

## DOMESTIC TRAVEL ADVISORY

In the aftermath of the September 11th tragedy there have been several reports of nonimmigrants boarding domestic flights being asked for documentation. As a result, we suggest that all immigrants and non-immigrants carry appropriate proof of registration at all times. In the case of non-immigrants it is also advisable to carry a current company employment letter as well.

The Immigration and Nationality Act requires individuals over the age of 18 who remain in the U.S. for thirty days or longer to carry his/her "registration" documentation with them at all times. Acceptable registration documents are: I-551 Permanent Resident Card, Form I-94 Card, I-95 Crewman's Landing Permit, I-184 card, I-185 Canadian Border Crossing Card, I-186 Mexican Border Crossing Card, I-221 Order to Show Cause and Notice of Hearing, I-221S Order to Show Cause, I-688 Temporary Resident Card, and I-688A, I-688B, I-766, Employment Authorization Documents. Although the INS does not list it, aliens in removal proceedings should carry their Notice to Appear to avoid potential conflicts. Aliens are required to produce such documents to a Service officer engaged in the normal and proper fulfillment of his duties whether that at the airport or anywhere else within the U.S.

While the government has traditionally declined to prosecute such offenses the law does provide that failure to carry proof of registration is a misdemeanor and is punishable by a fine not to exceed \$100 or be imprisoned not more than thirty days, or both. Additionally, aliens who willfully fail or refuse to apply for their registration document may be convicted for a misdemeanor that carries a fine of up to \$1000 or imprisonment of up to 6 months, or both. Finally, a rarely enforced provision of the immigration law requires aliens to give written notice to the INS within ten days of a change of address within the U.S. Aliens who "willfully and without reasonable excuse" fail to do so are subject to removal under the law. Failure to comply with this provision is also a misdemeanor and is punishable by a fine not to exceed \$200 or imprisonment for up to thirty days, or both. Lastly, failure to timely notify INS of an address change can have serious negative consequences for aliens placed in removal proceedings on other grounds. Should your address in the U.S. change, INS Form AR-11 is the mechanism for reporting the change to INS.

Immigration officials have not commonly required domestic travelers to present registration documentation nor have they regularly deported individuals solely based on failure to notify of address changes. However, in light of the heightened security measures in the United States, it is advisable to be prepared with all of your documentation proving your current lawful status.