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USCIS
Office of Policy and Strategy
Regulatory Coordination Division

RE: ILRC Comment in Opposition to Agency Information Collection Activities- OMB Control No. 1615-0166; Docket ID USCIS - 2025-0005, Extension, Without Change, of a Currently Approved Collection: Form G-325R, Biographic Information (Registration)

Dear Office of Policy and Strategy,

The Immigrant Legal Resource Center (ILRC) submits this comment in strong opposition to the Department of Homeland Security ("DHS") United States Citizenship and Immigration Services ("USCIS") *alleged* Extension, Without Change, of a Currently Approved Collection, OMB Control No. 1615-0166, Docket ID USCIS - 2025-0005, Form G-325R "Biographic Information (Registration)", published on September 28, 2026.

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 and emerging issues, distributed thousands of practitioner guides, provided expertise to immigrant-led advocacy efforts across the country, and supported hundreds of immigration legal non-profit organizations supporting in building their capacity to support immigrants and their families.

More specifically, the ILRC publishes advisories and manuals for legal practitioners in many areas of humanitarian immigration law, including practice advisories on how to discuss registration with clients and responding to and presenting on frequently asked questions about registration. 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. It is through this lens that we provide comment to this Information Collection Activity via the G-325R Form.[1]

[1] *Biographic Information (Registration),* 91 Fed. Reg. 61,243 (September 28, 2026).

We stand in staunch opposition to the G-325R Form and the process of registration as a whole. Registration endeavors like this one are authoritarian tools to sow fear, chaos, and instability in communities and do not correlate to any legitimate national security or public safety purpose. In the past, these types of registration processes have resulted in egregious deprivations of constitutional rights and abuses against populations who have been demonized for political gain and additionally have not yielded any demonstrable benefit for the country. The current process contemplated by this registration program will be no different. Further, the promulgation of this Form flies in the face of established regulatory practice, denying the public a meaningful chance to provide comment on a major shift in the enforcement of the law. The Department of Homeland Security (DHS) inexplicably and improperly denotes this as a "extension, without change, of a currently approved collection", ignoring their failure to provide an opportunity for notice and comment prior to its public circulation. The characterization of this Form as an "extension" is disingenuous and in bad faith and its rollout demonstrates this administration's incompetence in following the law.

We urge the Department of Homeland Security (DHS) to rescind the Form in full and to rescind the registration program.

I. The use of Form G-325R violates the law.

The convoluted path to this Form has unfolded in several uncoordinated stages that violate the law and are arbitrary and capricious. The Executive Order 14159 on January 20, 2025 announced the President's plan to direct DHS to immediately publicize information about the legal obligation of all unregistered "aliens"[2] to register or face civil and criminal enforcement penalties. On March 12, 2025, DHS published an Interim Final Rule (IFR), [Immigrant] Registration Form and Evidence of Registration. The purpose of the rule was to "designate a new registration form for [immigrants] to comply with statutory [] registration and fingerprinting provisions."

Along with the March 12, 2025 IFR notice, DHS published notice for the Form G-325R denoting a 60-day comment period (comments were due on May 12, 2025) separate and distinct from the comment period of the IFR (comments were due April 11, 2025). DHS claims that an emergency authorization under the Paperwork Reduction Act (PRA)[3] was sought and approved for the release of the Form. However, Form G-325R was operational and available for online filing as of at least February 25, 2025, prior to any notice in the Federal Register for the registration process or form. At the Final Rule stage, DHS did not publish the revised version of Form G-325R or DHS's instructional content added in response to some of the comments until now.[4] In addition, multiple aspects of this rulemaking are in violation of the APA and the PRA for reasons detailed below.

[2] The ILRC strongly condemns the derogatory and xenophobic connotations of the word "alien" and only uses the term to be explicit about the government's statements and actions and to reference specific sections of the law.
[3] 44 U.S.C. § 3501 et seq.
[4] G-325R 60-Day Public Comment Response Matrix, U.S. Citizenship & Immigration Services (Aug. 11, 2025), *available at* https://www.regulations.gov/document/USCIS-2025-0005-0003.

The government's development of this form demonstrates an egregious intent to bypass any meaningful public notice and comment, flouting well-established law and precedent to ram through a major policy change that will decimate due process for millions of people.

This comment will address our concerns with the Form G-325R.

A. The publication of Form G-325R violates the Paperwork Reduction Act and does not fall within the limited exceptions to notice and comment procedures.

The PRA requires that information collections, that is, forms such as the G-325R, must be subject to analysis, notice, and comment on forms that impact public eligibility. Specifically, the PRA requires a 60-day comment period followed by a second 30-day comment period.[5] Here, the Form was made available to the public on February 25, 2025, with no opportunity for public comment. After the fact, on March 12, 2025, DHS published the Interim Final Rule and collected comments on a Form that was already being used by the affected public. On June 29, 2026, DHS published a Final Rule without publishing the Form despite having updated the Form since it was made public on February 25, 2025. DHS now publishes the Form after having made it public for over a year and a half for a 30-day comment period without *any* response to previous comments or concerns. This is an impermissible violation of the PRA.

The information collected on the G-325R will be used for enforcement purposes by denying benefits to eligible applicants and feeding more people into the deportation pipeline. As stated above, the "show your papers" effect of the underlying registration rule will create fear, confusion and barriers for people living in the United States regardless of immigration status. The Form represents an immense change in implementation of the statute. The overall effect of registration will be to deprive the affected public - which is a broad swath of citizens and noncitizens alike - the lack of opportunity to comment on the updated Form is indefensible.

Under the PRA, "emergency processing" without normal notice and comment periods is permitted only in limited circumstances.[6] At the Interim Final Rule stage, DHS claimed that the agency sought an emergency exception to the PRA's notice and comment requirement for the G-325R.[7] However, there is no explanation or justification given to bolster the claim that the requirements for emergency publication set forth in 5 CFR § 1320.13 were met. The Form was made operational on the USCIS website on February 25, 2025, before there was a Federal Register notice of a form or a rule. The public had no guidance or instruction on the original iteration of the Form, leading to mass confusion and fear. Moreover, between the Interim Final Rule and Final Rule's publication, DHS updated or revised the Form without notice. The PRA favors notice and comment in the development of information collections. The specific requirements of that emergency processing were not met here. The regulations require a rationale such as public harm, an unanticipated event or a statutory deadline that will be missed. No such rationale

[5] 5 U.S.C. § 551 et seq.
[6] 6 CFR § 1320.13.
[7] 90 Fed. Reg. 11799, citing 5 CFR § 1320.13.

was provided then or now.[8] A Form approved under this "emergency" is only supposed to be valid for 90 days according to the regulation, adding another layer of confusion to this already irrational process. Further, it is not clear at which point the emergency approval period that DHS secured from OMB started as the Form has been operational on the USCIS website since at least February 25, 2025 but the Interim Final Rule was not published until March and the Final Rule was not published until June 29, 2026. Yet, the Form is now being published for a 30-day comment period under the mischaracterization of a form that is simply an "extension, without change."

B. The content of the Form is both arbitrary and capricious because it is confusing, contradictory, vague, and unsupported by rational analysis or instructions.

The G-325R furthers the confusion of this registration requirement. There are no instructions nor definitions in the Form, which asks detailed biographic information including name, address, date of birth, place of birth, citizenship, email address, mobile phone number, address history for five years, I-94 number, and similar information about the individual's spouse, mother, and father. Inexplicably, the Form also asks, "Since entry in what activities have you been engaged?" and "In what activities do you intend to engage between now and your expected date of departure?"

Again, there are no instructions or definitions for this Form, which appeared on the USCIS website for use before the Interim Final Rule and has been through no notice and comment before it was published nor when it was updated or revised until now, and yet it is characterized as an "extension, without change" form. This is highly unusual, if not unprecedented, for USCIS forms. Even the most routine forms have instructions on how to complete the form and there is nothing "routine" about the G-325R as it requests personal, in-depth information about the applicant, family members, and allows for the submission of additional evidence. It is entirely unclear what the affected public is supposed to include when listing "activities" in this section of the Form. This question in particular is vague, arbitrary, and capricious. The Form also solicits information about any criminal charges or citations. At the end, the Form asks the individual to provide "additional evidence" by uploading documents to their online Form, without describing what that additional evidence is supposed to prove or what the benefit of providing such evidence will be.

All these uncertainties add to the conclusion that this Form violates the PRA and APA and must be withdrawn immediately.

[8] 6 CFR §1320.13 Emergency processing. An agency head or the Senior Official, or their designee, may request OMB to authorize emergency processing of submissions of collections of information. (a) Any such request shall be accompanied by a written determination that: (1) The collection of information: (i) Is needed prior to the expiration of time periods established under this Part; and (ii) Is essential to the mission of the agency; and (b) The agency shall state the time period within which OMB should approve or disapprove the collection of information. (c) The agency shall submit information indicating that it has taken all practicable steps to consult with interested agencies and members of the public in order to minimize the burden of the collection of information. (d) The agency shall set forth in the Federal Register notice prescribed by § 1320.5(a)(1)(iv), unless waived or modified under this section, a statement that it is requesting emergency processing, and the time period stated under paragraph (b) of this section. (e) OMB shall approve or disapprove each such submission within the time period stated under paragraph (b) of this section, provided that such time period is consistent with the purposes of this Act. (f) If OMB approves the collection of information, it shall assign a control number valid for a maximum of 90 days after receipt of the agency submission. (2) The agency cannot reasonably comply with the normal clearance procedures under this part because: (i) Public harm is reasonably likely to result if normal clearance procedures are followed; (ii) An unanticipated event has occurred; or (iii) The use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court ordered deadline to be missed.

II. Registration will result in a substantial burden to U.S. communities and the federal government.

The use of registration systems like the one contemplated by the Form have historically been used to discriminate on the basis of race, nationality, and religion. Registration systems in the United States have resulted in the deprivation of liberty and property against those that the government seeks to label "enemy" for political purposes. The Form's contemplated registration scheme will be no different.

During World War II, the federal government, pursuant to The Alien Registration Act of 1940 required noncitizens to register with the federal government or face imprisonment or fine. The purpose of the Act was to "prohibit certain subversive activities."[9] This law is the basis for the registration system at issue in this comment. By early 1942, the Department of Justice had arrested 2,192 Japanese, 1,393 German, and 264 Italian nationals.[10] This law also led to the internment of over 120,000 individuals of Japanese descent including U.S citizens, and who, as a result, lost their homes, businesses, jobs, and communities. A 1980 government review found that there was no evidence of military necessity of removal and incarceration, concluding that racism, war hysteria, and failure of political leadership led to grave injustice to communities impacted.[11]

More recently, in the wake of 9/11, the Bush administration created a registration system for Muslim and Arab men called the National Security Entry-Exit Registration System (NSEERS), which led to prolific racial, ethnic, and religious discrimination. Over the course of a decade, thousands of Muslim and Arab men registered through the NSEERS system and over 13,000 were placed in removal proceedings, yet the program resulted in no convictions for terrorism.[12]

Since the Trump administration resumed office in January 2025, immigrants living in the United States have been subjected to increased immigration enforcement that tramples their due process rights under the guise of national security and public safety. The arrest and detention of activists exercising their First Amendment rights and the unlawful removal of immigrants to El Salvador under the Alien Enemies Act are examples of the actions taken by the Trump administration to inflict chaos, fear, and harm on immigrant populations in the United States. The Form at hand will only exacerbate these efforts and will result in the further decimation of rights enshrined in the U.S. Constitution. History has shown that registration programs are ineffective in keeping us safe and only result in harm and a significant burden to immigrant communities. DHS should rescind the Form and the registration requirement found at 8 C.F.R. Part 264 in full.

A. Registration will more heavily and negatively impact vulnerable communities.

Barriers exist to accessing the registration process for those individuals with limitations that make it difficult or impossible to comply with the requirements to register and carry proof of registration. The harsh criminal penalties that are contemplated by the Form for non-registration do not take into account

[9] 54 Stat. 60 (Pub. Law 76-670).
[10] Densho, The Alien Enemies Act Paved the Way for Japanese American Incarceration, Densho (Oct. 17, 2024), https://densho.org/catalyst/the-alien-enemies-act-paved-the-way-for-japanese-american-incarceration-lets-keep-itin-the-past/.
[11] Sharon Yamato, Commission on Wartime Relocation and Internment of Civilians, Densho (last accessed Mar. 26, 2025), https://encyclopedia.densho.org/Commission_on_Wartime_Relocation_and_Internment_of_Civilians/.
[12] Drew Griffin, *Trump Adviser: No Muslim Registry, but 'High Risk' Immigrants Could Face More Scrutiny,* CNN (Nov. 18, 2016) https://www.cnn.com/2016/11/18/politics/nseers-muslim-database-qa-trnd/index.html.

the inability of some impacted individuals to register through no fault of their own. The requirement to carry proof of registration will also harm vulnerable individuals as failure to carry proof is a misdemeanor punishable by a fine of up to $5,000 or imprisonment for not more than thirty days, or both. Registration will substantially curtail the rights of vulnerable populations:

Individuals with limited English proficiency and/or access to technology: Without the ability to file the Form on paper, those without technological literacy or access to the technology required to register, will be exposed to the punitive ramifications in the registration process. Further, for those with limited English proficiency, there is an increased risk that those who are not required to register will do so inadvertently, thus opening the door to erroneous immigration enforcement actions.

Individuals with disabilities: Those persons with mental, developmental or health-related disabilities may not have the ability to carry documentation on them reliably and there may not be another person or family member available to ensure compliance with this requirement. This requirement will increase the chance that these particularly vulnerable individuals will be subject to law enforcement actions, incarceration, and, ultimately, removal from the United States without a meaningful opportunity to exercise their due process rights.

Children: The registration requirement that children be registered will result in confusion, erroneous registrations, and family instability and separation. Parents will have to choose between circumventing the law or sharing sensitive information about their minor children with the federal government, which will impact the autonomy and stability of the family unit.[13] Further, confusion will ensue for unaccompanied children who are in the United States without a parent or caregiver and who may be in group housing situations. Even if unaccompanied minors are not required to register, the lack of clarity, information, and guidance on the registration requirement may result in erroneous registration and ensuing enforcement.

Survivors of domestic violence, crime, and human trafficking: Historically, immigration status and process have been manipulated and used by abusers against survivors of violence and the registration process will be no different. Perpetrators of violence could utilize the registration process to erroneously register survivors or interfere with a survivor's ability to complete the registration process, thereby intentionally opening up the survivor's vulnerability to criminalization and enforcement. A perpetrator may also interfere with a survivor's ability to carry proof of registration, exposing a survivor to enforcement under 8 U.S.C. 1304(e). This further demonstrates why it is appalling that *all* benefit applications may not be considered evidence of registration if DHS insists on moving forward with this registration process, including this Form.

Conclusion

Despite the government's protestations to the contrary, we see the Form and registration process for what it is: a bludgeoning hammer aimed at harming immigrant communities to the fullest extent possible. This process does not include a measured analysis of the costs and benefits for registration, the effect on U.S. communities and the economy and the certain violations of the U.S. Constitution that will occur if the process continues. The development of this Form and registration process cannot stand, and must be

[13] The Department's determination that the implementation of this regulation will not negatively affect family well-being nor impact the autonomy and integrity of the family as an institution is erroneous and violates the requirements of section 654 of the Treasury General Appropriations Act, 1999 by failing to provide an adequate rationale for the Rule's implementation in light of its negative impact on family well-being.

withdrawn in its entirety.

Respectfully submitted,

The Immigrant Legal Resource Center