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### **SPECIAL REGISTRATION REQUIREMENTS**

The Immigration and Naturalization Service has phased in special registration requirements for four groups of nonimmigrants over the last several months. The new rules apply to the individuals who have all of the following characteristics:

- Males
- Age 16 or older
- Nationals or citizens of specified countries
- Last arrived in the U.S. in a nonimmigrant (temporary) status on or before September 30, 2002; and,
- Intend to remain in the U.S. beyond the special registration deadline applicable to their country of citizenship or nationality. Specific deadlines apply depending on the special registrant's country of citizenship or nationality (see below).

The special registration rules do not apply to permanent residents, US citizens, applicants for asylum or people who illegally entered the US without inspection. However, the rules do apply to nationals or citizens of the specified countries who the INS first admitted to the US as nonimmigrants and who may have stayed in the U.S. beyond the period of time authorized by the INS (overstays).

#### **Groups I & II**

The special registration deadline for the first two groups has passed, but INS will re-open the registration period for these groups from January 27, 2003 to February 7, 2003. These two groups include only male nonimmigrants age 16 or over, who are nationals or citizens of the 20 specified countries, and who last arrived on or before September 30, 2002. Members of these two groups, if they have not already appeared in person for special registration, must appear in person at their local INS office to register:

Afghanistan	North Korea
Algeria	Oman
Bahrain	Qatar
Eritrea	Somalia
Iran	Sudan
Iraq	Syria,
Lebanon	Tunisia
Libya	United Arab Emirates
Morocco	Yemen

### Group III

The third group of male nationals or citizens of the following specified countries who last arrived in the U.S. as nonimmigrants on or before September 30, 2002, age 16 or over, must register between January 13, 2003 and February 21, 2003:

Saudi Arabia	Pakistan
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(Armenia was part of Group III, but INS later removed it from the list).

### Group IV

The fourth group of male nationals or citizens who last arrived in the U.S. as nonimmigrants on or before September 30, 2002 age 16 or over must register between February 24, 2003 and March 28, 2003:

Bangladesh	Jordan
Egypt	Kuwait
Indonesia	

### What to Do if You Are Subject to Special Registration

If you are subject to special registration, then INS directs you to go to a designated INS office to be photographed, fingerprinted, and interviewed under oath.

### What to Do After Special Registration

INS requires special registrants who remain in the United States for more than one additional year to report back to a designated INS office within 10 days of the anniversary of the date on which they were first registered. For example, a person who registered with INS on December 20, 2002 should report back to INS between December 10 and December 30, 2003.

Nonimmigrants have always been required to notify INS within 10 days of changing their address by using form AR-11. This form is available on the INS web site ([www.ins.gov](http://www.ins.gov)). Special registrants who change their address, employment, or educational institution, must also notify the INS in writing within 10 days of the change. The INS requires special registrants to

use Form AR-11SR. This form is available on the INS web site.

Nonimmigrants who depart the U.S. typically return their I-94 arrival/departure records to the INS upon departure. Special registrants who depart the U.S. must appear in person before an INS inspecting officer at one of the designated ports and leave the United States from that port on the same day.

#### Penalties for Noncompliance

INS states that people who fail to comply with the special registration requirements may be considered to be out of status and deportable. INS indicates that it may arrest, detain, fine or remove individuals from the U.S. who fail to comply with the special registration requirements.

Through field guidance, INS has stated that it may detain individuals who have overstayed. The Service may also place these people into immigration proceedings before an immigration judge. Individuals subject to special registration who have applications for adjustment of status pending with INS, which, if approved would restore their immigration status, may find it possible to avoid deportation.

#### Latest Developments

Special registration is a process that INS implements from time to time, as necessary. It has been several years since INS has imposed special registration requirements. Our observation of the current special registration process indicates that the various INS offices implementing the program are developing a variety of local procedures. Some offices are conducting searches of special registrants, including the contents of wallets and purses. We are monitoring these developments in order best to serve our clients.