

Alien Registration Requirement

FAQ

March 2025

Disclaimer: This is for general information purposes only and is not legal advice. Individuals who may be impacted by this requirement can find non-profit immigration legal providers at [Immigration Advocates Network Legal Services Directory](#).

What is the Alien Registration Requirement?

On January 20, 2025, President Trump issued an [executive order](#) which directed the Department of Homeland Security (DHS) to ensure that non-citizens or “aliens” as defined in the INA¹ comply with the legal obligation to register with the government under 8 U.S.C. 1302 of [Immigration and Nationality Act \(INA\)](#). DHS is directed to consider failure to comply as a civil and criminal enforcement priority. On February 25, 2025, DHS announced the upcoming implementation of an [alien registration requirement](#). According to the [announcement](#), DHS will introduce a form and process for aliens to complete the registration requirement.

Who is required to register?

- Noncitizens 14 years old 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 noncitizens under age 14 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 noncitizen, whether previously registered or not, who turns 14 years old in the United States, within 30 days after their 14th birthday.

American Indians born in Canada who entered the United States under section 289 of the INA, and members of the Texas Band of Kickapoo Indians who entered the United States under the Texas Band of Kickapoo Act, are **not** required to register.

Who is already considered registered?

Anyone who has been issued one of the documents designated as evidence of registration under 8 CFR 264.1(b). Noncitizens who have already registered include:

- Lawful permanent residents;
- Non-citizens paroled into the U.S. under INA 212(d)(5), even if the period of parole has expired;
- Non-citizens admitted to the U.S. as nonimmigrants who were issued Form I-94 or I-94W (paper or electronic), even if the period of admission has expired;

¹ The term “alien” in this sense is a term of art [defined under law](#) as “any person not a citizen or national of the United States.”

- All noncitizens present in the U.S. who were issued immigrant or nonimmigrant visas prior to arrival;
- Noncitizens whom DHS has placed into removal proceedings;
- Noncitizens with employment authorization documents;
- Aliens who have applied for lawful permanent residence

Who is considered not registered?

Anyone who has not been issued one of the documents designated as evidence of registration under 8 CFR 264.1(b). This includes noncitizens present in the US without inspection or admission or inspection and parole.

Are there penalties for not registering?

Under [8 USC 1306\(a\)](#) any non-citizen and any parent or legal guardian of non-citizens required to apply for registration and to be fingerprinted who willfully fails or refuses to file application for the registration will be guilty of a misdemeanor and if convicted be fined up to \$1,000 or be imprisoned up to 6 months, or both.

Will DHS issue registration documentation?

According to the announcement, once an individual has registered and appeared for fingerprinting (unless waived), DHS will issue evidence of registration, which non-citizens over the age of 18 must carry and keep in their possession at all times.

What is the requirement to carry registration documents at all times?

Under [8 USC 1304\(e\)](#), every noncitizen 18 years old and over must carry at all times any certificate of alien registration or alien registration receipt card. Failure to comply is a misdemeanor and each offense, upon conviction, carries a fine of up to \$100 or imprisonment up to 30 days, or both.

What is the requirement for reporting a change of address?

Under [8 USC 1306\(b\)](#), failure of any noncitizen or any parent or legal guardian of any noncitizen who fails to give written notice of an address change to the Attorney General, as required under [8 USC 1305](#), within ten days from the date of such change is a misdemeanor and upon conviction, carries a fine of up to \$200 or imprisoned up to 30 days, or both. Whether or not the noncitizen is convicted and punished, the noncitizen will be taken into custody and removed unless the noncitizen establishes to the satisfaction of the Attorney General that such failure was reasonably excusable or was not willful.

Have registry requirements for noncitizens been implemented before?

Yes. After September 11, 2001, the National Security Entry-Exit Registration System (NSEERS) was created and applied to men over the age of 16 on non-immigrant visas from a list of 24 countries. DHS ended use of NSEERS in 2011 and [removed regulations](#) related to NSEERS in 2016.

The 1940 Alien Registration Act, which is the basis of the new registration requirement, [required](#) all “aliens” age 14 and older within and entering the United States to be registered and fingerprinted. According to [USCIS](#), from August to December 1940 more than five million alien residents of the U.S. registered at Post Offices using the [AR-2, Alien Registration Form](#).