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APRIL 11, 2025

# Immigrant Registration

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## What is immigrant registration?

On February 25, 2025, the Department of Homeland Security (DHS) announced that the Trump Administration would fully enforce certain provisions of the Immigration and Nationality Act requiring noncitizens aged 14 years or older who are residing in the United States for at least 30 days to register with the federal government. Since then, the Administration has published an [Interim Final Rule](#) (IFR) on the matter.<sup>1</sup> All noncitizens who are registered must always carry their registration with them. Noncitizens who fail to register or produce proof of registration face potential criminal consequences that include jail time and fines. The policy is set to go into effect on April 11, 2025.

## What are the registration requirements?

This requirement is not entirely new and was first enacted through the Alien Registration Act of 1940 during World War II. However, given the various changes to the immigration process since the law's initial passage, including the inability for noncitizens to formally register, the law and its requirements have been mostly dormant and unenforced for decades.<sup>2</sup>

The law states that noncitizens aged 14 or older who are in the United States for 30 days or longer must register with the federal government within 30 days of their arrival. Noncitizens under the age of 14 must be registered by a parent or legal guardian. Noncitizens who turn 14, whether previously registered or not, must register and be fingerprinted in person within 30 days of their birthday. Federal regulations include a list of the forms that are considered sufficient for registration, such as Employment Authorization Documents and Notices to Appear. A full list of acceptable documents is available at: [www.uscis.gov/alienregistration](https://www.uscis.gov/alienregistration). Noncitizens with one of these forms who have been fingerprinted will be considered registered under the law.

For noncitizens who are not currently registered, the Administration has created a new process for registration through Form G-325R, *Biographic Information (Registration)*.<sup>3</sup> Noncitizens must create an account at [myUSCIS.gov](https://myuscis.gov) to submit the form, and submission of the form will initiate a Biometrics Services Appointment at a USCIS Application Support Center.<sup>4</sup> Further instructions for submission can also be found on the USCIS website.

Additionally, noncitizens required to be registered must also notify DHS of each change of address and new address within 10 days from the date of the change.

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<sup>1</sup> Alien Registration Form and Evidence of Registration, 90 Fed. Reg. 11,793 (Mar. 12, 2025) [hereinafter Interim Final Rule].

<sup>2</sup> AM. IMMIGR. COUNCIL, THE TRUMP ADMINISTRATION'S REGISTRATION REQUIREMENT FOR IMMIGRANTS (Mar. 11, 2025), [https://www.americanimmigrationcouncil.org/sites/default/files/research/the\\_trump\\_administrations\\_registration\\_requirement\\_for\\_immigrants\\_march\\_2025.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/the_trump_administrations_registration_requirement_for_immigrants_march_2025.pdf).

<sup>3</sup> Interim Final Rule, *supra* note 1, at 11,795.

<sup>4</sup> *Id.*

It is important to note that even immigrants without a legal status in the United States are likely to already have one of the forms that are considered sufficient to meet the registration requirement. For example, of the 3.7 million immigrants currently in removal (deportation) proceedings, many have already been issued one of the documents considered valid for registration purposes.<sup>5</sup> There are also exemptions to the registration requirement for: a) visa holders who have already been registered and fingerprinted through their application for a visa; b) A and G visa holders; c) noncitizens in the United States for less than 30 days; and d) American Indians born in Canada who possess at least 50% of the American Indian race who are present in the United States under the authority of 8 U.S.C. 1359.<sup>6</sup>

## What are the penalties for failing to register?

Being in the United States without a lawful immigration status is not a crime. It is a civil violation for which the penalty can be deportation. However, under the registration requirement, any noncitizen 14 or older who willfully fails to register, or parents who fail to register their children, can be charged with a federal misdemeanor crime. If convicted, it allows the noncitizen or his/her parent(s) to be sentenced to up to 6 months in prison and/or fined up to \$5,000.<sup>7</sup> Any adult who fails to carry proof of registration can be charged with a misdemeanor, jailed for up to 30 days, and/or fined up to \$5,000.<sup>8</sup>

Additionally, failure to report a change of address within 10 days from the date of the change could result in a fine of up to \$5,000 and/or imprisonment of up to 30 days, as well as deportation.<sup>9</sup>

## Have there been any legal challenges brought against this?

Yes. The Coalition for Humane Immigrant Rights (CHIRLA), United Farm Workers (UFW), CASA, and Make the Road New York have [challenged](#) the implementation of the IFR. Their arguments include the Administration's failure to provide a notice and comment period and the lack of clarity in the IFR's language around the categories of noncitizens that would count as officially "registered."<sup>10</sup>

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<sup>5</sup> AM. IMMIGR. COUNCIL, *supra* note 2.

<sup>6</sup> Interim Final Rule, *supra* note 1, at 11,796.

<sup>7</sup> See Interim Final Rule, *supra* note 1 at 11,794 n.1.; see also Am. Immigr. Laws. Ass'n., *Practice Alert: DHS to Publish the Alien Registration Form and Evidence of Registration Interim Final Rule* (Mar. 11, 2025), <https://www.aila.org/library/practice-alert-dhs-to-publish-the-alien-registration-form-and-evidence-of-registration-interim-final-rule>.

<sup>8</sup> *Id.*

<sup>9</sup> See Interim Final Rule, *supra* note 1 at 11,794.

<sup>10</sup> Press Release, Am. Immigr. Council, American Immigration Council Suing Trump Administration Over Unprecedented Requirement That Immigrants Register With the Government (Mar. 31, 2025), <https://www.americanimmigrationcouncil.org/news/council-suing-trump-administration-over-immigrant-registration-requirement>.