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Immigration and Naturalization Service

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Office of the Executive Associate Commissioner

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MEMORANDUM FOR REGIONAL DIRECTORS
CHIEF, US BORDER PATROL
DEPUTY EXECUTIVE ASSOCIATE COMMISSIONER,
OFFICE OF DETENTION AND REMOVAL
DIRECTOR OF INTERNATIONAL AFFAIRS
OFFICER DEVELOPMENT AND TRAINING,
GLYNCO AND ARTESIA FACILITIES
SERVICE CENTER DIRECTORS
DIRECTOR, LAW ENFORCEMENT SUPPORT CENTER

FROM: Johnny N. Williams
Executive Associate Commissioner
Office of Field Operations

SUBJECT: Summary of the Special Registration Program, or National Security Entry, Exit
Registration System (NSEERS).

On September 5, two memoranda were disseminated to the field regarding the changes to title 8 Code of Federal Regulations, part 264.1(f) (8 CFR 264.1(f)), which relate to special registration of certain nonimmigrants. This memorandum seeks to further explain how the special registration, or NSEERS, procedures will be implemented beginning on September 11, 2002.

One of the two memoranda referenced above pertains to the standard operating procedures (SOP) for alien registration, and the other is a directive regarding the identification of nonimmigrant aliens who are subject to special registration.

While Phase 1 of special registration of nonimmigrant aliens will begin at all ports-of-entry (POEs) on September 11, the following POEs will serve as test sites for the new special registration automated database (part of the ENFORCE database): Los Angeles International Airport, Dulles International Airport and Niagra Falls, New York. Only these three POEs will register aliens using the new automated program as of September 11, 2002. Should the automated database become inoperable at these locations, nonimmigrant aliens will be registered using the back-up procedures enumerated in the September 5th memorandum regarding standard operating procedures for alien registration.

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Registration System (NSEERS).

The September 5th memorandum regarding the identification of nonimmigrant aliens who are subject to special registration in part states the following: Phase 1 will begin on September 11th for nonimmigrants who are 14 years of age or older from Iran, Iraq, Sudan, Libya, and Syria. All POEs, other than the three test sites, will register nonimmigrant aliens from these five countries using the new back-up procedures found in the SOP.

On or before October 1, other POEs, districts and sub offices will have the new alien registration database and equipment installed. We will continue to aggressively deploy equipment and software to all remaining INS offices over the next several months. The deployment schedule is based on the highest impacted offices, using projections of special registrant volume by location. Until an office has the special registration database installed, special registration must continue using the back-up procedures.

Beginning on October 1, the population of nonimmigrant aliens subject to special registration will be expanded. For details regarding the expansion of the special registration population, refer to Phase 2 on pages two and three of the September 5th directive regarding the identification of nonimmigrant aliens who are subject to special registration.

The first special registrants could report for their 30-day interview as early as October 11th, 2002. Should a special registrant report to a district or sub office that does not yet have the new automated special registration database, the office should continue to utilize the backup procedure.

Training regarding both the standard operating procedures for alien registration and the identification of nonimmigrant aliens who are subject to special registration will begin on September 9th, at the three test sites. The training will expand to all officers primarily employing the train the trainer sessions located in each region. An Intranet training module will also be available for the officers to get acclimated with the new procedures. For more information regarding training please refer the memorandum issued on August 29, titled "National Security Entry Exit System (NSEERS) Training."

Finally, it is incumbent upon each District Director to insure that their port directors discuss this program with their U.S. Customs Service (USCS) counterparts. Once POE staff returns from the aforementioned train-the-trainer classes, the port director should invite USCS representatives to attend POE training sessions so that they are familiar with the criteria and the process that INS inspectors will use to enroll an special registrant.

Presently, only INS officers have the authority to process a nonimmigrant for special registration. Therefore, each port director should establish, or reaffirm the existing local protocol, to respond to USCS when they encounter a nonimmigrant alien who is subject to special registration. Typically, this will occur in a vehicle lane staffed by USCS and the nonimmigrant alien must be referred to INS secondary, using existing practice. However, these encounters may also occur at a POE that is only staffed by USCS, or at any time when INS officers are not available at a POE.

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This program has been developed and deployed in an extremely accelerated time frame. We anticipate that minor changes and improvements will be needed. During the first several weeks, this program will require your attention to evaluate its effectiveness and mitigate unreasonable delays to legitimate travelers. Officers need to be instructed that because someone is subject special registration that they are not to be treated disparately. This program's success will largely lie with the district management to insure that we monitor and improve on this new process. For the first 30 days beginning on September 11th, we will require that each District Inspections Program prepare a daily report to their Assistant Regional Director for Inspections. This report should include any problems, delays, operational impacts, resource issues (directly related to special registration), system functionality, and processing times (including time waiting to be processed).

Thank you for your contributions in making the special registration program come together quickly and efficiently. Should you have any questions regarding this document, or any of the memoranda referenced herein, please contact Assistant Chief Inspector Stephen Dearborn at (202) 305-2970.