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Communities in America

PRESS RELEASE:

Rights Groups Continue to Call for Dismantling of NSEERS and Criticize Department of Homeland Security's Refusal to Repudiate This Discriminatory Program and Provide Relief to Those Unjustly Profiled

**For immediate release:
May 7, 2012**

Washington, D.C. – South Asian Americans Leading Together (SAALT) joins the American Civil Liberties Union (ACLU), Council on American-Islamic Relations (CAIR), National Network for Arab American Communities (NNAAC), Rights Working Group, and The Sikh Coalition in expressing serious disappointment regarding the Obama administration's announcement last month that it will not fully terminate the National Security Entry-Exit Registration System (NSEERS), which, in the aftermath of September 11th, required certain nonimmigrant men from predominantly Muslim nations to register with the federal government. In addition, the administration has indicated that it will not provide redress to all people impacted by the discriminatory program.

Last month, the Department of Homeland Security (DHS) issued a memorandum about individuals impacted by the notorious NSEERS program. NSEERS was a counterproductive response to September 11th requiring certain non-immigrants to register at ports of entry and local immigration offices. Those required to register were from predominantly Arab, South Asian, or Muslim countries. The specifics of NSEERS revealed it to be a clear example of discriminatory and arbitrary profiling. The Obama administration has itself found that NSEERS "does not provide any increase in security." DHS' own Office of Inspector General has called for the full termination of NSEERS. In April 2011, DHS modified the program by "delisting" the countries whose nationals were subject to registration requirements, yet individuals still face harsh immigration consequences resulting from the program, including deportation and denial of immigration benefits for which they are otherwise eligible.

The administration's most recent announcement on NSEERS did not fully terminate and dismantle the program. Instead, DHS offers limited relief to some individuals negatively impacted by this discriminatory program. Favorable consideration is limited to narrow circumstances, such as individuals who could not comply with the program because they received inaccurate information from the government or those who were hospitalized. The memorandum does not address relief for the many individuals who complied with the program but were found to lack immigration status nor those who were deported through secret proceedings that took place without due process of law.



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“While the initial measures outlined in this policy could potentially benefit a subset of individuals affected by NSEERS, it does not go nearly far enough. Despite the advocacy community’s years of engagement with DHS on NSEERS, the new announcement reveals the administration’s failure to grasp the widespread fear this program caused in South Asian, Arab, Middle Eastern and Muslim communities in America and how NSEERS has torn families apart,” stated Deepa Iyer, Executive Director of South Asian Americans Leading Together (SAALT).

“The recent issuance of the NSEERS memo by DHS misses the mark and fails to provide redress to all individuals who have been harmed by NSEERS,” stated Margaret Huang, Executive Director of Rights Working Group. “Further, the announcement leaves the program intact and states that information obtained through the discriminatory NSEERS program can continue to be used against individuals. The administration, yet again, has failed to address unconstitutional profiling based on race, religion, ethnicity and national origin,” continued Huang.

The memorandum does not directly grant relief or benefits to individuals impacted by NSEERS but rather asks DHS agencies to develop guidance to implement the memorandum. The groups call on DHS to engage with advocacy organizations in developing this guidance to ensure that it grants meaningful relief. The groups also urge DHS to dismantle NSEERS completely and discontinue using information obtained through the program.