



July 28, 2025

Jerry Rigdon, Acting Chief
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

Re: Comment from The Door LSC on Docket ID USCIS-2005-0024; the Form G-325A Revision “Agency Information Collection Activities; Revision of a Currently Approved Collection: Biographic Information (for Deferred Action),” OMB Control Number 1615-0008

Dear Mr. Rigdon:

The Door’s Legal Services Center (“The Door LSC”) respectfully writes to express our opposition to OMB Control Number 1615-0008, USCIS’s proposed revision of Form G-325A to exclude recipients of Special Immigrant Juvenile Status (SIJS). We also strongly oppose the Policy Manual changes and accompanying Policy Alert that USCIS issued on June 6, 2025, which eradicates the SIJS Deferred Action Policy. Because both the proposed changes to Form G-325A changes and the USCIS Policy Manual eliminate SIJS deferred action, this comment will address the harmful impact of both and refer to them collectively as “the SIJS policy changes.”

The SIJS policy changes eliminate deferred action and work authorization for SIJS-approved youth, putting them in danger of labor exploitation and deportation. These changes will directly and severely harm children and youth, as well as their families and communities, that Congress specifically intended to protect.

I. The Door Legal Services Center

The Door’s Legal Services Center provides holistic legal advocacy services to young people ages 12 to 24. Established in 1992 to address the lack of free legal assistance for youth in New York City, the center addresses the civil legal needs of our clients, including immigration, foster care, housing, and public benefits, among others. The Center provides a broad range of counsel and advocacy services to young people. In addition to legal assistance, The Door provides holistic wraparound services to all youth members, including high school equivalency; college and future planning; jobs and internship prep; health services; counseling; gender-affirming care; food and nutrition services; creative arts and recreation; supportive housing; and runaway and homeless youth services. Our over 50-person team of attorneys, social workers, paralegals, and administrative assistants represent decades of specialized expertise in youth, immigration law, family law, foster care, and child welfare. The Door currently represents over 300 young people in SIJS cases.

II. Terminating Protections for Abused, Abandoned, and Neglected Children Are Contrary to the Purpose and Intent of the SIJS Statute

a. The proposed changes contradict the original SIJS statute

We strongly oppose the SIJS policy changes, as they undermine the fundamental purpose of the SIJS provisions of the Immigration and Nationality Act (INA), enacted in 1990, which protect children who have suffered parental maltreatment and would face harm if deported to their country of origin.¹ Congress intended SIJS to afford vulnerable immigrant children who survived various forms of abuse, abandonment, or neglect from a parent a means to reside safely in the United States and ultimately obtain permanent resident status, giving them the permanency and stability they need to progress in their young lives.

Young people receive SIJS only after satisfying a set of “rigorous, congressionally defined eligibility criteria,”² including placement in the custody or guardianship of a U.S.-residing caregiver by a juvenile court and receiving a determination from a state juvenile court that it is not in their best interest to be returned to their country of origin. A child is granted SIJS only after DHS has exercised its statutory consent function,³ thereby endorsing the juvenile court’s conclusion that the child should not be returned to their country of origin. USCIS has recognized the statute’s protective purpose, stating in the Policy Manual that Congress “created the special immigrant juvenile (SIJ) classification to provide humanitarian protection for abused, neglected, or abandoned alien children.”⁴ The legislative history surrounding SIJS reflects the purpose of the statute to protect young people because “of their age and the impracticability of deportation.”⁵

b. The proposed changes contradict subsequent efforts to preserve Congressional intent

Despite Congressional intent, a now years-long visa backlog prevents SIJS recipients from achieving the permanent protection Congress intended for them in a timely manner.⁶ Before

¹ 8 U.S.C. § 1101(a)(27)(J)(ii). SIJS recipients applying for adjustment of status are considered “to have been paroled into the United States.” 8 U.S.C. § 1255(h)(1).

² *Osorio Martinez v. Att’y Gen. U.S.*, 893 F.3d 153, 163 (3d Cir. 2018).

³ 8 U.S.C. § 1101(a)(27)(J)(iii).

⁴ USCIS Policy Manual, Vol. 6, Pt. J, Ch. 1, <https://www.uscis.gov/policy-manual/volume-6-part-j-chapter-1>.

⁵ 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).

⁶ 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>.

the SIJS Deferred Action Policy in May 2022, SIJS recipients were unable to access work authorization and were vulnerable to deportation despite both a juvenile court and DHS having affirmed their need for protection. USCIS created this policy to further Congressional intent and remedy the impacts of the unforeseen SIJS visa backlog, protecting SIJS youth in legal limbo for years and unable to access permanent protection due to a visa backlog.⁷ When enacting the policy, USCIS stated:

“Congress likely did not envision that SIJ petitioners would have to wait years before a visa became available, since for many years after implementation of the program, SIJs did have visas immediately available. Deferred action and related employment authorization will help to protect SIJs who cannot apply for adjustment of status solely because they are waiting for a visa number to become available. This process furthers congressional intent to provide humanitarian protection for abused, neglected, or abandoned noncitizen children for whom a juvenile court has determined that it is in their best interest to remain in the United States.”⁸

Since May 2022, young people with approved SIJS petitions who are awaiting a visa to apply for lawful permanent resident status have been protected from deportation and afforded work authorization through the SIJS Deferred Action Policy, which has likely benefited well over 100,000 SIJS youth. Under the SIJS Deferred Action Policy, when USCIS approved a young person’s SIJS petition, it automatically considered them for a 4-year, renewable, deferred action grant if they lacked an available visa due to the SIJS visa backlog.

In 2024, USCIS amended Form G-325A, a form used to request deferred action, to benefit SIJS youth by creating an SIJS-specific category on the form. USCIS explained 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 they had a deferred action adjudication contemporaneously with their SIJS petition approval notice. Thousands of SIJS youth have deferred action expiration dates of May 2026 and were counting on using the Form G-325A process to apply for renewal starting in December 2025.

By terminating the SIJS Deferred Action Policy through both the June 6 Policy Manual Update and the proposed Form G-325A revisions, USCIS is stripping SIJS recipients of protection from deportation and labor exploitation and violating the humanitarian purpose of the U.S. Congress in establishing SIJS.

⁷ 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>.

⁸ *Id.* at 1.

III. The Policy Underlying the Form G-325A Revisions was Implemented in Violation of the Paperwork Reduction Act, Which Mandates Time for Comments

USCIS's proposed changes to Form G-325A make a mockery of the notice and comment procedures. USCIS stopped granting deferred action to SIJS recipients in early April 2025, and it was not until June 6, 2025, that USCIS issued a policy alert terminating the SIJS Deferred Action Policy altogether.⁹

Since April 2025, our office has seen **over fifteen** I-360 approvals without any mention of deferred action. **Over half** of these approvals without deferred action were issued prior to the May 29th Federal Register publication. We counseled our young clients and put time and energy toward the long process of establishing the necessary requirements for SIJS under the assumption that doing so would secure them protection from deportation and the ability to work legally in the United States. In some cases, our office prioritized SIJS applications ahead of other forms of relief to secure these essential benefits for abused, neglected, or abandoned youth only to find them denied without notice or reason.

USCIS published a proposed form change more than six weeks after it had already made the changes supposedly "proposed" therein. USCIS effectively preemptively terminated the SIJS Deferred Action Policy with no notice to the public or opportunity for feedback. This violates the Paperwork Reduction Act, which mandates a 60-day comment period, agency consideration of comments received, and then a 30-day second comment period before any changes are enacted.¹⁰

IV. USCIS Did Not Provide a Reason for the Form Changes, Yet They Will Cause Severe Harm

USCIS provided no reason for the changes to Form G-325A, eliminating consideration of SIJS-based deferred action, only stating that it was publishing the proposed form changes to comply with the Paperwork Reduction Act. Yet, the purpose of the Paperwork Reduction Act (PRA) is to reduce the burden of filing paperwork on both the federal government and its constituents.¹¹ Forms issued by the Government are supposed to benefit, not burden the public.¹² Despite this requirement, the revisions to Form G-325A, along with USCIS's decision to terminate the SIJS Deferred Action Policy, announced on June 6, 2025, two months after the agency had secretly enacted the policy change, impose a severe burden

⁹ 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>.

¹⁰ 5 CFR § 1320.8(d)(1).

¹¹ Id. § 1320.5(e). 44 U.S.C. § 3501.

¹² PRA, 44 U.S.C. § 3501.

on children and youth who have been granted SIJS and about whom Congress enacted a detailed set of laws to ensure their protection and permanency.

V. Employment Authorization Protects Youth Against Labor Exploitation, Permits Them to Seek Careers and Post-Secondary Education, and Opens Access to Essential Social Services Requiring a Government-Issued ID

Deferred action provides SIJS youth with protection from deportation as well as access to an employment authorization document (EAD). Access to EADs not only allows SIJS recipients to work lawfully and earn money to survive and thrive, but it also protects them from labor exploitation as they await available visas to apply for adjustment of status. Granting deferred action to noncitizens who would otherwise be ineligible for work authorization “helps encourage exploited workers to come forward, thereby allowing for the vigorous enforcement of labor and employment laws.”¹³ EADs also enable SIJS recipients to begin careers and fund post-secondary education rather than put their life on hold for years as they await adjustment of status.¹⁴ Without an EAD, aspirations for college are frequently put aside because youth have no ability to fund college or access federal or state aid (except in a few states). The ability to enter the workforce lawfully also opens up incalculable opportunities for youth who are often left behind as their peers progress in their transition to adulthood. One study found that “the workplace offered strong avenues for integration as well as potential mentors.”¹⁵ Finally, EADs allow children and youth to access essential social services that require government-issued identification.¹⁶

Less than one year ago, the U.S. Department of Homeland Security recognized the importance of “mitigating uncertainty about continued employment authorization for renewal applicants” and increased the automatic extension periods of certain EADs.¹⁷ USCIS

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.”)

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>.

also has acknowledged that Congress envisioned SIJS recipients as ready candidates for permanent residency, lawfully permitted to work.¹⁸ Yet, the SIJS policy changes completely frustrate that vision, placing over 100,000 SIJS youth in danger.

The value of an EAD and the security that comes with it cannot be overstated. One Door client with an infant son who survived sexual abuse and exploitation in her home country obtained her EAD through SIJS in 2024. With her work permit, she was able to graduate high school while working as a hostess at a restaurant to support herself and her son. Due to her superior academic achievement, this client was offered a scholarship to a local community college. Despite her achievements, she fears that there will be no way for her to support her son once her current EAD expires, as the new proposed policy will not allow her to renew it. She worries that her hard work inside and outside the classroom will be for naught if she is forced to lose her job and contend with possible ICE enforcement without the protection of deferred action.

Another one of our SIJS clients successfully graduated from a U.S. high school and enrolled himself in college to pursue higher opportunities. Up to now, he insisted to “do everything right” and refused to work without a work permit, even at his own hardship. Now that the opportunity has disappeared with no EAD in sight, he feels resigned to risking exploitation and immigration enforcement in the workplace without papers.

VI. Without Deferred Action, SIJS Youth Are at Risk of Detention and Deportation

The elimination of SIJS deferred action will cause increasing numbers of SIJS recipients to be detained and removed. Such measures have devastating consequences that may ruin these young people’s lives, and they defy Congress’s intent to protect SIJS youth and allow them to remain safely in the United States and adjust to lawful permanent residents. A youth approved for SIJS is a child who has been found by two governmental entities – a state family/juvenile court *and* USCIS – to be a child that has been abused, neglected, and/or abandoned by at least one parent and for whom it is not safe to return to their country of origin. Even so, USCIS is now abandoning these young people without any defensible justification. The U.S. Department of Homeland Security claims that “President Trump and Secretary Noem take their responsibility to protect children seriously and will continue to work with federal law enforcement and the U.S. Department of Health and Human Services to ensure that children are safe from abuse, sexual exploitation, and trafficking.”¹⁹ However, it is impossible to reconcile these claimed goals with the termination of the SIJS Deferred Action Policy.

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 the protection from deportation conferred by deferred action, SIJS recipients are at risk of being removed from the United States, away from their court-appointed caregivers and to the very country that a juvenile court judge and USCIS have determined is not in their best interest to be returned.²⁰

This is no far-fetched scenario—under the current administration, DHS has increasingly arrested, detained, and advocated for the removal of SIJS youth in immigration court, and has actually removed numerous young people with pending or approved SIJS who lacked deferred action. Similarly, before the 2022 SIJS Deferred Action Policy during the first Trump administration, DHS routinely pursued removal orders against SIJS youth simply because they were waiting for a visa to adjust their status to lawful permanent residents.²¹ While The Door LSC strongly disagrees with the government’s view that adjustment-eligible SIJS youth can be removed while they await a visa, in light of the government’s incorrect position, deferred action is necessary to protect SIJS youth in the visa backlog and to align with Congressional intent behind the SIJS program.

Our youth are currently facing impossible decisions in immigration court, sometimes choosing between working legally and their own chances at more permanent immigration relief. One young man has the option to terminate his immigration court proceedings, but to do so would be to lose his current work permit based on his pending defensive asylum application. If his approved SIJS status allowed him a work permit and protection from deportation through deferred action, he would not face this difficult choice.

Even SIJS recipients with deferred action are feeling the pressure of the proposed policy through increased delays. One of our clients survived sexual abuse and abandonment at the hands of her father and is currently living in long-term foster care. She received her approved I-360 and deferred action in January 2025. She has been waiting for her work permit to be approved since March 7, 2025, with no explanation of the delay or timeline for its approval. Even with deferred action, her life and recovery remain interrupted by delays.

VII. Conclusion

For all of the foregoing reasons, The Door LSC urges USCIS to immediately reinstate the SIJS Deferred Action Policy and maintain Form G-325A as it currently stands.

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>.



Respectfully submitted,

Meena Shah
Managing Director
The Door Legal Services Center

David Vines
Staff Attorney
The Door Legal Services Center

Lora Adams
Legal Program Manager
Detained Minors Project
The Door Legal Services Center