

The New Registration Requirement for Certain Noncitizens

The Trump administration issued an [interim final rule](#) effective April 11, 2025, requiring certain noncitizens to register with the Department of Homeland Security (DHS) and carry proof of registration at all times. Many noncitizens are already registered because of documents DHS previously issued, such as a work permit. For noncitizens who are implicated by this new rule, there is risk of detention, deportation, and criminal prosecution. Below, we address some frequently asked questions on this new registration rule. **We recommend that pro bono attorneys working with NIJC clients review these FAQs and counsel their client accordingly.**

1. What does this registration rule require?

As of April 11, DHS requires certain noncitizen adults and children to register and submit to biometrics (i.e., fingerprints and photographs). The rule also requires those individuals to carry proof of registration and notify the Department of Homeland Security within 10 days of changing their address.

Not every noncitizen is required to register. The following individuals have already registered and will need to carry proof of registration and update their address within 10 days of changing their address:

- Green card holders (lawful permanent residents) and people who filed for adjustment of status (i.e., a green card)
- Refugees
- People who came to the United States on a nonimmigrant or immigrant visa (even if expired)
- People who were paroled, including advance parole (even if expired)
- People who have a border crossing card (even if expired)
- People granted an employment authorization document (even if expired)
- People currently in or previously in removal or deportation proceedings (who were issued a “Notice to Appear”)

All other noncitizens are required to register. In addition, parents and guardians are required to register their children within 30 days of their 14th birthday. **If you are a pro bono attorney working with a client who is already registered and doesn't need to take additional action, we recommend confirming this with them.**

Registration requires that noncitizens 18 years and older carry proof of registration at all times. This can include:

- Form I-94
- Parole or Visa Stamp in Passport
- Permanent Resident Card / Green card
- Employment Authorization Card
- I-862, Notice to Appear
- Border Crossing Card
- Form I-590 Registration for Classification as a Refugee
- Form I-485 Application for Adjustment of Status or Form I-698 Application to Adjust from Temporary to Permanent Resident

NIJC recognizes that there are great risks associated both with registering and with failing to register. Some of these risks are outlined below. **Pro bono attorneys with clients affected by this rule should counsel their client about these risks so the client can make an informed choice.**

2. What are the risks involved with registration?

For noncitizens who are subject to the registration, there are serious consequences involved in both registration and the failure to register.

- **Risks of registration:** There are substantial risks to registration including potential detention, deportation, and criminal prosecution for unauthorized entry and/or reentry. The administration is also likely to use the registration process to make collateral arrests of relatives and family members, even if those arrests [violate the law](#). **If a pro bono attorney thinks their NIJC client is subject to registration, we ask that they consult with NIJC before completing the registration to assess the implications on the client's individual case.**
- **Risks of failure to register:** The [President](#) and [DHS](#) have indicated that they intend to ramp up the use of prosecutions against people who willfully fail to register, submit fraudulent information on a registration form, fail to carry proof of registration, and/or fail to notify DHS of their change of address within 10 days. In addition, failing to register may impact a person's ability to be granted immigration benefits.

In each case, it is critical for noncitizens to [know their rights](#) and consult with an attorney or accredited representative. Even individuals who are not required to register may be subject to stops, questioning, and detention by immigration authorities, as DHS implements a new "[show-me-your-paper](#)" practice that could gravely implicate individuals' constitutional and legal rights.

3. Is there a pending legal challenge to stop this new registration requirement?

Yes, a [lawsuit](#) was filed challenging this new registration rule. However, the request for a preliminary injunction was denied and thus the rule went into effect. Consequently, the rule and registration requirement went into effect as of April 11, 2025.

4. Are there other legal concerns related to registration?

Yes. There are serious constitutional and statutory concerns with the registration rule and enforcement. The registration form asks mandatory questions that require people to self-incriminate to potential criminal violations, including entering the United States without permission (illegal entry). This may violate the Fifth Amendment to the U.S. Constitution, which protects against self-incrimination. There are other concerns about this rule will lead to sweeping First and Fourth Amendment violations, as it may lead to targeting individuals based on their prior speech, race, or ethnicity for immigration and criminal enforcement. This rule also risks violating the rights of people with disabilities, individuals who lack language access to understand the rule's requirements, and survivors of violence and persecution. As a result of these concerns, NIJC filed a [comment](#) calling for the rescission of this rule and raising alarm as to the many harms it will impose, as well as its impact on existing constitutional and statutory rights.

5. Has there ever been a registration process before this new rule?

Yes, rarely. The registration process harkens back to several dark chapters in U.S. history. Most recently, Muslim men and boys were forced to register under a [discriminatory](#) program that falsely claimed to protect national security. Registration was also a precursor to [Japanese internment camps](#) and the rounding up of many immigrants under World War II. The Trump administration has significantly broadened the scope of registration with this new rule, implicating millions of immigrants and their families while repeating the racist and fearmongering tropes of its past iterations.

If you are working on an active case with NIJC and have a question about how the registration requirement pertains to your client, please reach out to your NIJC point of contact.