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EXECUTIVE DIRECTOR

Eric Cohen

San Francisco

Washington, D.C.

San Antonio

Houston

ilrc@ilrc.org
www.ilrc.org



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Mr. Jerry Ridgon
Acting Chief, Regulatory Coordination Division
Department of Homeland Security
USCIS, Office of Policy and Strategy
Camp Springs, MD. 20746

Submitted to: www.regulations.gov for OMB Control Number 1615-NEW, DHS, Docket ID USCIS-2025-0006

Comment in Opposition to Agency Information Collection; New Collection; Generic Clearance for the Collection of Certain Biographical and Employment Identifiers

Dear Mr. Ridgon:

Immigrant Legal Resource Center (ILRC) writes to provide a comment in opposition to the U.S. Citizenship and Immigration Services' (USCIS) proposed information collection requests that would add questions to nine forms for different immigration benefits found at 90 FR 22750 (May 29, 2025), OMB Control Number 1615-NEW, Docket ID USCIS-2025-0006. We note with strenuous disappointment that the proposed information collection instruments have not been made public or provided upon request, despite instructions included in the notice. We provide comment here without an opportunity to review the proposed information collection instruments.

Background on ILRC

The ILRC is a national non-profit organization that provides legal trainings, educational materials, and advocacy to advance immigrant rights. The ILRC's mission is to work with and educate immigrants, community organizations, and the legal sector to continue to build a democratic society that values diversity and the rights of all people. Since its inception in 1979, the ILRC has provided technical assistance on hundreds of thousands of immigration law issues, trained thousands of advocates, and pro bono attorneys annually on immigration law, distributed thousands of practitioner guides, provided expertise to immigrant-led advocacy efforts across the country, and supported hundreds of immigration legal non-profit organizations in building their capacity.

The ILRC publishes advisories and manuals for legal practitioners in many areas of family and humanitarian immigration law. Through our extensive network with service providers, immigration practitioners and immigration benefits applicants, we have developed a profound understanding of the barriers faced by low-income immigrants of color seeking immigration benefits. The comments that follow are gleaned from the experiences of many low-income immigrants who we and our partners serve.

I. The ILRC Opposed the Changes Proposed to Multiple Benefits Applications

The agency has proposed adding these categories of information on a wide range of applications for immigration benefits:

- Beneficiary/Applicant/Petitioner Social Security Number
- Family Member (parent(s), spouse, sibling(s), and child(ren)) Social Security Number
- Business/Employer Name
- Business/Employer Physical Address
- Business/Employer Mailing Address
- Business Federal Employer Identification Number

These six new categories of information would be collected on all the USCIS benefit applications listed here:

- OMB No. 1615-0052—Form N-400, Application for Naturalization
- OMB No. 1615-0013—Form I-131, Application for Travel Document
- OMB No. 1615-0017—Form I-192, Application for Advance Permission to Enter as a Nonimmigrant
- OMB No. 1615-0023—Form I-485, Application to Register Permanent Residence or Adjust status
- OMB No. 1615-0067—Form I-589, Application for Asylum and for Withholding of Removal
- OMB No. 1615-0068—Form I-590, Registration for Classification as Refugee
- OMB No. 1615-0037—Form I-730, Refugee/Asylee Relative Petition
- OMB No. 1615-0038—Form I-751, Petition to Remove Conditions on Residence
- OMB No. 1615-0045—Form I-829, Petition by Entrepreneur to Remove Conditions on Permanent Resident Status

This new information collection follows two previous generic collections in May 2025 which already added voluminous body of new questions to these same forms that result in doubling the length of the forms. See 90 FR 11054, OMB Control Number 1615-NEW, Docket ID USCIS-2025-0002, and 90 FR 11324, OMB Control Number 1615-NEW, Docket ID USCIS-2025-0003. We oppose all three of these generic information collections.

The additional collections of information proposed in the current Federal Register Notice (FRN) represents a significant overreach by the government to use immigration benefits applications to facilitate enforcement measures against applicants and those in their immediate families. In violation of the law, the FRN ignores the drastic impact of imposing these collections on applicants, applicants' family members, employers, practitioners, and adjudicators.

Further, additional information collections will burden applicants and practitioners to the point of becoming a formidable barrier to immigration benefits. These collections are another tool in the Trump administration's mass immigration enforcement scheme. The administration is acting in bad faith by using the generic collection provision of the Paperwork Reduction Act (PRA) to facilitate immigration enforcement. The agency should abandon its efforts to collect this information on any immigration form.

II. The proposed information collections are not appropriate for the generic clearance process.

Typically, information subject to a generic clearance process covers "collections that are voluntary, low burden

(based on a consideration of total burden, total respondents, or burden per respondent), and uncontroversial.”¹ Put another way, generic clearance is appropriate for technical or minor collections or ones that are strictly voluntary, such as surveys. The information being sought through this process does not meet that standard.

If the forms are altered to include the new information collections, applicants will have to provide detailed social security information on the applicant, also on their spouse, parents, children, and siblings. In addition, applicants are required to name their employer, employer’s physical and mailing address, and employer’s federal employer identification number. This information is substantive and invasive and not appropriate for generic clearance. There is no showing that the information is relevant or necessary for the disparate types of immigration benefits being applied for.

Furthermore, the Privacy Act of 1974, Public Law 93–579, 88 Stat 1896, (a)(1) states that, “It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual’s refusal to disclose his social security account number.”² The Privacy Act requires that the government protect individual’s personal data and requires that any collection of social security information be described as voluntary, not mandatory. Here there is no indication that any of the social security information collected is voluntary, which is in violation of the statute.

The collection is not low burden: Providing the requested information will impose a significant burden on applicants and their family members and employers, many of whom may have no relevance whatsoever to the particular immigration benefit sought. There is no reasoning supplied for why an applicant should provide all the requested information on an extensive list of family members, many of whom may not be in the same household or even in the same country. Employers may be wary of providing their federal employer identification numbers to an individual who is applying for a benefit that has no relevance to employment, which is the case with all the nine types of benefits applications listed here. The proposed information collection – particularly when taken with the previous two collections – will significantly lengthen the affected forms. This increase in form length will burden applicants, attorneys, and adjudicators. Further, the risk of submitting erroneous or incomplete information is high, leading to an increased adjudication burden for USCIS with a likely increase in requests for further evidence.

The collection is not uncontroversial: The Trump administration has made it clear that its primary immigration policy objective is to detain and deport as many people as possible and that it will use all available tools toward this objective. Immigration benefit forms are no exception. Collecting information about an applicant’s family and employer– even where a family relationship or employment of applicant is not at issue to establish eligibility – suggests the sole and misguided purpose of identifying additional targets for enforcement. Over the past months, we have seen the administration’s weaponization of personal data to target individuals for detention and deportation. The increased enforcement, coupled with a consistent disregard for constitutional law, has been anything but uncontroversial as evidenced by the many of immigration-related lawsuits that the administration is currently embroiled in.

¹ Office of Management and Budget, *Memorandum for the Head of Executive Departments and Agencies and Independent Regulatory Agencies*, (May 28, 2010), available at https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/inforeg/PRA_Gen_ICRs_5-28-2010.pdf.

² See U.S. Department of Justice, *Disclosure of Social Security Numbers*, <https://www.justice.gov/opcl/overview-privacy-act-1974-2020-edition/ssn>.

Taking these factors together, the information collection should not be subject to a generic clearance process. The proposed changes are too substantial, controversial and pose too great a burden on applicants and the government alike to be considered through this fast-track process.

III. The information collections violate the Paperwork Reduction Act.

This burdensome generic collection of information altering nine forms that the public uses to apply for immigration benefits is in violation of the Paperwork Reduction Act (PRA).³ The core purpose of the PRA is to design forms that increase efficiency and reduce the burden on the public, especially for those individuals who are most adversely affected. The PRA also requires the government to ensure that information collected is protected under confidentiality laws. The PRA mandates the use of Federal information to strengthen decision making, accountability and openness in government in society.⁴ None of these purposes are fulfilled by the changes proposed here, and the opposite impact is ensured instead.

The PRA favors effective notice and comment by the public,⁵ which is not accomplished by a generic collection. If the government wishes to alter each of these benefit forms, they should publish a separate Federal Register notice for each one and make the proposed changes for each form available to the public to review. Each of these forms relates to a separate immigration benefit and impacts a separate population. The impacted public is entitled to see exactly how each form will be altered by having the proposed form available through a federal register notice with the required sixty-day comment period and additional thirty-day comment period.

In addition to the two previous generic clearances for the same forms, two days apart, in May 2025, we now have a third new information collection on the same forms. Additionally, we note again that the proposed information collection instruments have not been made available for review, despite requests from the ILRC to the agency, per the instructions in the FRN. We view the government's methods here as an attempt to overwhelm and stymie opposition to the combined impact of the changed forms.⁶ This subversive and disingenuous approach to providing notice through the federal register announcements violates 5 CFR 1320.9(c) by creating an unjustifiable burden on the public. The generic collections propose massive changes to all these forms without providing any meaningful opportunity to the public for review in violation of the PRA. We opposed the two prior generic collections of information, and we similarly oppose the third generic collection of information.

IV. The information collection will increase the burden on the public.

The proposed information collections will contribute to application backlogs, processing delays and barriers to eligible applicants receiving their immigration benefits but will do nothing to increase efficiency or reduce the burden on the public. These proposed changes would increase the length of forms with queries for information that are irrelevant to the benefit being sought. This also lengthens the time involved in completing such forms and adjudicating them.

Longer forms are less accessible to applicants, particularly those who do not have legal representation. They take longer to fill out, create more opportunities for human error and innocuous mistakes, and require more extensive preparation, guidance, and translation. Additionally, longer forms make it difficult for organizations to arrange clinics

³ 44 U.S.C. 3501 et seq, 5 CFR 1320 et seq.

⁴ 44 U.S.C. 3501(4),(8).

⁵ 5 CFR 1320.8.

⁶ USCIS has provided no justification for announcing simultaneous form revisions for the same forms in three separate federal register notices.

to assist applicants in filling out forms, which is a common practice for legal services organizations. With the longer, more burdensome forms, applicants will consequently have to hire representation, likely at significant expense, or perhaps delay or decline to apply for benefits given the uncertainty surrounding the new information collection. In either outcome, the public burden associated with these information collections is high and will disproportionately affect marginalized populations including low-income communities, communities of color, and survivors of domestic violence and crime.

For those who do apply, the proposed forms are still overly burdensome, despite USCIS's attestations to the contrary. The FRNs issued in May 2025 separately estimated the time-burden for applicants to be under an hour for each form, which was entirely incorrect and not supported by any data. Since the information collections together could as much as double the length of these forms and request information that requires extensive research, we believe at least twenty hours per form would be a much more likely time burden.

Under the current generic collection at 90 FR 22752, the estimated increase in burden for the public to complete the changed forms is listed as 2.0 hours for all the forms except the I-192 and the I-590, where the burden is listed as 2.08 hours. These numbers appear to be selected out of thin air, with no justification or reasoning to support them. In addition, the burden on applicants and adjudicators must be added cumulatively with the three separate FRNs of generic information collection, all of which impact the same forms.

Again, by publishing three separate notices, it appears that the agency is attempting to hide the actual, aggregate impact of these changes, but the truth of the impact is clear to anyone who has completed one of these forms (or any immigration form) in the past. The information requested for applicant's family members and employers could take months for an applicant to track down and may be impossible to find in some instances. This is likely to lead to requests for evidence, further delays, and erroneous denials. The risk of the applicant mistakenly adding incorrect information or omitting required information is high.

The information collections place a substantial burden on the applicant. In an era where immigration enforcement reigns supreme, even casual mistakes in filling out applications can have disastrous consequences. The burden on the public is too high for the agency to continue down this path.

V. Conclusion

The inclusion of the questions proposed in the generic information collection will do nothing to increase efficiency but will increase the burden on all parties involved in the application and adjudication process. While seemingly innocuous, the collection of this information as part of regular order on any immigration forms is a dangerous precedent to set and further blurs the lines between the immigration benefits process and immigration enforcement. This will erode trust and discourage applicants from applying for the benefits for which they are eligible and stymie their efforts to access immigration status and the ability to fully engage with life in the United States. DHS should abandon these efforts and refrain from making similar changes in the future.

Sincerely,

Peggy Gleason

Senior Staff Attorney

Immigrant Legal Resource Center

Elizabeth Taufa

Senior Policy Attorney and Strategist

Immigrant Legal Resource Center