

IMPORTANT “SPECIAL REGISTRATION” (NSEERS) UPDATE: ANNUAL RE-REGISTRATION DEADLINES APPROACHING

INDIVIDUALS WHO REGISTERED AS PART OF NSEERS “SPECIAL REGISTRATION,”
MUST **RE-REGISTER** IN PERSON EVERY YEAR AT AN IMMIGRATION OFFICE
WITHIN **10 DAYS** OF THE ANNIVERSARY OF THEIR INITIAL REGISTRATION DATE

SPECIAL REGISTRATION (NSEERS) IMPOSES ONGOING REQUIREMENTS. THESE REQUIREMENTS APPLY TO PERSONS WHO REGISTERED AT EITHER

- a government immigration office under the Special Registration “Call-In” requiring certain citizens and nationals of designated countries to register between November 15, 2002 & April 25, 2003, or
- a U.S. port of entry (POE) under Special Registration when being admitted to the U.S. as a “nonimmigrant” at any time on or after September 11, 2002.

Willful failure to comply with ongoing requirements can lead to criminal penalties, deportation proceedings, and denial of immigration benefits. If an individual has failed to comply with any registration requirement or has any problem or concern related to his or her immigration status, *he or she should consult with an attorney immediately.*

ONGOING REQUIREMENTS FOR “CALL-IN” and PORT-OF-ENTRY (POE) REGISTRANTS:

➤ **RE-REGISTER ANNUALLY**

- Re-register every year within 10 days of the anniversary of the individual’s initial registration (*i.e.*, during the period starting 10 days before and ending 10 days after the individual’s annual re-registration date).
- The individual’s annual re-registration date is the:
 - Anniversary of the date of *registration* for each Call-In registrant.
 - Anniversary of the date of *admission* to the U.S. for each POE registrant.
- Re-register in person at a designated government immigration office.

➤ **REPORT CHANGES IN ADDRESS, SCHOOL, OR EMPLOYER**

- A change in address, school, or employer must be reported within 10 days of the change. (Submit Form AR-11SR to report these changes. Non-registrants use Form AR-11 to report address changes.) This duty is in addition to any other requirements that may apply when an individual changes his school or employer.
- Keep a copy of the completed Form AR-11SR and get a receipt showing that it was mailed to the address on the form. Go to www.bcis.gov/graphics/formsfee/forms/ar-11sr.htm or call 800.870.3676 for the form.

➤ **COMPLY WITH DEPARTURE REGISTRATION**

- Leave the U.S. **only** from a port specifically designated for departure by special registrants.
- Report to an immigration officer for departure registration.
- Turning in the I-94 does **not** constitute departure registration.
- Check www.immigration.gov/graphics/shared/lawenfor/specialreg/BLISTOFP.pdf for important and detailed information about designated departure ports, where to report, and hours of operation.

➤ **ADDITIONAL REQUIREMENT FOR PORT-OF-ENTRY (POE) REGISTRANTS: 30-40-DAY INTERVIEW**

- Report to a designated government immigration office for a follow-up interview within 30 to 40 days of the date of admission to the United States.

RIGHT TO A LAWYER. Registrants have the right to have their lawyers represent them throughout re-registration. This right is particularly important when registrants are questioned at the re-registration or any investigation that follows. Report interference with the right to legal representation to immrights@aclu.org.

RE-REGISTRATION AND OTHER REQUIREMENTS AND DEADLINES

Category of Special Registration	Persons Covered	Initial Registration Date	Re-Registration Requirements – Dates and Deadlines –	Examples
Special Registration Call-In	Male citizens / nationals of designated countries who registered at an INS or DHS office in 2002-2003 under Special Registration Call-In.	The date on which the individual <i>actually registered</i> at an INS or DHS office.	Annual re-registration date is the anniversary of the individual's <i>initial registration date</i> . Deadline: Annual re-registration required during period beginning 10 days before and ending 10 days after annual re-registration date.	If person registered under Special Registration Call-In at an INS office on Dec. 16, 2002, person must re-register between Dec. 6 - 26, 2003. Last day to report for annual re-registration for person in this example is Dec. 26, 2003.*
Special Registration at Port of Entry (POE)	Persons who registered (got fingerprinted and photographed) under Special Registration at a port of entry when being admitted to the U.S. as a "nonimmigrant" at any time on or after September 11, 2002.	The date of <i>admission</i> to the U.S. (not the date of the 30-40-day follow-up interview described in the next box).	<p>➤ 30-40-day follow-up interview: Persons registered at POE must report to a designated government immigration office for follow-up interview 30-40 days after the date of admission. ===== & =====</p> <p>➤ Annual re-registration date is the anniversary of the individual's date of <i>admission</i>. Deadline: Annual re-registration required during period beginning 10 days before and ending 10 days after annual re-registration date.</p>	<p>If person registered at a POE when admitted to U.S. on Jan. 12, 2003, person must report for follow-up interview between Feb. 11 - 21, 2003. In this example, last day for follow-up interview is Feb. 21, 2003.* ===== & =====</p> <p>In this example, after the 30-40-day follow-up interview, the person must also report for annual re-registration between Jan. 2 - 22, 2004. Last day to report for annual re-registration for this person is Jan. 22, 2003.*</p>
Travel Outside U.S. After Special Registration Call-In or Special Registration at Port of Entry (POE)	Persons who left the U.S. and returned after registering under Special Registration Call-In or Special Registration at a POE.	<p>The government has not been clear about what Special Registration requires for people who left the U.S. after being registered and who then returned to the U.S.</p> <ul style="list-style-type: none"> - If such a person registered again at a POE when he was re-admitted to the U.S., he must report for the 30-40-day follow-up interview. His annual re-registration date appears to now be based on his most recent <i>admission</i> date. It is unclear but he may also still be expected to report within 10 days of the anniversary of his original initial special registration. - If the person was <i>not</i> registered when being re-admitted to the U.S., it is unclear but he may still be expected to do annual re-registration based on his original initial registration date. - Until the government provides clear instructions, the recommended approach is to report for the earliest re-registration date that might apply <u>and</u> ask when to report again. Example: If the person registered under Call-In on Dec. 5, 2002, left the U.S., and registered at a POE when he returned on Mar. 20, 2003, he must go to the follow-up interview between Apr. 19 - 29, 2003.* Then he would re-register between Nov. 25 - Dec. 15, 2003 (based on the initial Call-In registration) and return again to re-register between Mar. 10 - 30, 2004 (based on the POE registration).* <u>If an immigration officer says that a person is not required to re-register on either date, get written confirmation of that instruction.</u> 		

Change-of-Address, -School or -Employer Reporting Requirement: Persons who were registered (under either Call-In *or* at a POE) must submit Form AR-11SR within 10 days of a change in address, school or employer. (Non-registrants use Form AR-11 to report address changes.)

Departure Registration Requirement: Persons who were registered (under either Call-In *or* at a POE) are also required to leave the U.S. *only* through a designated port and to register with an immigration officer at the time of departure.

Right to Counsel: Registrants have the right to bring a lawyer when they re-register and to have the lawyer represent them throughout the re-registration process. Report any interference with the right to legal representation to immrights@aclu.org.

* Some government documents include examples with miscalculations indicating that annual re-registration is to be completed within the 9 days following the annual re-registration date and that follow-up interviews for POE registrants are to be completed by the 39th day following admission. Registrants should therefore avoid waiting until the last day of their respective windows.

WHEN TO RE-REGISTER. An individual subject to special registration is required to report annually within 10 days of the anniversary of his or her initial registration date. To calculate the specific re-registration deadline, determine the date of the individual's initial registration. Review the registrant's immigration papers and any documents received during the earlier registration to see if the initial registration date is noted; in some cases, the date may be marked next to the fingerprint identification number (FIN), which all registrants should have received. The original dates for the countries designated for Call-In are listed on page 4.

WHERE TO RE-REGISTER. Check www.immigration.gov/graphics/shared/lawenfor/specialreg/List_Interview.pdf for a list of immigration offices designated for registration. Call 800.375.5283 or 800.767.1833 (TTY) for more information. For annual re-registration, the special registration regulation says that persons registered at a POE should go to the district office for the district where the registrant resides; other documents say that any designated office is allowed. The notices for Call-In registrants state that annual re-registration can be done at any designated office. Most people registered at the office closest to where they live and should be able to re-register at the same office. Registrants who have moved since registering should be able to re-register at the office closest to their new home (**but** remember that Form AR11-SR must be submitted for address changes). Those who are not sure where to report can consult an attorney or ask at an immigration office. Do not let a deadline pass because of confusion – registrants must report to a designated office by the deadline for their re-registration, and if they are turned away when they try to re-register, they should insist that they be given a receipt showing that they tried to register.

REQUIRED RE-REGISTRATION DOCUMENTS. Registrants should bring their passport, I-94, government-issued identification, and proof of residence, such as a lease, rent receipt, or utility bill. They should also expect to be questioned and asked for documents that demonstrate that they are complying with the terms of their visas. For example, students should be prepared with documents showing that they are presently enrolled at the correct school and have enough class hours. Those with immigration status based on a job should be prepared with documents verifying the authorized employment.

BE PREPARED. Registrants may want to tell a friend or family member before reporting for re-registration. During the original Special Registration Call-In periods, many people were detained, and many were placed in removal (deportation) proceedings. If there are any problems with the registrant's immigration status, he could be subject to detention and removal when he appears for re-registration. Registrants are strongly advised to consult an attorney before going to re-register. Most people who are arrested are eligible to be released, but many must first post a bond. If the bond is too high or release is denied, ask for a bond hearing with an immigration judge.

IF THE PERSON HAS BECOME A PERMANENT RESIDENT OR IF THE PERSON IS IN REMOVAL PROCEEDINGS:

- If an application for permanent residence is pending, the individual must re-register.
- If an individual has been granted lawful permanent resident status, he is no longer subject to the re-registration requirement. However, the government's registration records may not reflect the new immigration status. An attorney may be able to assist with this situation. As a precautionary measure, a registrant can send a letter (keep a copy), with proof of his permanent-resident status, to the immigration office where he last registered, indicating his understanding that he is no longer required to re-register based on his new immigration status.
- If the registrant is now in removal (deportation) proceedings, it appears that he may nonetheless be expected to re-register – such persons should consult an immigration attorney about this situation.

WAIVERS. A registrant may apply for a waiver of certain special registration requirements. Waiver requests must be made in writing and generally should be submitted at least 30 days before the re-registration date. To be effective, a waiver must be *granted* by DHS and *received in writing before* the individual's re-registration deadline. If a written waiver is not received *before* the deadline, the person must report on time for re-registration. If granted, a waiver may be effective for only a limited time. Call 800.375.5283 or 800.767.1833 (TTY) for the information that must be included in a waiver request. While the regulation stated that waiver requests can be sent to the local district director, other government documents indicate that waiver requests should go to the Bureau of Customs & Border Protection.

CONSEQUENCES OF VIOLATING REGISTRATION REQUIREMENTS. Failure to comply with any of the registration requirements, including failure to provide notice of a change of address, can lead to criminal penalties, deportation proceedings, and denial of immigration benefits.

Do not be confused by the announcement of a new program called US VISIT – It has not affected the Special Registration requirements. Assume that registration requirements continue to apply and that annual re-registration is generally required until the government provides clear written direction that further registration is not required.

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ORIGINAL SPECIAL REGISTRATION CALL-IN DEADLINES. The chart below may help you remember the approximate date on which an individual reported for Special Registration. Remember, each individual’s re-registration deadline depends on the date he **actually** registered.

(Note: The dates below do not apply to people who registered at a port of entry upon arrival in the United States; their registration dates are based on when they were admitted to the United States.)

Men and Boys, Aged 16 and Older, From the Following Countries Were Subject to Special Registration Through the Call-In	Original Dates for Special Registration Call-In
Iran, Iraq, Libya, Sudan, Syria (citizens and nationals who were last admitted to the U.S. as non-immigrants on or before September 10, 2002)	November 15 - December 16, 2002 & January 27 - February 7, 2003
Afghanistan, Algeria, Bahrain, Eritrea, Lebanon, Morocco, North Korea, Oman, Qatar, Somalia, Tunisia, United Arab Emirates, Yemen (citizens and nationals who were last admitted to the U.S. as non-immigrants on or before September 30, 2002)	December 2, 2002 - January 10, 2003 & January 27 - February 7, 2003
Pakistan, Saudi Arabia (citizens and nationals who were last admitted to the U.S. as non-immigrants on or before September 30, 2002)	January 13 - March 21, 2003
Bangladesh, Egypt, Indonesia, Jordan, Kuwait (citizens and nationals who were last admitted to the U.S. as non-immigrants on or before September 30, 2002)	February 24 - April 25, 2003

U.S. citizens, lawful permanent residents, persons granted asylum, certain asylum applicants, persons who entered without inspection, and non-immigrants with “A” or “G” visas were not required to report for Special Registration. For more information, check www.bcis.gov/graphics/shared/lawenfor/specialreg/index.htm.

If a person thinks that he was required to register under one of the original deadlines but did not do so, or if he missed a re-registration deadline, he should consult an immigration lawyer immediately.

Special Registration is complicated and can be confusing. This notice contains information in a form intended for advocates and lawyers. It is not designed to communicate the requirements of Special Registration to individual registrants.

This notice is not a substitute for legal advice.

Persons who may be subject to special registration should consult an attorney about their individual situations.

This notice does not discuss other immigration requirements that may apply.