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Submitted via www.regulations.gov

John R. Pfirmann-Powell, Acting Deputy Chief
U.S. Citizenship & Immigration Services, Office of Policy & Strategy
Regulatory Coordination Division

Re: OMB Control Number 1615-0007, USCIS-2008-0018. Comments in Response to: Agency Information Collection Activities; Reinstatement, With Change, of a Previously Approved Collection for Which Approval Has Expired: Alien Change of Address

Dear Mr. Pfirmann-Powell,

The Immigrant Legal Resource Center (ILRC) submits this comment in strong opposition to the changes proposed to Form AR-11, published in the Federal Register on May 7, 2026. The proposed changes impermissibly exceed the scope of the change of address form and will cause a significant burden to applicants and practitioners alike. We urge you to abandon the proposed changes and maintain Form AR-11 as it currently stands.

The ILRC is a national non-profit organization that provides legal trainings, educational materials, and advocacy to advance immigrant rights. The ILRC's mission is to work with and educate immigrants, community organizations, and the legal sector to continue to build a democratic society that values diversity and the rights of all people. Since its inception in 1979, the ILRC has provided technical assistance on hundreds of thousands of immigration law issues, trained thousands of advocates and pro bono attorneys annually on immigration law and emerging issues, distributed thousands of practitioner guides, provided expertise to immigrant-led advocacy efforts across the country, and supported hundreds of immigration legal non-profit organizations in building their capacity to support immigrants and their families. It is through this lens that we provide the following comment.

I. The proposed AR-11 will cause unnecessary confusion, burden, and harm to the public and to USCIS.

Currently, Form AR-11 is a single page form (two pages with instructions) that asks the person completing it to list their new address, their previous address, and their mailing address. The proposed AR-11 would require individuals who are subject to federal registry requirements to provide additional information about their employment, schooling, and whether they have received a “means-tested benefit,”¹ ballooning the form to eleven pages with instructions. These changes will cause confusion and uncertainty for those who are trying to update their address with the agency.

A. The proposed form will place additional burden on the public and the agency.

The agency fails to take into account the extra burden placed on those who must complete this form, especially those with limited English proficiency and disabilities. The AR-11 as currently written is a simple change of address form which a person can complete on their own. With the additional questions, those who are subject to the address-change requirements will now likely need to seek legal assistance – an attorney or accredited representative – to help them complete the form. If such assistance is obtained, the result will be delays and increased expense to simply meet the requirements to update one’s address with USCIS. Without legal assistance, those seeking to file this form will not be able to ascertain which questions apply to them or how to answer many questions because they are confusing. There are serious legal implications of answering questions that could trigger grounds of removability and including these questions on this form both undermines and marks a drastic departure from the original purpose of the form.

Further, legal services providers, who are already over-burdened with cases, will have to provide assistance with this form, especially when attempting to assist clients with accurate public benefits information, which may not be readily available. This additional burden on legal service providers could lead to a reduction in the numbers of clients the providers can assist overall. Applicants may also be unable to fill out the form to change their address due to its complexity and difficulty in obtaining legal representation, which will put them at unnecessary risk for denial of a pending immigration benefit as well as arrest, detention, and deportation.

Finally, the form does not provide enough instruction as to who is subject to registration requirements and must therefore complete the additional sections of the form. The agency’s failure to provide adequate information as to who must actually complete the additional sections of the form appears to be intentional in an attempt to confuse applicants into providing insufficient or inaccurate information for the agency to hold against them later. The ensuing confusion will lead to the submission of inaccurate or insufficient information which is not only

¹ 91 Fed. Reg. 24910.

dangerous for the person completing the form, but will pose an additional burden on the adjudicators and application processors who will have to contend with the increased information that the proposed form contemplates.

B. The proposed changes will create confusion regarding public charge and harm communities.

Noncitizens seeking to update the agency with their address may decline to access public benefits for which they² or their family members³ are eligible given the lack of instruction and overbroad collection of public benefits information proposed. The proposed questions related to public benefits are entirely irrelevant to the purpose of this form (updating a noncitizen's address with the agency) and to immigration law more broadly.

Specifically, the form contains a list of means-tested benefits and asks the noncitizen to indicate if he or she has received any from this list at any point. The instructions also include language that the agency will be checking the answers against any other government data sources that are sharing information with the agency. The purpose of the collection of this information, according to the proposed instructions, is to assess the public charge ground of deportability, without further information about the applicability of that ground. Adding this line of questioning on a change of address form is far beyond the scope of a change of address form but also will breed confusion and uncertainty for noncitizens completing the form.

Additionally, the form does not adequately address which benefits count as a “means-tested benefit” and any instruction given on the form is vague and overbroad. In addressing the public charge ground of inadmissibility, only specific benefits⁴ count toward the question of whether someone is likely to become a public charge. The questions on the proposed AR-11 go far beyond this by asking for any type of means-tested benefit a person might have received. Additionally, as most means-tested benefits are administered by state governments, the names of the programs are not uniform and the programs are often labeled differently.⁵ As there is no

² See, e.g., Hamutal Bernstein, et al., *One in Seven Adults in Immigrant Families Reported Avoiding Public Benefit Programs in 2018*, Urban Inst. (May 22, 2019), <https://www.urban.org/research/publication/one-seven-adults-immigrant-families-reported-avoiding-public-benefit-programs-2018>; Hamutal Bernstein, et al., *Amid Confusion over the Public Charge Rule, Immigrant Families Continued Avoiding Public Benefits in 2019*, Urban Inst. (May 18, 2020), <https://www.urban.org/research/publication/amid-confusion-over-public-charge-rule-immigrant-families-continued-avoiding-public-benefits-2019>.

³ See, e.g., Samantha Artiga, et al., *supra* note 2; Lei Chen, et al., *Immigrants' Enforcement Experiences and Concern about Accessing Public Benefits or Services*, 5 J. Immigrant & Minority Health 25 (2023), <https://doi.org/10.1007/s10903-023-01460-x>.

⁴ Under current regulations, the only applicants deemed likely to become primarily dependent on cash aid for income maintenance or long-term care at government expense. Other programs including health care programs like Medicaid and COVID care, housing and nutrition programs are not subject to a public charge inquiry. See USCIS, DHS, *Public Charge Ground of Inadmissibility*, 87 Fed. Reg. 55472 (Sep. 9, 2022).

⁵ For example, California's SNAP program is known as CalFresh and the Medicaid program is known as Medi-Cal.

public charge inadmissibility or deportability determination that is relevant to Form AR-11, and the agency has provided no information as to why this information needs to be collected on this form, the addition of these questions is arbitrary and capricious, and the proposed version should be abandoned. In fact, any immigration benefit that requires a public charge determination already collects this data, making the collection of this information on the AR-11 unnecessary.

By asking these questions on a routine change of address form, there is a high likelihood that the chilling effect that ensues will cause significant damage to the public at large; namely that eligible people will avoid public benefits for fear of immigration enforcement. When eligible individuals avoid vital services and benefits, the resulting harms extend beyond individual immigrants to families, providers, and entire communities. Children, many of whom are U.S. citizens, can lose access to health care, food assistance, and other essential services.⁶ Families can experience greater instability.⁷ Delayed or forgone care can also leave people with more serious health needs later, increasing burdens on providers and health systems, and potentially endangering public health if a contagious disease is left untreated.⁸

I. The proposed form is an impermissible data grab that will result in harm to the general public.

Form AR-11 has historically been a straightforward, simple form that allows noncitizens to comply with the change of address requirements found at INA § 265 and 8 CFR § 265.1. The proposed version of the form asks the person completing the form to provide information that is not relevant to the duty to change address found in the statute and regulations. The notice announcing the proposed changes does not indicate any other statute or regulation requiring this information be collected through Form AR-11 or explain why such information would be necessary on this particular form.

⁶ See, e.g., Leah Zallman, et al., *supra* note 2; Samantha Artiga, et al., *supra* note 2; Sylvia E. Twersky, *Do state laws reduce uptake of Medicaid/CHIP by U.S. citizen children in immigrant families: evaluating evidence for a chilling effect*, 21 Int'l J. for Equity in Health 50 (Apr. 12, 2022), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9006602/> (finding that immigrant restrictive policies could lead to reduced access to benefits even for citizen children in immigrant families).

⁷ Hamutal Bernstein, et al., *One in Seven Adults in Immigrant Families Reported Avoiding Public Benefit Programs in 2018*, *supra* note 1.

⁸ See, e.g., Veronica Cifuentes, *As Chilling Effects of the Public Charge Rule Linger, How Can Health Systems Support Immigrant Families and Increase Their Access to Essential Services?*, Children's Hospital of Philadelphia PolicyLab (Sep. 26, 2024), <https://policylab.chop.edu/blog/chilling-effects-public-charge-rule-linger-how-can-health-systems-support-immigrant-families>.

II. The proposed changes violate the Paperwork Reduction Act (PRA)

Under the PRA,⁹ USCIS must show that any information it collects is necessary, has practical utility, and minimizes the burden on the public. The agency did not include an explanation as to why this information needs to be collected on this form, especially when the information about schooling and employment is routinely collected on other forms that applicants will have completed and sent to the agency.

USCIS has not explained why the proposed additional information is necessary in the context of an address change form, what practical utility it has, or why these questions should be asked through the AR-11 at all. USCIS has also not adequately accounted for the burden on individuals, service providers, and communities with limited English proficiency or limited access to legal representation.

USCIS estimates that the form can be completed in 30 minutes or less and that the annual cost burden is under \$1 million. Those estimates appear to significantly underestimate the time and cost of gathering and accurately reporting employment, education, and benefits information over a potentially unlimited period, in addition to the need for legal consultation. This would be a significantly more time-consuming task than reporting a new address.

III. Conclusion

The proposed version of the AR-11 is yet another example of this administration's attack on immigrant communities by making routine forms unnecessarily complicated and confusing, while seeking data beyond the scope and purpose of the form. The new form seeks information which is irrelevant to the government's interests in maintaining accurate address information for noncitizens and indeed will likely result in less accurate information regarding noncitizen addresses because people will not be able to timely fill out the form. Adding these questions that have no connection to the change of address form is arbitrary and capricious in addition to being harmful to both the public and USCIS. The agency should abandon this endeavor and preserve the form as it is: a tool to alert the agency of a change in address only.

Sincerely,
The Immigrant Legal Resource Center

⁹ 44 U.S.C. § 3501 et seq. (1980).