

Considerations for Navigating the New Alien Registration Process: Effective April 11, 2025

Article By:

Rebecca B. Schechter

The Department of Homeland Security (DHS) has announced expected changes to the registration requirements for foreign nationals in the United States. Under a newly issued Interim Final Rule (IFR), noncitizens who have not complied with registration mandates outlined in the Immigration and Nationality Act (INA) will now face enhanced enforcement efforts. Effective April 11, 2025, the updated process introduces a digital registration system and heightened compliance obligations that employers and foreign nationals alike should carefully review.

While this rule applies broadly to foreign nationals residing in the United States for more than 30 days, and many foreign nationals have already complied, certain populations—including Canadian visitors and U.S. visa holders with young children—should understand specific implications of the rule and how the new processes might impact their travel or stay in the United States.

What the Rule Requires

The INA has long mandated that noncitizens register with the government, submit biometric data, and carry proof of registration. The IFR strengthens these requirements and fills gaps in existing enforcement mechanisms by introducing:

1. **Form G-325R for Registration:** DHS has designated Form G-325R (Biographic Information—Registration) as the official alien registration document for noncitizens who have not previously registered. Registrants must complete the form through their myUSCIS online account.
2. **Mandatory Biometrics Collection:** Completion of Form G-325R triggers a biometrics appointment at a USCIS Application Support Center (ASC). Registrants must provide:
 - Fingerprints
 - Photographs
 - Signatures

Individuals under the age of 14 generally do not need to submit fingerprints, but registration compliance is still required.

3. **Proof of Alien Registration Document:** Upon successfully registering and completing

biometrics, DHS will issue a downloadable proof of alien registration document through the registrant's myUSCIS account. Noncitizens aged 18 or older will be required to carry this document at all times while in the United States as evidence of compliance with registration requirements.

Failure to register, attend biometrics appointments, or carry proof of registration may result in penalties, including fines up to \$5,000 or six months in jail.

Who Is Impacted?

This rule applies to various groups of foreign nationals, including lawful permanent residents, visa holders, foreign nationals present without inspection, and others. Many noncitizens have already complied with this rule by being issued an I-94 upon entering or changing their status in the United States. However, one notable group affected by this rule includes Canadian visitors entering the United States without visas.

Impact on Canadian Visitors Without a Visa

Canadian nationals often benefit from unique travel arrangements when visiting the United States for business or tourism purposes. In most cases, Canadians entering through land ports of entry for short-term stays are not required to present a visa or obtain an arrival/departure record (Form I-94). However, the new alien registration requirements specifically affect Canadians who remain in the United States for more than 30 days without formal evidence of registration.

Registration Requirements for Non-Visa Canadian Visitors Staying Over 30 Days

Canadians entering the United States at land borders who do not receive an I-94 form upon entry must proactively register if their stay exceeds 30 days. This is a key change from past practices, where such visitors were often exempt from alien registration. To comply:

1. **Create an Account and Submit Form G-325R:** Canadians staying in the United States longer than 30 days must complete Form G-325R through the myUSCIS platform.
2. **Biometric Appointment Compliance:** Completing the registration form will initiate a biometrics appointment, which must be attended to complete registration. Canadians under 14 years old may be exempt from fingerprinting but still need to register with parental or legal guardian assistance.
3. **Proof of Registration:** Canadians over the age of 18 staying in the United States beyond 30 days must carry Proof of Alien Registration at all times while in the country.

Short-Term Visitors Remain Exempt

The new rule does not impose registration obligations on Canadian visitors staying fewer than 30 days. Business or tourism visitors admitted under ESTA or B-1 or B-2 classifications for short trips can depart within the 30-day window without taking any additional steps.

Key Employer Considerations

For employers across the United States, including those hiring foreign workers who fall under these new requirements, compliance efforts may need adjustment. Specific considerations include:

1. **Accommodation for Worker Biometrics Appointments:** Employees impacted by new biometrics requirements may need time off work to attend scheduled appointments. Employers should ensure uniform policies are applied to avoid potential discrimination.
2. **Enforcement Risks:** DHS has emphasized that alien registration noncompliance will be an enforcement priority. Employers in industries with large foreign national workforces should be aware.
3. **Notify Long-term Business Visitors:** Information about the registration requirement should be available for foreign business visitors.

Preparing for Compliance

The changes introduced under the IFR reflect DHS's commitment to enforcing longstanding alien registration requirements more comprehensively. Canadian visitors without visas, as well as other foreign nationals, must understand their obligations and take steps to comply.

©2025 Greenberg Traurig, LLP. All rights reserved.

National Law Review, Volume XV, Number 73

Source URL: <https://natlawreview.com/article/considerations-navigating-new-alien-registration-process-effective-april-11-2025>