

Address Reports Required of Aliens in the U.S.

The Immigration and Nationality Act (INA), the formal name for the immigration laws, requires any alien in the U. S. to report his or her address to the Department of Homeland Security (DHS) within ten (10) days of the change of address. These “frequently asked questions and answers” will help you understand your responsibilities in this regard and how to meet them.

What exactly is the rule about address reporting?

INA Section 265(a) reads,

“Each alien required to be registered under this title who is within the United States shall notify the Attorney General in writing of each change of address and new address within ten days from the date of such change and furnish with such notice such additional information as the Attorney General may require by regulation.”

If you are an alien physically present within the U.S. then you are required to be registered (e.g. to have an I-94 card or similar document confirming status), and you are required to make address reports as specified in the law.

Who is an alien and why does DHS use that term?

“Alien” is a legal term, and was used in law long before “War of the Worlds,” “Star Trek,” and “Star Wars.” Per the definition at INA Section 101(a)

“The term ‘alien’ means any person not a citizen or national of the United States.”

That definition is very direct and clear. You acquire U.S. citizenship by being born in the U.S. or to U.S. parents or by naturalizing. You become a national of the U.S. by being born in one of the outlying possessions of the United States or to parents who are nationals of the U.S. If you have F, J, H, O, TN, or LPR (“green card”) status or any other immigration document allowing you to be in the U.S., then you are considered to be an “alien” under the legal definition.

I know that I have filled in my address on lots of forms, but why haven’t I heard about this direct reporting requirement before?

This law has been “on the books” for a very long time, but over the years DHS has placed a low priority on enforcing the law and collecting and recording address changes. Indeed, DHS has generally not had the manpower or resources to record address changes even if they were reported. In practice, DHS has been interested primarily in addresses directly connected with a benefit or approval notice that DHS would have to mail back to the alien.

If DHS has not been maintaining its address files and has not been enforcing the law, then why should I start reporting my address now?

The law is the law, and even though DHS may not have enforced it in the past, Congress and law enforcement are now very interested in aliens in the U.S. It is a good idea to know your responsibilities and comply with the law.

I am an H, TN, or O visa holder, how do I report my address? Where do I send it?

You report your address on form **AR-11**. DHS posts the most recent AR-11 form on its web site at: www.uscis.gov

It loads in Adobe as a fillable form, so you may fill it out online, print it, and mail it to the DHS address indicated on the form or follow the instructions to file online. There is no charge for filing form AR-11.

In addition, there is now a separate version of the **AR-11** for anyone subject to **Special Registration**. The only difference here is in the third line of the address. On the “regular” AR-11 the third line reads “Change of Address.” On the Special Registration version, the third line of the address reads “Change of Address-Special Registration”.

When you complete your address report, please print an extra copy and send it to the International Services Office (ISO) Room 206 B, Resource Center via Campus Mail or 433 Bolivar St., Suite 206B, New Orleans, LA 70112 via regular mail, which will help us keep your address current. You should also alert the ISO via email.

I am an F or J visa holder, how do I report my address?

You report the new address via email to Director of the ISO, Remy Allen (rall11@lsuhsc.edu) for notification in the SEVIS System.

I do not like the idea of reporting my address to DHS. What happens if I just refuse to do it?

INA Section 266(b) states

“Any alien or any parent or legal guardian in the United States of any alien who fails to give written notice to the Attorney General, as required by section 265 of this title, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not to exceed \$200 or be imprisoned not more than thirty days, or both. Irrespective of whether an alien is convicted and punished as herein provided, any alien who fails to give written notice to the Attorney General, as required by section 265, shall be taken into custody and removed in the manner provided by chapter 4 of this title, unless such alien establishes to the satisfaction of the Attorney General that such failure was reasonably excusable or was not willful.”

In short, if you make a choice or decision not to report, a willful act, then DHS has the authority to charge you with a crime, fine you \$200, imprison you for 30 days, and then deport you. In practice DHS has not used this violation alone to deport someone, but DHS can add this to a list of violations such as overstay or unauthorized work, when they are building a case for deportation.