



This Immigration Update[®] from FosterQuan, LLP contains important information regarding the following:

NSEERS REGISTRATION PROGRAM TERMINATED

On Thursday, April 28, 2011, the U.S. Department of Homeland Security (DHS) published notice in the Federal Register ending the NSEERS registration requirements for all previously listed nationalities.

Nationals of the following countries are no longer required to undergo special NSEERS entry and exit registration: *Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, North Korea, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen.* Those who have been NSEERS registered (have been assigned a FINS number), are no longer required to report to a U.S. Customs & Border Protection (CBP) office to register their exit when departing the United States..

NSEERS

Following September 11, 2001, government officials struggled with appropriate ways to better track the entries and exits of foreign national visitors. Some of the terrorists involved in the September 11th attacks were present in the United States in violation of their immigration status or were “overstays” who had remained in the United States beyond their authorized period of stay. As a result, and in order to better track the presence of certain foreign nationals in the United States, in 2002 the Federal Government implemented a system of special registration, called the National Security Entry-Exit Registration System (NSEERS). Under NSEERS, nationals of certain countries were required to undergo a special registration interview upon entry to the United States and again upon exit. Those already in the United States were required to report to local district offices for the purpose of providing biometric data and undergoing an interview. All were assigned a unique Fingerprint Identification Number.

U.S. VISIT

In the decade since the September 11th attacks, the U.S. DHS and the Department of State developed more sophisticated databases and tracking systems, and now the DHS uses a single tracking system to capture the same data from all foreign national visitors entering and exiting the United States as was previously captured under NSEERS from only those nationals of designated countries. Limited exceptions apply, and persons under 14 or over 79 are not required to register.

The current entry-exit tracking system, which is used to track the arrival and departure of all foreign national visitors in the United States, is U.S. VISIT, the United States Visitor and Immigrant Status Indicator Technology system. Foreign national visitors arriving in the United States must submit digital photographs and fingerprints, which are stored in the U.S. VISIT database of biometrics. Foreign nationals also register their departures through a similar process.

GOVERNMENT AGENCY USE OF U.S. VISIT DATABASE

DHS estimates 30,000 queries a day to the U.S. VISIT system. Queries may be initiated by authorized federal, state, and local government users in order to accurately identify foreign nationals and determine whether they may pose a risk to the United States. U.S. VISIT also accommodates real-time updates to information in the database and provides data analysis to decision-makers.

The U.S. Department of State uses the U.S. VISIT system to establish and verify the identities of visa applicants at U.S. embassies and consulates abroad. When a visa applicant is interviewed, he or she must submit biometric data—digital fingerprints and photographs—which are captured in the U.S. VISIT system.

U.S. Customs & Border Protection (CBP) inspects foreign nationals entering the United States, captures biometrics upon arrival, and compares the biometrics to data in the U.S. VISIT system. Similarly the data is captured and compared upon a foreign national's departure.

By Department of State and CBP use of the system described above, the government is able to track and ensure that the same person approved for a visa at a U.S. consulate abroad is the same person who uses it to enter the United States, and to confirm that the person subsequently departs.

U.S. Immigration & Customs Enforcement uses the U.S. VISIT system to identify those who have overstayed their period of authorized admission. Previously, "overstays" generally would come to the attention of authorities only in connection with some other law enforcement activity.

The U.S. Coast Guard, Department of Defense, and Department of Justice also make use of the U.S. VISIT system in carrying out their respective duties. For more information on U.S. VISIT and how various federal departments and agencies utilize the system, visit the DHS webpage on [U.S. VISIT](#).

As always, FosterQuan will continue to monitor Department of State and Department of Homeland Security activities impacting on immigration requirements and the obligations of foreign nationals visiting the United States and will provide additional information as it becomes available via future Immigration Updates© and on our firm's [website](#).