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Submitted via Regulations.gov

July 22, 2025

Jerry Rigdon, Acting Chief
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
5107 Leesburg Pike, Suite 2500
Falls Church, VA 22041

Re: Form G-325A Revision “Agency Information Collection Activities; Revision of a Currently Approved Collection: Biographic Information (for Deferred Action),” Docket ID USCIS-2025-0024, OMB Control Number 1615-0008

Dear Mr. Rigdon,

The Catholic Legal Immigration Network, Inc. (CLINIC)¹ submits these comments opposing USCIS’s proposed revision of Form G-325A to exclude recipients of Special Immigrant Juvenile States (SIJS). CLINIC strongly opposes this change and urges the administration to rescind this immediately. We have also fervently opposed the USCIS Policy Manual changes that USCIS issued on June 6, 2025, which eradicates the SIJS Deferred Action Policy.

Embracing the Gospel value of welcoming the stranger, CLINIC has promoted the dignity and protected the rights of immigrants in partnership with a dedicated network of Catholic and community legal immigration programs since its founding in 1988. CLINIC’s network, originally comprised of 17 programs, has now increased to 401 diocesan and community-based programs in 49 states and the District of Columbia. CLINIC is the largest nationwide network of nonprofit immigration programs. CLINIC’s network employs roughly 1,400 attorneys and accredited representatives who, in turn, serve hundreds of thousands of low-income immigrants each year, thousands of whom are children recipients of SIJS.

CLINIC is particularly concerned about the effect this change will have on SIJS youth, the population that Congress intended to protect.

¹Carolina Rivera Quintana, Federal Advocate and Liaison Attorney, Marta Garcia-Lascurain, Senior Attorney, and Karen Sullivan, Director of Advocacy, authored these comments.

I. Introduction and General Comments

The purpose of the SIJS provisions of the Immigration and Nationality Act (INA), enacted in 1990, is to protect children who have suffered parental maltreatment and would face harm if removed to their country of origin.² Congress envisioned SIJS as a humanitarian safeguard, enabling these young people to obtain lawful permanent resident status and the stability they need to rebuild their lives. To qualify for SIJS, children must meet rigorous, congressionally defined criteria,³ including a juvenile court determination that returning to their country of origin is not in their best interest. Only after this judicial determination and consent from the Department of Homeland Security (DHS) is SIJS granted.⁴ USCIS has acknowledged this protective purpose, noting in its Policy Manual that SIJS was “created to provide humanitarian relief to abused, abandoned, or neglected noncitizen children.”⁵ Legislative history further underscores this intent, highlighting the unique vulnerability of children and the challenges of deporting minors.⁶

Yet, due to a persistent visa backlog, thousands of approved SIJS recipients remain in legal limbo—unable to apply for green cards and at risk of deportation.⁷ Recognizing this gap, USCIS introduced the SIJS Deferred Action Policy in May 2022.⁸ This policy provided temporary protection from deportation and access to work authorization for SIJS recipients waiting for a visa number, in alignment with congressional intent. At the time, USCIS stated:

Congress likely did not envision that SIJ petitioners would have to wait years before a visa became available.... This process furthers congressional intent to provide humanitarian protection for abused, neglected, or abandoned noncitizen children.⁹

Since its implementation, the Deferred Action Policy has protected more than 100,000 SIJS recipients. USCIS automatically considered eligible youth for a four-year, renewable, grant of deferred action upon SIJS petition approval. In 2024, USCIS even revised Form G-325A to streamline the deferred action process for SIJS youth—enabling both initial and renewal requests, with many recipients preparing to renew their protection starting in December 2025. USCIS stated that SIJS youth whose deferred action grants were expiring in 150 days or fewer could use the form to request a renewal of their deferred action; the form could also be used for young people with approved SIJS petitions to seek initial consideration for deferred action, if for some reason

² 8 U.S.C. § 1101(a)(27)(J)(ii).

³ *Osorio Martinez v. Att’y Gen.* U.S., 893 F.3d 153, 163 (3d Cir. 2018).

⁴ 8 U.S.C. § 1101(a)(27)(J)(iii).

⁵ USCIS Policy Manual, Vol. 6, Pt. J, Ch. 1, <https://www.uscis.gov/policy-manual/volume-6-part-j-chapter-1>.

⁶ Special Immigrant Status for Alien Foster Children: Joint Hearings on S. 358, H.R. 672, H.R. 2448, H.R. 2646, and H.R. 4165 Before the Subcommittee on Immigration, Refugees and International Law of the House Committee of the Judiciary, and the Immigration Task Force of the House Education and Labor Committee, 101st Cong. 614 (1990) (statement of Mark Tajima, Legislative Analyst, Chief Administrator Officer, County of Los Angeles, CA).

⁷ See, e.g., Rachel Davidson, Laila Hlass, Katie Leiva & Gabriela Cruz, *False Hopes: Over 100,000 Immigrant Youth Trapped in the SIJS Backlog* (2023), <https://static1.squarespace.com/static/5fe8d735a897d33f7e7054cd/t/656a48a3f02597441a4cbf95/1701464285675/2023-false-hopes-report.pdf>.

⁸ USCIS Policy Alert, Special Immigrant Juvenile Classification and Deferred Action, PA-2022-10 (Mar. 7, 2022), <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20220307-SIJAndDeferredAction.pdf>.

⁹ *Id.* at 1.

they did not have a deferred action adjudication contemporaneously with their SIJS petition approval notice. Thousands of SIJS youth have deferred action expiration dates of May 2026, and thus, they were counting on using the Form G-325A process to apply for renewal starting in December 2025.

However, the June 6, 2025, Policy Manual Update and proposed changes to Form G-325A now abruptly terminate this lifeline. By ending the SIJS Deferred Action Policy, USCIS is stripping vulnerable youth of critical protection from deportation and labor exploitation. This action directly contradicts congressional intent and threatens the well-being of tens of thousands of young people who have already been deemed eligible for humanitarian relief under the law.

II. The Revisions to Form G-325A Violate the Paperwork Reduction Act and Undermine Transparency

USCIS’s proposed changes to Form G-325A—eliminating the option for SIJS-based deferred action—were implemented in direct violation of the Paperwork Reduction Act (PRA). This statute requires federal agencies to allow for public input before modifying official forms: a 60-day notice-and-comment period, consideration of submitted feedback, and then a 30-day secondary review period.¹⁰

Yet USCIS began denying deferred action SIJS recipients as early as April 2025, this reported by our affiliates on multiple occasions. It was not until June 6, 2025, that the agency issued a policy alert formally terminating the SIJS Deferred Action Policy.¹¹ In the meantime, USCIS quietly released proposed revisions to Form G-325A on May 29, 2025—more than six weeks after the changes had already been functionally implemented.

This sequence of events reflects a serious violation of the PRA’s requirements and a lack of transparency in policymaking. Rather than inviting meaningful public participation, USCIS made sweeping procedural changes behind closed doors and retroactively sought to justify them through an untimely “proposal” of a change that the agency was already unjustly implementing.

III. USCIS Gave No Justification for the Form Change—Yet the Harm Is Profound

USCIS offered no substantive explanation for the removal of SIJS-based deferred action from Form G-325A, stating only that it was acting in compliance with the Paperwork Reduction Act. This rationale is both insufficient and contradictory. The PRA was designed to minimize administrative burden—not to quietly dismantle essential protections for vulnerable youth.¹²

The revised form, combined with the termination of the SIJS Deferred Action Policy, imposes an enormous burden on children who Congress specifically intended to protect. These young people—already granted SIJ classification—are now left without a mechanism to shield

¹⁰ 5 CFR § 1320.8(d)(1).

¹¹ USCIS Policy Alert, Special Immigrant Juvenile Classification and Deferred Action, PA-2025-07 (June 6, 2025), <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250606-SIJDeferredAction.pdf>.

¹² *d.* § 1320.5(e). 44 U.S.C. § 3501.

themselves from deportation or to participate meaningfully in U.S. society while they wait for a visa to become available.

IV. Employment Authorization Is a Critical Safeguard for SIJS Youth

Deferred action status is not just symbolic—it provides real, tangible protection through eligibility for employment authorization documents (EADs). These work permits:

- Allow SIJS recipients to work lawfully, support themselves, and avoid exploitative labor conditions.
- Help prevent abuse by empowering young people to report labor violations and access workplace protections.¹³
- Open pathways to higher education by enabling recipients to pay for college, particularly in the absence of federal or state financial aid.¹⁴
- Facilitate social integration, mentorship opportunities, and skill development critical to adulthood. One study found that “the workplace offered strong avenues for integration as well as potential mentors”¹⁵—highlighting how work authorization helps SIJS youth not only survive, but thrive.
- Serve as the basis for obtaining government-issued identification required to access essential services.¹⁶

When creating policies around SIJS youth, the government needs to consider stories of individuals who are the recipients of this status. For example, Lydia is an 18-year-old who was granted SIJ classification and is a client of one of CLINIC’s affiliates. She fled her home country with her siblings after her mother was murdered, and her father, who was an alcoholic that physically abused her and her siblings, passed away. Lydia and her siblings were reunited with a family member in the United States who was granted guardianship of them. In 2019, Lydia was granted SIJ Classification with the help of the Charlotte Center for Legal Advocacy, a CLINIC affiliate. She later applied for SIJS Deferred Action, which was granted along with her employment authorization document. This small step allowed her to gain a social security number, access health benefits, a driver’s license, and begin her college education. Lydia is now a college graduate, a teacher, enjoys teaching children with special needs, and plans to continue her studies to become a board-certified behavioral analyst (BCBA). Without the grant of SIJS Deferred Action, Lydia

¹³ Lori A. Nessel, *Undocumented Immigrants in the Workplace: The Fallacy of Labor Protection and the Need for Reform*, 36 Harv. Civ. Rights-Civ. Liberties L. Rev. 345, 389 (2001).

¹⁴ Kids in Need of Defense (KIND), *Left in Limbo: Why Special Immigrant Juveniles Need Employment Authorization* (January 2022), <https://supportkind.org/wp-content/uploads/2022/01/SIJS-EAD-Brief-1.10.21-FINAL.pdf>.

¹⁵ Luis Edward Tenorio, *Special Immigrant Juvenile Status and the Integration of Central American Unaccompanied Minors*, The Russell Sage Foundation Journal of the Social Sciences, Vol. 6, No. 3, The Legal Landscape of U.S. Immigration in the Twenty-First Century (November 2020), at 172, 184.

¹⁶ KIND, *Left in Limbo: Why Special Immigrant Juveniles Need Employment Authorization*, at 1 (explaining that “an EAD not only allows SIJS youth to obtain lawful employment, in many cases it is the sole available form of government-issued identification that may be used to access essential social services and benefits.”)

would not have a work permit, which would have created barriers for her to receive medical attention and get her college degree. The SIJS deferred action provided Lydia with tools to prepare for adulthood; it gave her safety, stability and confidence to plan her future on her own terms.

By abruptly terminating the SIJS Deferred Action Policy and removing this pathway to employment authorization, USCIS is cutting off access to education, career development, and social services for tens of thousands of immigrant youth, like Lydia. This policy shift runs counter to congressional intent and the humanitarian foundation of SIJS.

Less than a year ago, the DHS emphasized the importance of “mitigating uncertainty about continued employment authorization for renewal applicants” by extending the automatic renewal period for certain Employment Authorization Documents (EADs).¹⁷ USCIS has also recognized that Congress intended SIJS recipients to be on a clear path to lawful permanent residence, with lawful eligibility to work in the United States.¹⁸ However, the recent SIJS policy changes directly undermine that Congressional vision, placing more than 100,000 vulnerable youth at risk of deportation and exploitation, and introducing significant instability into their lives and futures.

V. SIJS Youth Face Imminent Risk of Detention and Deportation Without Deferred Action

The policy change eliminating SIJS deferred action will lead to a sharp increase in the detention and removal of these highly vulnerable youth—outcomes that not only threaten to upend their lives but also undermine the clear intent of Congress to protect them and ensure their ability to remain safely in the United States while pursuing lawful permanent residence.

A youth granted SIJS has been affirmatively determined—by both a state juvenile or family court and by USCIS—to be a victim of abuse, neglect, or abandonment by at least one parent, and that returning to their country of origin is not in their best interest. These are not discretionary findings; they reflect a dual government adjudication process designed to safeguard children who have already suffered serious harm. Yet, USCIS is now stripping these youth of protection from removal without justification or consideration of the devastating consequences.

The Department of Homeland Security has claimed that President Trump and Secretary Noem are committed to protecting children from abuse, exploitation, and trafficking.¹⁹ But these assertions are irreconcilable with the termination of the SIJS Deferred Action Policy—a common-sense protection that allowed SIJS recipients to remain in the U.S. while waiting in the years-long visa backlog to apply for lawful permanent resident status.

¹⁷ DHS, Increase of the Automatic Extension Period of Employment Authorization and Documentation for Certain Employment Authorization Document Renewal Applicants, 89 Fed. Reg. 101208, 101266 (Dec. 13, 2024), <https://www.federalregister.gov/documents/2024/12/13/2024-28584/increase-of-the-automatic-extension-period-of-employment-authorization-and-documentation-for-certain>.

¹⁸ USCIS Policy Alert, Special Immigrant Juvenile Classification and Deferred Action, PA-2025-07 (June 6, 2025), <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250606-SIJDeferredAction.pdf>.

¹⁹ DHS Press Release, “DHS Sweeps into Action to Protect Child from Tren de Aragua Parents” (Apr. 26, 2025), <https://www.dhs.gov/news/2025/04/26/dhs-sweeps-action-protect-child-tren-de-aragua-parents>.

Without deferred action, SIJS recipients are at immediate risk of being deported—separated from their court-appointed caregivers and returned to countries that a state court and USCIS have already found unsafe or not in their best interest to return.²⁰ This is not speculative. Under the current administration, DHS has increasingly detained SIJS youth and has actively pursued removal of those with pending or approved SIJS petitions who lack deferred action. Similarly, prior to the 2022 SIJS Deferred Action Policy, DHS regularly sought removal orders against SIJS youth solely because they were awaiting visa availability.²¹

CLINIC categorically rejects the government’s flawed legal position that SIJS recipients eligible for adjustment of status can nonetheless be removed while waiting for a visa. So long as DHS continues to advance this legally unsupported stance, deferred action remains essential to preventing irreparable harm to SIJS youth and upholding the statutory purpose of the SIJS program. Eliminating this protection exposes children to removal despite formal findings that such action is contrary to their best interests—a result Congress never intended.

VI. Conclusion

CLINIC urges DHS and USCIS to immediately reinstate the SIJS Deferred Action Policy and maintain Form G-325A without the proposed change removing SIJS Deferred Action. Preserving this protection is both legally sound and morally necessary. Doing so is essential to uphold the humanitarian goals of the SIJS program, prevent unjust removal of vulnerable youth, and align policy with Congressional will.

Thank you for your consideration of these comments. Please do not hesitate to contact Karen Sullivan, Director of Advocacy, at ksullivan@cliniclegal.org, with any questions or concerns about our recommendations.

Sincerely,



Anna Gallagher
Executive Director

²⁰ Dalia Castillo-Granados, *A Long Wait for Special Immigrant Juveniles Means a Risk of Deportation* (American Bar Association, Feb. 23, 2021), https://www.americanbar.org/groups/public_interest/immigration/generating_justice_blog/a-long-wait-for-special-immigrant-juveniles-means-a-risk-of-depo/.

²¹ See, e.g., Rachel Leya Davidson & Laila Hlass, *Any Day They Could Deport Me*, at 21 (Nov. 2021), <https://static1.squarespace.com/static/5fe8d735a897d33f7e7054cd/t/61a7bceb18795020f6712eff/1638382830688/Any+Day+They+Could+Deport+Me-+Over+44%2C000+Immigrant+Children+Trapped+in+the+SIJS+Backlog+%28FULL+REPORT%29.pdf>.