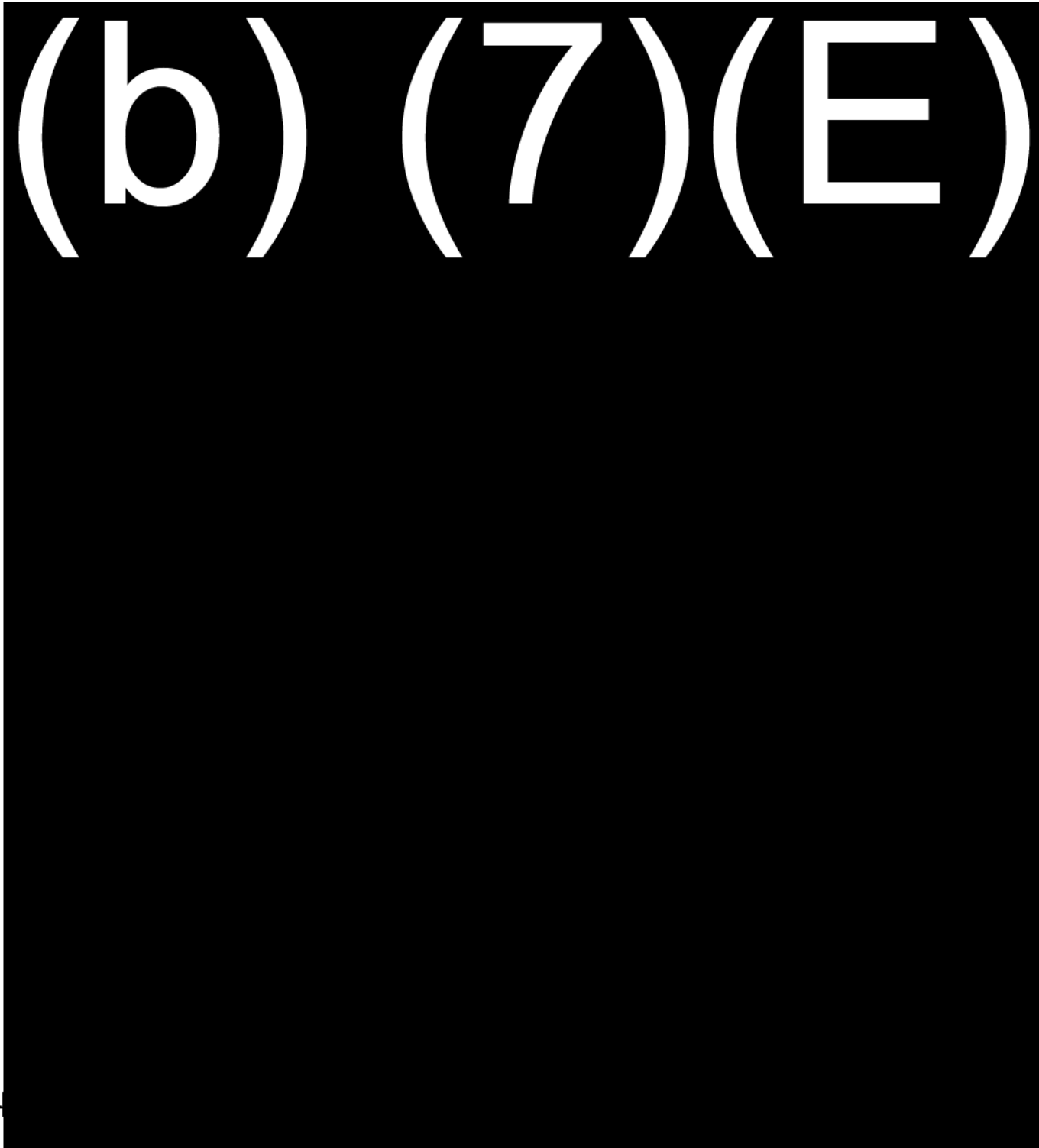
Memorandum for **Regional** Directors, et al
Subject: **Strengthening** the National Security Entry Exit Registration
System (NSEERS), or the **Special** Alien Registration Program

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Subject: **Strengthening** the National Security Entry Exit Registration System (NSEERS), or the Special Alien Registration Program

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Subject: **Strengthening** the National Security Entry **Exit** Registration
System(**NSEERS**), or the Special **Alien** Registration **Program**

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Subject: Strengthening the National Security Entry Exit Registration
System (NSEERS), or the Special Alien Registration Program

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(b) (7)(E)

Please disseminate this memorandum to all districts, ports, sectors, and asylum offices in your jurisdiction. Please refer questions regarding this memorandum to (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)