

Secretary Kristi Noem
Department of Homeland Security
3801 Nebraska Ave NW,
Washington, DC 20528

RE: DHS Docket No. USCIS-2025-0004 Alien Registration Form and Evidence of Registration

Dear Secretary Noem,

Thank you for the opportunity to comment on Interim Final Rule No. USCIS-2025-0004, “Alien Registration Form and Evidence of Registration.” The Center for Law and Social Policy writes to express our strong opposition to the creation of a new process for the registration of immigrants in the United States and the Interim Final Rule establishing that process.

Founded in 1969, CLASP is a national, non-partisan, non-profit, anti-poverty organization that advances policy solutions for people with low incomes. Our comment draws upon the work of CLASP as experts in the areas of immigration, anti-poverty, and child development policies. As a national anti-poverty organization, we bring a deep commitment to families living with low incomes and knowledge of the challenges that they experience. At CLASP, we are also experts on policies that support children’s healthy development, such as promoting access to good nutrition, high quality health care and education, a healthy living environment, and stable, nurturing caregivers. We recognize that harsh immigration policies, such as a registration requirement for children and their parents and caregivers, undermine these very foundations.

We oppose the Rule and registration requirement because it is not developmentally appropriate to expect children between 14 and 18 years old to understand and fulfill the complex requirements to register, or to safeguard and always carry proof of registration with them. Nor does the Rule consider instances in which a youth may not have a parent or caregiver to assist them or register on their behalf. Yet under this Rule, children and their parents are at risk of civil and criminal penalties, including detention and deportation, if they do not. We lay out our concerns in more detail below.

The Rule puts children and youth at risk of family separation.

The Rule subjects adults who fail to register or who do not have proof of registration to detention or criminal prosecution, putting them at risk of being separated from their families, with severe consequences for their children. There are 5.2 million children, the vast majority of whom are U.S. citizens (85 percent, or 4.4 million children), with at least one undocumented parent

growing up in the United States.¹ Immigration enforcement—and the threat of enforcement—can negatively impact a child’s long-term health and well-being, with even more acute impacts on young children.² A child’s risk of experiencing mental health problems like depression, anxiety, and severe psychological distress increases following the detention and/or deportation of a parent.³ Older youth also are forced to take on additional responsibilities, and may have to drop out of school to help care for younger siblings and/or work to supplement household income.⁴ Evidence shows that many may be more likely to experience negative mental health impacts like suicidal thoughts, increased drug use, and behavioral problems, many of which can persist long-term.⁵

When a parent or caregiver is removed from the household due to detention or deportation, household income is reduced, either because the deported caregiver’s earnings are lost, they need to pay for childcare, and/or need to support the deported family member. Recent studies estimate that immigration enforcement reduces the median household income of affected families between 19 and 47 percent, which means millions of families are driven into poverty due to detention and deportation.⁶ As a result, children are at greater risk of food insecurity and housing instability. Moreover, the costs of detention and deportation add up; families must pay for legal assistance, transportation to visit loved ones in detention centers (many of whom are transferred out of state), and, if their loved one is deported, support their loved one in another

¹ Randy Capps et al., “Unauthorized Immigrants in the United States, Stable Numbers, Changing Origins,” Migration Policy Institute (December 16, 2020) <https://www.migrationpolicy.org/research/unauthorized-immigrants-united-states-stable-numbers-changing-origins>.

² R. Gabriela Barajas-Gonzalez et al., An ecological expansion of the adverse childhood experiences (ACEs) framework to include threat and deprivation associated with U.S. immigration policies and enforcement practices: An examination of the Latinx immigrant experience, *Soc. Sci. & Med.* 282 (2021) <http://tinyurl.com/yssyzsub>.

³ Wendy Cervantes, Rebecca Ullrich, and Hannah Matthews, “Our Children’s Fear: Immigration Policy’s Effects on Young Children,” CLASP (March 2018) https://www.clasp.org/sites/default/files/publications/2018/03/2018_ourchildrensfears.pdf.

⁴ Sarah Gallo, The effects of gendered immigration enforcement on middle childhood and schooling, *American Educational Research Journal*, 51(3), 473-504 (2014); Gabriela Gonzalez and Caitlin Patler. The educational consequences of parental immigration detention, *Sociological Perspectives*, 64(2): 301-320 (2021).

⁵ Kathleen M Roche, et al., Association of Family Member Detention or Deportation With Latino or Latina Adolescents’ Later Risks of Suicidal Ideation, Alcohol Use, and Externalizing Problems, *JAMA Pediatrics*, 174(5): 478-486 (2020) <https://pubmed.ncbi.nlm.nih.gov/32176245/>.

⁶ Catalina Amuedo-Dorantes, Esther Arenas-Arroyo, and Almudena Sevilla, “Immigration Enforcement and Economic Resources of Children With Likely Unauthorized Parents,” Centre on Migration, Policy and Society (COMPAS), University of Oxford (July 2021) https://ora.ox.ac.uk/objects/uuid:dccc7ad6-d069-4b62-b19d-25609ac95f71/download_file?file_format=pdf&safe_filename=Amuedo_Arenas_Sevilla_2018.pdf&type_of_work=Journal+article; Robert Warren and Donald Kerwin, “Mass Deportations Would Impoverish US Families and Create Immense Social Costs,” Center for Migration Studies (2017) <https://cmsny.org/publications/mass-deportations-impoverish-us-families-create-immense-costs/>.

country where their economic stability is not guaranteed. In short, loss of a parent due to detention or deportation puts more children at risk of falling into poverty.

The Rule puts children and youth at risk of detention and deportation and severe penalties.

The Rule makes no exceptions for the severe consequences of not registering, unfairly treating youth the same as adults. With the disturbing return of family detention, it is possible that youth could be held with their parents or even alone, and face possible deportation to a country where their safety and well-being may be compromised. After the controversial use of family detention to hold recently arrived asylum seekers during the Obama Administration, health and child development experts, including the American Academy of Pediatrics, denounced the practice for its detrimental impact on children's health and safety, concluding that "no amount of time in detention is safe for a child."⁷ An evaluation conducted by a committee designated by the Department of Homeland Security recommended the end of family detention and concluded "detention is generally neither appropriate nor necessary for families – and that detention or the separation of families for purposes of immigration enforcement or management, or detention is never in the best interest of children."⁸ Subjecting children and youth to detention and deportation is an extreme punishment that fails to consider the best interest of children.

We are also extremely concerned that the Rule's requirement to carry registration will be used as a pretext for law enforcement actions against children and families. This could lead to the racial profiling of people that may appear "foreign" to law enforcement officials, a practice that has been well documented to disproportionately harm Black and Brown youth and their families, regardless of citizenship or immigration status.⁹ Failure to register or carry documentation essentially criminalizes youth by default and creates additional distrust of law enforcement, making it less likely that young people and families will report crimes or feel safe approaching

⁷ Julie M. Linton et al., "Detention of Immigrant Children", American Academy of Pediatrics (May 2017) <https://publications.aap.org/pediatrics/article/139/5/e20170483/38727/Detention-of-Immigrant-Children?autologincheck=redirected>.

⁸ "Report of the DHS Advisory Committee on Family Residential Centers", Department of Homeland Security (September 2016) <https://www.ice.gov/sites/default/files/documents/Report/2016/ACFRC-sc-16093.pdf>.

⁹ "Records Shed Light on Border Patrol's Racial Profiling of Immigrants in Ohio," American Immigration Council (March 19, 2024)

<https://www.americanimmigrationcouncil.org/news/foia-records-border-patrol-racial-profiling-immigrants-ohio-report>; Kavitha Surana, "How Racial Profiling Goes Unchecked in Immigration Enforcement," ProPublica (June 8, 2018)

<https://www.propublica.org/article/racial-profiling-ice-immigration-enforcement-pennsylvania>; Nicholas Turner and Erica Bryant, "States' Dangerous Attempts at Immigration Enforcement Threaten Our Communities," Vera Institute (May 2, 2024)

<https://www.vera.org/news/states-dangerous-attempts-at-immigration-enforcement-threaten-our-communities>; Priya Morley, "AI at the Border: Racialized Impacts and Implications," Just Security (June 28, 2024) <https://www.justsecurity.org/97172/ai-at-the-border/>.

law enforcement for assistance.¹⁰ This could mean that children—including unaccompanied youth who are at higher risk for child labor exploitation and other types of abuse—may be less reluctant to seek out help.¹¹

The Rule poses significant risks to vulnerable child and youth populations.

There are several populations of youth who would be at greater risk of meeting the registration requirements, including unaccompanied youth, immigrant foster youth in the state child welfare system, and youth with disabilities. The rule makes no indication of exempting or even considering the potential hardship of such populations in being able to complete registration, presumably subjecting them to the same harsh consequences for non-compliance.

For example, it is unclear whether or when unaccompanied children will have to register. Although the Rule exempts individuals who have been served a Notice to Appear (NTA) from registration, this will prove confusing for many unaccompanied children and their families. Unaccompanied children are often unaware of the specific documentation they have received, by nature of their age and lack of legal competency, and due to historical lack of guaranteed representation and recent cuts to such programs, many unaccompanied youth lack access to a lawyer for assistance. Moreover, not all unaccompanied children may have received NTAs by the time this registration requirement goes into effect. It is also unclear who would be responsible for registering an unaccompanied child under age 14 who has been released to a sponsor in the community who is not a parent or legal guardian. Similar concerns apply to immigrant youth involved in the state child welfare system, and would warrant the need for guidance to already under-resourced state child welfare agencies to ensure they are able to help youth in their care comply with the requirements.

The Rule will also disproportionately harm children with disabilities and those with limited English proficiency. Youth with certain mental health, developmental or cognitive disabilities may face challenges in being able to comprehend that the registration requirement applies to them, complete the requirements, or understand that they need to carry proof of registration with them at all times. Youth who are unable to speak or read English may also face significant challenges, especially since unaccompanied youth come from all around the globe, many of whom speak indigenous languages and other uncommon languages and often lack access to interpretation assistance.¹² The Rule does not indicate any form of assistance to help youth or families who may need additional support to comply.

¹⁰ Tom K. Wong et al., “The impact of interior immigration enforcement on the day-to-day behaviors of undocumented immigrants,” US Immigration Policy Center (2019).

¹¹ Lorena Roque and Sapna Mehta, “CLASP Federal Recommendations to Combat Child Labor,” CLASP (March 2024)

<https://www.clasp.org/publications/fact-sheet/clasp-federal-recommendations-to-combat-child-labor/>.

¹² “Fact Sheets and Data,” Office of Refugee Resettlement, Office of the Administration for Children and Families (Current as of Apr 7, 2025) <https://acf.gov/orr/about/ucs/facts-and-data>.

The Rule exacerbates concerns related to data privacy and engagement with government agencies.

Additionally, the Rule does not specify how information will be used or whether information collected will be securely stored with the proper privacy and oversight. In fact, it appears by design to be vague in order to create heightened uncertainty, suggesting that unauthorized immigrants who have not been deemed registered—including anyone who entered the United States without inspection and has not had any contact with the federal government—will now be placed in a very vulnerable and sensitive position. It also raises the possibility that immigrants who are already registered—including those with legal status—may be arrested and prosecuted for failing to carry proof of their registration with them at all times or failing to provide it to law enforcement when asked. Research on the chilling effect created by anti-immigrant policies have consistently shown how immigration-related concerns related to sharing information with government agencies can lead to unnecessary and deeply harmful reluctance to engage with government agencies, leading children—including U.S. citizen children—to lose access to critical programs that support their healthy development.¹³

Conclusion

As experts on child development and anti-poverty issues, we urge you to rescind this Rule. In particular, we strongly believe that policies that impact children and youth should specifically consider their needs and interests, which this Rule explicitly fails to do. In fact, it puts children and youth—as well as their families—directly in harm's way. All children deserve protection, dignity, and the ability to thrive, not to be threatened with detention, family separation, deportation, or other punishment.

¹³ Dulce Gonzalez, Jennifer M. Haley, and Genevieve M. Kenney, “One in Six Adults in Immigrant Families with Children Avoided Public Programs in 2022 Because of Green Card Concerns,” Urban Institute (November 30, 2023) <https://www.urban.org/research/publication/one-six-adults-immigrant-families-children-avoided-public-programs-2022>; Hamutal Bernstein, Dulce Gonzalez, and Diana Guelespe, “Immigrant Families Express Worry as They Prepare for Policy Changes,” Urban Institute (March 12, 2025) <https://www.urban.org/research/publication/immigrant-families-express-worry-they-prepare-policy-change>; Omar Martinez et al., “Evaluating the Impact of Immigration Policies on Health Status Among Undocumented Immigrants: A Systematic Review,” *J Immigr Minor Health* 17(3): 947-970 (2015) <https://pmc.ncbi.nlm.nih.gov/articles/PMC4074451/>.