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# Alien Registration Requirement

On Jan. 20, 2025, President Trump issued the *Protecting the American People Against Invasion* executive order which directed the Department of Homeland Security to ensure that aliens comply with their duty to register with the government under section 262 of the Immigration and Nationality Act (INA) (8 U.S.C. 1302), and ensure that failure to comply is treated as a civil and criminal enforcement priority.

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On Jan. 20, 2025, President Trump issued the *Protecting the American People Against Invasion* executive order which directed the Department of Homeland Security to ensure that aliens comply with their duty to register with the government under section 262 of the Immigration and Nationality Act (INA) (8 U.S.C. 1302), and ensure that failure to comply is treated as a civil and criminal enforcement priority.

The INA requires that, with limited exceptions, **all aliens 14 years of age or older who were not fingerprinted or registered when applying for a U.S. visa and who remain in the United States for 30 days or longer**, must apply for registration and fingerprinting. Similarly, parents and guardians must ensure that their children below the age of 14 are registered. Within 30 days of reaching his or her 14th birthday, the previously registered alien child must apply for re-registration and to be fingerprinted.

Once an alien has registered and appeared for fingerprinting (unless waived), DHS will issue evidence of registration, which aliens over the age of 18 must carry and keep in their possession at all times.

Failure to comply will result in criminal and civil penalties, up to and including misdemeanor prosecution and the payment of fines. Registration is not an immigration status, and registration documentation does not establish employment authorization or any other right or benefit under the INA or any other U.S. law.

# Who must apply for registration

- All aliens 14 years of age or older who were not registered and fingerprinted (if required) when applying for a visa to enter the United States and who remain in the United States for 30 days or longer. They must apply before the expiration of those 30 days.
- The parents and legal guardians of aliens less than 14 years of age who have not been registered and remain in the United States for 30 days or longer, prior to the expiration of those 30 days.
- Any alien, whether previously registered or not, who turns 14 years old in the United States, within 30 days after their 14<sup>th</sup> birthday.

## Who has already registered?

Most aliens in the United States have already registered, as required by law. However, a significant number of aliens present in the United States have had no direct way in which to register and meet their obligation under INA 262. In order that unregistered aliens may comply with their duty under INA 262, USCIS is establishing a new form and process by which they may register. No alien will have an excuse for failure to comply with this law.

Anyone who has been issued one of the documents designated as evidence of registration under 8 CFR 264.1(b) has registered. Also, anyone who submitted one of the forms designated at 8 CFR 264.1(a) and provided fingerprints (unless waived) and was not issued one of the pieces of evidence designated at 8 CFR 264.1(b), complied with the registration requirement of INA 262. Aliens who have already registered include:

- Lawful permanent residents;
- Aliens paroled into the United States under INA 212(d)(5), even if the period of parole has expired;
- Aliens admitted to the United States as nonimmigrants who were issued Form I-94 or I-94W (paper or electronic), even if the period of admission has expired;
- All aliens present in the United States who were issued immigrant or nonimmigrant visas prior to arrival;
- Aliens whom DHS has placed into removal proceedings;
- Aliens issued an employment authorization document;

- Aliens who have applied for lawful permanent residence using Forms I-485, I-687, I-691, I-698, I-700, even if the applications were denied; and,
- Aliens issued Border Crossing Cards.

## Who is not registered?

Anyone who has not been issued one of the documents designated as evidence of registration under 8 CFR 264.1(b) and has not submitted one of the forms designated at 8 CFR 264.1(a) and provided fingerprints (unless waived) is not registered. Aliens who have not registered include:

- This includes:
  - Aliens who are present in the United States without inspection and admission or inspection and parole;
  - Canadian visitors who entered the United States at land ports of entry and were not issued evidence of registration; and,
  - Aliens who submitted one or more benefit requests to USCIS not listed in 8 CFR 264.1(a), including applications for Deferred Action for Childhood Arrivals or Temporary Protected Status, who were not issued evidence of registration.

## How to register

DHS will soon announce a form and process for aliens to complete the registration requirement. Beginning Feb. 25, 2025, aliens required to register should create a [USCIS online account](#) in preparation for the registration process. See our [How to Create a USCIS Online Account](#) page for more information. Once the registration process is implemented, aliens will submit their registration, and parents and guardians will submit registration applications on behalf of their children under 14, through their USCIS online account.