

Immigration Alert

Requirement is in Effect for Foreign Nationals (“Aliens”) to Register With U.S. Government April 2025

The U.S. Department of Homeland Security has implemented a new policy requiring all non-U.S. Citizens/foreign nationals in the United States for longer than 30 days to register with U.S. Citizenship and Immigration Services (USCIS) **and carry proof of registration with them at all times.** This new policy is effective immediately and failure to comply has severe consequences.

The interim final rule implementing the registration requirements is accessible [here](#). On April 10, 2025, the U.S. District Court for the District of Columbia denied a motion to stay or preliminarily enjoin the effective date and implementation of this interim final rule for alien registration.

Who Needs to Comply?

With few exceptions (i.e. A and G visa holders), all foreign nationals (non-U.S. Citizens) who are 14 years of age or older and present in the United States for longer than 30 days must comply with the requirements. Foreign nationals who turn 14 years of age must register within 30 days of their 14th birth date even if they were registered prior to turning 14 years of age.

The Requirements:

- Requirement To Register:
 - ❖ Many foreign nationals who were inspected and admitted to the United States on a temporary visa or who hold U.S. Permanent Residency (i.e. have a green card) are considered to be registered.
 - ❖ Foreign nationals who were not inspected and admitted to the United States on a temporary visa should contact us for guidance on actively registering.

- Requirement To Carry Proof Of Registration At All Times:
 - ❖ **Registered foreign nationals who are 18 years of age or older are required to carry proof of registration on their person at all times.** In most cases, this will mean printing the I-94 admission record accessible [here](#) and carrying it with them at all times.
 - ❖ Documentation establishing registration is listed [here](#) and includes, but is not limited to:
 - A valid, unexpired nonimmigrant DHS admission or parole stamp in a foreign passport (i.e. a “visa stamp”).
 - I-94, admission record, which, in most cases, is accessible [here](#).
 - I-551, Permanent Resident Card held by lawful permanent residents of the United States (i.e. a “green card”).
 - I-766, Employment Authorization Document (i.e. an “EAD card”).
 - ❖ While I-797 Notices of Receipt and Notices of Approval from U.S. Citizenship and Immigration Services (USCIS) are not listed as documentation establishing registration, it is advisable for foreign nationals to carry copies of these I-797 Notices from U.S. Citizenship and Immigration Services with them at all times in addition to the downloadable I-94 admission record. In some cases, the most recent I-94 admission record is attached to an I-797 Notice of Approval from USCIS.
- Requirement To Notify The U.S. Department Of Homeland Security In Writing Of Each Change Of Address Within 10 Days Of Date Of Such Change.

Penalties for Noncompliance:

Failure to comply with the requirement to register and/or failure to carry proof of registration has severe consequences.

- Failure to register is punishable by a fine of up to \$5,000.00 or imprisonment for up to 6 months, or both.
- Failure to carry proof of registration is punishable by a fine of up to \$5,000.00 or imprisonment for not more than 30 days, or both.

- Failure to notify The U.S. Department of Homeland Security of a change in address within 10 days of the date of such change is punishable by a fine of up to \$5,000.00 or imprisonment for not more than 30 days, or both. In addition, a foreign national who has failed to comply with the change-of-address notification requirement is deportable unless the foreign national establishes that such failure was reasonably excusable or was not willful.

Special Considerations for Canadian Nationals:

Canadian Nationals who are admitted to the United States as visitors at a land border crossing and stay in the United States for more than 30 consecutive days will likely need to actively register pursuant to the USCIS instructions [here](#). U.S. Customs and Border Protection does not issue I-94 admission records for Canadian Nationals admitted to the United States as visitors at a land border crossing. U.S. Customs and Border Protection does issue I-94 admission records for Canadian Nationals admitted to the United States at an airport. Canadian Nationals with I-94 admission records accessible [here](#) do NOT need to actively register. Canadian Nationals without I-94 admission records do need to actively register.

CONTACT

If you have any questions regarding this registration requirement, please contact [Allison Ahern Fillo](#) in our [Immigration Law practice](#).