

## Memorandum

**TO:** Foreign Nationals  
**FROM:** Seyfarth Shaw Business Immigration Group  
**DATE:** July 26, 2004  
**RE:** Address Change Notification Requirements

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### I. The Law

In direct response to the events of September 11th, the United States Citizenship and Immigration Services (“USCIS”) is aggressively enforcing a “change of address” law that has been on the books for many years (Section 265 of the Immigration & Naturalization Act or 8 USC 1305). This law requires all foreign nationals living in the United States to report changes in address to the USCIS within 10 days of the address change.

### II. Individuals Subject to the Law

This requirement applies to all foreign nationals ages 14 or older, and includes those in the U.S. on temporary visas (H1, TN, E, L1, H4, TD, O1, J1, F1, etc.) as well as lawful permanent residents (green card holders). Parents are responsible for filing on behalf of their children under the age of eighteen (18).

If you have moved since your last application/petition was submitted to USCIS, and you have not filed an address change, or you are not certain of the last address that the USCIS has on file for you, you should file an address change at this time. It is better to file a late address change than not to file at all.

### III. Penalties for Failure to Comply

A willful failure to give written notice to the USCIS of a change of address within 10 days of the change is a misdemeanor crime. If convicted, the foreign national (or parent or legal guardian of a foreign national under age 14 who is required to give notice) can be fined up to \$200 or imprisoned up to 30 days, or both. The foreign national may also be subject to removal from the United States. ([INA § 266\(b\)](#)). Compliance with the requirement to notify the USCIS of any address changes is also a condition of the foreign national’s stay in the United States; failure to comply could jeopardize the foreign national’s ability to obtain a

future visa or other immigration benefit. In a worst-case scenario, an individual could be deported if he or she is unable to provide a reasonable excuse for the lack of notification.

#### **IV. Notification Process**

To report a change of address to USCIS, you must complete and file form AR-11 with the USCIS. This form is available in English, Spanish, Chinese, Vietnamese, and Russian and can be downloaded in adobe acrobat format from the USCIS website at the following address:

[www.uscis.gov/graphics/formsfee/forms/ar-11](http://www.uscis.gov/graphics/formsfee/forms/ar-11)

The form should be filed with USCIS via certified mail addressed as follows:

**U.S Department of Homeland Security  
Bureau of Citizenship and Immigration  
Change of Address  
PO Box 7134  
London, KY 40742-7134**

**For commercial overnight or fast freight services only:**

**U.S Department of Homeland Security  
Bureau of Citizenship and Immigration  
Change of Address  
1084-I South Laurel Road  
London, KY 40744**

There is no filing fee for this process. Please keep a copy of the address change form AR-11 and proof of mailing (via certified mail) for your personal records.

In addition, if you currently have an application or petition pending with USCIS, it may be wise to notify the office in which your application or petition was filed.

#### **V. Additional Information**

Please indicate in the first line your current visa status. Many foreign nationals should indicate “other” and list their current status (such as H-1B, E, or L visa, or adjustment of status applicant). There is a box at the end of the second line for the “number from alien card”. This refers to the so-called “A-number” held only by permanent residents and those with employment authorization documents; it is a nine-digit number preceded by the letter “A.”

Also, please note that one of the last blanks is for the “date of entry into U.S.”. Here, enter your *most recent* date of entry. Only adjustment of status applicants who last entered using an advance parole document should list a prior date of entry into the United States. Such individuals should use the last date they entered using a non-immigrant visa.