

May 2, 2025

Ms. Samantha Deshommes
Chief, Regulatory Coordination Division, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
Camp Springs, MD 20746

Re: Proposed Information Collection Requests with OMB Control Number 1615-NEW, Docket
IDs USCIS-2025-0002 and USCIS-2025-0003

Dear Ms. Deshommes:

We the 117 undersigned national, state, and local organizations write to provide a comment in opposition to the U.S. Citizenship and Immigration Services' (USCIS) proposed information collection requests that would add questions to various forms found at 90 FR 11054, OMB Control Number 1615-NEW, Docket ID USCIS-2025-0002, and 90 FR 11324, OMB Control Number 1615-NEW, Docket ID USCIS-2025-0003 (collectively, the "FRNs".)

The additional collections of information proposed in the FRNs represent a significant overreach by the government to use immigration benefits applications to facilitate enforcement measures. In violation of the law, the FRNs ignore the drastic impact of imposing these collections on applicants, applicants' family members, practitioners, and adjudicators. Further, the additional information collections will burden applicants and practitioners to the point of becoming a formidable barrier to immigration benefits. These collections are another tool in the Trump administration's mass immigration enforcement scheme. The administration is acting in bad faith by using the generic collection provision of the Paperwork Reduction Act (PRA) to facilitate enforcement. The agency should abandon its efforts to collect this information on any immigration form.

I. The proposed information collections are not appropriate for the generic clearance process.

Typically, information subject to a generic clearance process covers "collections that are voluntary, low-burden (based on a consideration of total burden, total respondents, or burden per respondent), and uncontroversial."¹ Put another way, generic clearance is appropriate for technical or minor collections or ones that are strictly voluntary, such as surveys. The information being sought through this process does not meet that standard. If the forms are altered to include the new information collections, applicants will have to provide detailed information about their family members including contact information, residence and national origin. Applicants will also have to provide social media accounts and handles as well as historical contact information of email addresses and phone numbers. This information is substantive and invasive and not appropriate for generic clearance.

¹ Office of Management and Budget, *Memorandum for the Head of Executive Departments and Agencies and Independent Regulatory Agencies*, (May 28, 2010), available at https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/inforeg/PRA_Gen_ICRs_5-28-2010.pdf

The collection is not voluntary: The application forms at issue under the FRNs are for immigration benefits that are necessary to accessing a stable immigration status in the United States, such as lawful permanent residence and naturalization. The information collection at issue would mandate that applicants provide the expanded contact information, social media profiles and information about family members in order to access the benefits. Applicants would have to choose between providing this information, which could put their family members at risk, and accessing benefits for which they are eligible. The information collection is therefore compulsory and creates significant barriers to accessing immigration benefits.

The collection is not low-burden: Providing the requested information will impose a significant burden on applicants who may have had several different email addresses, phone numbers and social media accounts over the years. The proposed information collection significantly lengthens forms, some expanding to more than twice the current length. This increase will burden applicants, attorneys, and adjudicators. Further, the risk of submitting erroneous or incomplete information is high, leading to an increased adjudication burden for USCIS with a likely increase in requests for further evidence.

The collection is not uncontroversial: The Trump administration has made it clear that its primary immigration policy objective is to detain and deport as many people as possible and that it will use all available tools toward this objective. Immigration benefit forms are no exception. Collecting information about an applicant's family – even where a family relationship is not at issue – suggests the sole and misguided purpose of identifying additional targets for enforcement. Over the past months, we have seen the administration's weaponization of social media accounts to target individuals for detention and deportation. The increased enforcement, coupled with a consistent disregard for constitutional law, have been anything but uncontroversial as evidenced by the myriad of immigration-related lawsuits that the administration is currently embroiled in (and losing).

Taking these factors together, the information collection should not be subject to a generic clearance process. The proposed changes are too substantial, controversial and pose too great a burden on applicants and the government alike to be considered through this fast-track process.

II. The information collections violate the Paperwork Reduction Act.

This burdensome generic collection of information altering nine forms that the public uses to apply for immigration benefits is in violation of the Paperwork Reduction Act (PRA).² The core purpose of the PRA is to design forms that increase efficiency and reduce the burden on the public, especially for those individuals who are most adversely affected. The PRA also requires the government to ensure that information collected is protected under confidentiality laws. The PRA mandates the use of Federal information to strengthen decision making, accountability and openness in government in society.³ None of these purposes are fulfilled by the changes proposed here, and the opposite impact is ensured instead.

² 44 U.S.C. 3501 et seq, 5 CFR 1320 et seq.

³ 44 U.S.C. 3501(4),(8).

The PRA favors effective notice and comment by the public,⁴ which is not accomplished by a generic collection. If the government wishes to alter each of these benefit forms, they should publish a separate Federal Register notice for each one and make the proposed changes for each form available to the public to review. Each of these forms relates to a separate immigration benefit and impacts a separate population. The impacted public is entitled to see exactly how each form will be altered by having the proposed form available through a federal register notice with the required sixty-day comment period and additional thirty-day comment period.

Additionally, the government chose to publish two separate generic clearances for the same forms, two days apart, in an attempt to overwhelm and stymie opposition to the combined impact of the forms.⁵ This subversive and disingenuous approach to providing notice through the federal register announcements violates 5 CFR 1320.9(c) by creating an unjustifiable burden on the public. This generic collection proposes massive changes to all these forms without providing any meaningful opportunity to the public for review in violation of the PRA.

A. The information collections will increase the burden on the public.

The proposed information collections will contribute to application backlogs, processing delays and barriers to eligible applicants receiving their immigration benefits, but will do nothing to increase efficiency or reduce the burden on the public. These proposed changes would double the length of forms with dozens of queries for information that are irrelevant to the benefit being sought. This also doubles the time involved in completing such forms and adjudicating them.

For example, the current version of Form I-589, Application for Asylum and Withholding of removal is twelve pages long. For the information collection found at 90 FR 11054, the proposed version of the I-589 with the added questions about the applicant's historical contact and family member information would be twenty pages long. The proposed changes would add twelve pages to the current version of Form N-400, Application for Naturalization. Similarly, Form I-192, Application for Advance Permission to Enter as a Nonimmigrant, which is currently nine pages would increase in length to at least twenty-two pages. Form I-730, Refugee/Asylee Relative Petition, currently twelve pages, would go up to eighteen pages or more.

Longer forms are less accessible to applicants, particularly those who do not have legal representation. They take longer to fill out, create more opportunities for human error and innocuous mistakes, and require more extensive preparation, guidance, and translation. Additionally, longer forms make it difficult for organizations to arrange clinics to assist applicants in filling out forms, which is a common practice for legal services organizations. With the longer, more burdensome forms, applicants will consequently have to hire representation, likely at significant expense, or perhaps delay or decline to apply for benefits given the uncertainty surrounding the new information collection. In either outcome, the public burden associated with these information collections is high and will disproportionately affect marginalized populations including low-income communities, communities of color, and survivors of domestic violence and crime.

⁴ 5 CFR 1320.8.

⁵ For example, under 90 FR 11054, the estimated increase in burden for Form I-485 is .73. Under 90 FR 11324 the estimated increase in burden for Form I-485 is .08 hours. USCIS has provided no justification for announcing simultaneous form revisions for the same forms in separate federal register notices.

For those who do apply, the proposed forms are still overly burdensome, despite USCIS's attestations to the contrary. The FRNs separately estimate the time-burden for applicants to be under an hour for each form, which is entirely incorrect and not supported by any data. Since the information collections double the length of these forms and request information that requires extensive research, we believe at least twenty hours per form would be a much more likely time burden. Since the FRNs impact nine different immigration forms, the total time burden represented would be 180 hours. Again, by publishing two separate notices, it appears that the agency is attempting to hide the actual, aggregate impact of these changes, but the truth of the impact is clear to anyone who has completed one of these forms (or any immigration form) in the past. The information requested for past email addresses and phone numbers, as well as the information for an applicant's family could take months for an applicant to track down, and may be impossible to find in some instances. This is likely to lead to requests for evidence, further delays and erroneous denials. The same is true for social media information in an age where an applicant may have a number of social media accounts dating back several years. The information may be difficult to track down and the risk of the applicant mistakenly adding incorrect information or omitting information is high.

The information collections place a substantial burden on the applicant. In an era where immigration enforcement reigns supreme, even casual mistakes in filling out applications can have disastrous consequences. The burden on the public is too high for the agency to continue down this path.

B. The proposed information collections will have an adverse effect on the agency.

Decision making is not improved by doubling the length and content of forms. Rather it creates obstacles to efficient decision making by forcing adjudicators to wade through volumes of irrelevant material. The barriers for applicants will manifest for the agency as well by reducing the numbers of applications and accompanying application fees, which will further reduce the resources available to USCIS, which is a fee-funded agency. The strain of less funding may bring USCIS to a breaking point of insolvency as it was at the end of the first Trump administration.

Due to the breadth of information that the agency is seeking, adjudicators will have to be trained on the new forms, which will add to adjudication delays as well as erroneous denials. The information collections contemplated in the FRNs affect nine different application forms. Given the recent strain on USCIS adjudicators with significant and rapid policy changes, new processes, and reduction in workforce efforts being undertaken by the Trump administration, it will take time for adjudicators to get up to speed on the new forms. Meanwhile application processing will slow and the likelihood of requests for evidence will increase. Changing this many forms significantly exacerbates processing delays and erases any gains made on application backlogs during the last administration.

These information collections will pose a significant burden on the agency in terms of time, money and staffing. USCIS also notes that the hour burden on the public is 285,999 hours for the collection of social media information and 2,750,064 hours for the family and contact information yet, inexplicably, the

estimated burden cost to the public in the FRNs is listed at \$0.⁶ Though no explanation is given, it appears that the agency has estimated the amount of time it will take applicants to fill out the forms and does not account for the effect of adding this information to the application forms for so many benefits. As stated above, the agency will experience hardship based on waning resources and increased demand, which increases the likelihood that the agency will fall into insolvency again. But the negative effects of changing the forms will also be felt by the public. Delaying the adjudication of immigration benefits adversely affects communities of citizens and noncitizens alike. When noncitizens cannot access stable immigration status, it delays their ability to participate fully in civic and community life. They put off buying homes or changing jobs or investing further in life in the United States due to unstable immigration status. That stymies the growth of American communities and leads to more instability overall.

USCIS has not accurately assessed the effect of these information collections on the public or the government. The increased burden on applicants and government agencies makes the proposed information collections untenable and the forms should not be altered to include the additional questions.

III. The information collections are unnecessary and will disproportionately harm vulnerable communities.

In addition to the increased burden on all stakeholders, the collection of this information is unnecessary and represents a significant overstep by the government to mine immigration benefit applications for information that can be used for enforcement purposes. During the first 100 days of the Trump administration, we have seen individuals deported without due process, detained for ideas and the free expression of those ideas, and an across-the-board increase in immigration law enforcement activity in communities. The information collections proposed in the FRNs are no different; they are yet another tool in the mass deportation machine designed to sow fear and chaos in communities, cynically masquerading as a commitment to the rule of law and government efficiency. The justification for the collection is to bring the forms in line with an executive order on increased screening and vetting, but bears no information on the connection to any specific form contemplated in the generic clearance notice. This is an impermissible use of a government form which is required to obtain a benefit in the United States. The information collection bears no connection to the eligibility for a benefit and therefore is in violation of the law.

A. Requiring additional information on an applicant's family and contact information is burdensome and will put some applicants at risk.

The information to be collected is unnecessary to assess an applicant's eligibility for an immigration benefit. Aside from establishing a legitimate family relationship where that relationship is required to obtain a benefit (e.g., for eligibility for an I-730), the contact information, physical location, and address for all of an applicant's immediate family members is irrelevant. The only purpose collecting this

⁶ DHS, Agency Information Collection Activities; New Collection: Generic Clearance for the Collection of Certain Information on Immigration Forms, 90 FR 11054 (March 3, 2025); DHS, Agency Information Collection Activities; New Collection: Generic Clearance for the Collection of Social Media Identifier(s) on Immigration Forms, 90 FR 11324 (March 5, 2025).

information can serve is to gather extraneous information on the applicant or individuals who are connected with the applicant in the hopes of finding a target for enforcement.

The collection of family member information is particularly problematic for survivors of domestic violence. Immigration-related abuse is a common tactic used by abusers and perpetrators of crime to maintain power and control over victims.⁷ Survivors report that abusive partners “often threatened them with halting or stopping their immigration process. Common threats included contacting immigration or withholding the [survivors’] green card.”⁸ Requiring extensive additional information about family members, including a requestor’s spouse, provides the opportunity for abusers to provide false or misleading information to a victim or otherwise exploit the immigration process to further control, coerce or intimidate victims, jeopardizing their immigration status and leaving them vulnerable to further coercion and abuse.

Likewise, requiring an extensive history of phone numbers and email addresses used disproportionately burdens survivors of gender-based violence who have utilized temporary email addresses or phone numbers as part of their safety planning to leave an abusive relationship, during periods of stay at confidential shelter locations, and during other periods of transition and instability in their efforts to secure safety from their abusers. Survivors who travel long distances or otherwise juggle multiple jobs and unstable housing may have limited ability to retain or obtain information regarding their address, telephone number, and email address histories.

B. Requiring social media account information from applicants is vague, overbroad and redundant.

The supporting statement in the Federal Register provides no information or explanation about what social media identifier information must be provided, and how the agency will safeguard against improper inferences drawn from social media content over which a benefits requestor has limited or no control. There is also no information about how USCIS will train their adjudicators to recognize social media impersonation or manipulated data and information that is rampant throughout social media networks. For example, in the case of survivors of domestic violence, it is well documented that abusers use social media and technology to manipulate technology to further abuse.⁹

The collection of social media account information is also irrelevant to an applicant’s eligibility for a benefit and the agency has not provided any justification for collecting this information and, as such, the agency has not established any “practical utility” for the collection as required by law.¹⁰

Finally, requesting that applicants provide their social media handles for an applicant is redundant to existing USCIS practice. Screening applicants’ social media accounts is already a practice within USCIS

⁷ National Center for Domestic and Sexual Violence. “Immigrant Power and Control Wheel,” available at <https://www.tahirih.org/wp-content/uploads/2015/06/Immigrant-Power-and-Control-Wheel.pdf>.

⁸ Monica Scott, Shannon Weaver, and Akiko Kamimura. “Experiences of Immigrant Women who Applied for Violence Against Women Act (VAWA) self-petitions in the United States: Analysis of Legal Affidavits.” Diversity and Equality in Health and Care (2018) 15(4): 145-150, available at <https://www.primescholars.com/articles/experiences-of-immigrant-women-who-applied-for-violence-against-women-act-vawa-self-petition-in-the-united-states-analysis-of-lega.pdf>

⁹ National Network to End Domestic Violence, WomensLaw.Org, *Abuse Using Technology*, available at <https://www.womenslaw.org/about-abuse/abuse-using-technology/all#node-78541> (last accessed April 22, 2025).

¹⁰ 5 CFR 1320.9(a)

per an April 9, 2025, announcement from Secretary Noem.¹¹ If USCIS already has the capability to screen the social media accounts of applicants, what purpose does it serve to have applicants self-report this information, other than to disrupt and obstruct the application process. The collection is therefore redundant.¹²

C. The proposed information collections violate the Privacy Act.

The Privacy Act of 1974¹³ is a federal law that protects individuals' privacy by limiting the collection, maintenance, use, and disclosure of personal information by federal agencies. The collection of personal information for an applicant's family does not include a consent element to the sharing of that information either by the applicant on the application or in the future through Freedom of Information Act requests. While applicants and petitioners knowingly sign a "Petitioner/Applicant Certification," containing an authorization for release of information in connection with the benefit request that they submit to USCIS, the siblings, parents and children of the applicant do not sign such a release or authorization in connection with the benefit. Further, the Privacy Act dictates that personal information collected must be legally authorized and necessary. Here the agency has not included any justification for the collection of social media information or information about an applicant's family as contemplated by the information collections and, as such, has not shown that the collection of this information is necessary.

The unfettered collection of this information is particularly problematic given the increased information sharing between government agencies and nongovernmental entities. Applicants may share information on social media that is irrelevant to the application at hand, but that may be used to "profile" applicants in impermissible ways and to ultimately deny them a benefit through discretion. The potential abuses of personal information are astronomical. The information collections do not address the severe consequences that can ensue with the sharing of this information to insecure systems. The agency must abandon these information collections.

IV. Conclusion

The inclusion of the questions proposed in the generic information collections will do nothing to increase efficiency but will increase the burden on all parties involved in the application and adjudication process. While seemingly innocuous, the collection of this information as part of regular order on any immigration forms is a dangerous precedent to set and further blurs the lines between the immigration benefits process and enforcement. This will erode trust and discourage applicants from applying for the benefits for which they are eligible and stymie their efforts to access immigration status and the ability to fully engage with life in the United States. DHS should abandon these efforts and refrain from making similar changes in the future.

Sincerely,

Al Otro Lado

Anais Salazar

Asian Counseling and Referral Service

¹¹ See DHS, *DHS to Begin Screening Aliens' Social Media Activity for Antisemitism* (April 9, 2025), available at <https://www.uscis.gov/newsroom/news-releases/dhs-to-begin-screening-aliens-social-media-activity-for-antisemitism>.

¹² 5 CFR 1320.9(b)

¹³ 5 U.S.C. § 552a

Asian Pacific American Legal Resource Center
Asian Pacific Islander Legal Outreach (APILO)
Ayuda
Bonding Against Adversity
Borderlands Resource Initiative
Cabrera Legal LLC
California Immigrant Youth Justice Alliance
CARECEN SF - Central American Resource Center of Northern California
Catholic Charities of Raleigh
Catholic Multicultural Center
Center for Gender & Refugee Studies
Center for Human Rights and Constitutional Law
Centro Binacional para El Desarrollo Indigena Oaxaqueno
Centro La Familia Advocacy Services Inc.
Chacon Center for Immigrant Justice
Clarity Legal, PC
Coalition for Humane Immigrant Rights (CHIRLA)
Community Center for Immigrants
Comunidades Unidas
Derechos Humanos con DR
East Bay Sanctuary Covenant
Emerald Isle Immigration Center
Erie Neighborhood House
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Freedom for Immigrants
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Immigrant Legal Advocacy Project
Immigrant Legal Resource Center
Immigration Center for Women and Children
Immigration Institute of the Bay Area
Indo-American Center
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Jesus de la Torre
John Kingery by and for by himself
Jubilee Immigration Advocates
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Pathfinder Immigration Law
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Survivor Justice Center
Swap Meet Justice
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The Advocates for Human Rights
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