



News & Types: Client Advisories

New Registration Requirement for Noncitizens in the United States

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Practices: Immigration

Continuing efforts to end the “unprecedented flood of illegal immigration into the United States” noted in President Trump’s inauguration day executive order *“Protecting the American People Against Invasion”*, Department of Homeland Security (DHS) Secretary Kristi Noem announced a Registration Requirement for noncitizens in the United States. The last required registration of noncitizens occurred after 9/11 as part of the National Security Entry-Exit Registration System – this program ended ten years ago. Additional information about the Registration Requirement is contained on the [U.S. Citizenship and Immigration Services \(USCIS\) website](https://www.uscis.gov).

WHO MUST REGISTER?

- Any person age 14 years and older who did **not** complete biometrics processing (had their fingerprints and photograph taken) when applying for a visa (or entering the United States) and remain in the United States for 30 days or longer
- Citizens of Canada who enter the United States at a land border and were not subject to or who did not complete biometrics processing (had their fingerprints and photograph taken)
- Children present in the United States who were issued a visa prior their 14th birthday
- Children present in the United States who arrived in the country before their 14th birthday
- Children, including Green Card holders/lawful permanent residents, present in the United States who have since turned age 14
- Any person in the United States who was not inspected and admitted or paroled (persons who entered illegally)
- Individuals who have applied for Deferred Action for Childhood Arrivals (DACA) and have not yet completed biometrics processing
- Individuals who have applied for Temporary Protected Status (TPS) and have not yet completed biometrics processing

WHO DOES NOT NEED TO REGISTER?

- U.S. Citizens

- Green Card holders – lawful permanent residents
- Noncitizens issued a Form I-94 (Nonimmigrants) or Form I-94W (Visa Waiver – ESTA) when arriving in the United States. The Form I-94 or Form I-94W may be issued electronically.
- Noncitizens issued a visa by a U.S. Embassy/Consular Post
- Noncitizens paroled into the United States – entering with an “Advance Parole document”
- Noncitizens in removal/deportation proceedings
- Noncitizens holding an Employment Authorization Document (EAD)
- Noncitizens who applied for lawful permanent residence using Forms I-485, I-687, I-691, I-698, I-700
- Noncitizens (generally nationals of Mexico) holding a Border Crossing Card
- American Indians, having 50 per centum of blood with an American Indian race, who were born in Canada
- Members of the Texas Band of Kickapoo Indians who entered the United States under the Texas Band of Kickapoo Act

WHERE DOES REGISTRATION OCCUR?

Individuals required to register will create a USCIS online account and complete the registration online. Thereafter they will be provided instructions to schedule an appointment to complete the biometrics processing at an Application Support Center. USCIS may impose a fee for biometrics processing.

WHEN MUST REGISTRATION OCCUR?

Any individual required to register who remains in the United States for 30 days or longer must register before the 30th day. Children who turn age 14 must complete the registration within 30 days of their 14th birthday. Currently the registration form is not yet available.

WHAT DOCUMENTATION IS ISSUED UPON REGISTRATION?

Individuals will receive notice confirming their registration. Noncitizens over the age of 18 must carry this registration notice with them at all times.

ARE THERE PENALTIES FOR NOT REGISTERING?

Yes, the U.S. government can impose criminal and civil penalties if the registration is not completed.

DOES REGISTRATION GIVE ME ANY RIGHTS OR LEGAL STATUS IN THE UNITED STATES?

No. Registration does not confer any immigration status or employment authorization or right to remain in the United States.

IF I AM NOT REQUIRED TO REGISTER, DO I STILL HAVE TO NOTIFY THE USCIS WHEN I CHANGE HOME ADDRESSES?

Yes. If you are present in the United States, you must report any change of address to USCIS within 10 days of moving. This reporting requirement does not apply to A and G visa holders and visa waiver visitors. Also F, M and J nonimmigrants should consult with their schools and/or sponsors about the reporting process through Immigration and Custom Enforcement's (ICE) SEVIS system.

Additional information about the Registration Requirement (including the applicable registration form) will be included in future Masuda Funai Business Immigration Monthly newsletters when it becomes available.

Masuda Funai is a full-service law firm with offices in Chicago, Detroit, Los Angeles, and Schaumburg