



April 11, 2023

PA-2023-14

## Policy Alert

SUBJECT: Safe Address and Special Procedures for Persons Protected by 8 U.S.C. 1367

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is updating policy guidance in the [USCIS Policy Manual](#) to provide guidance on mailing address and case handling procedures for persons protected under [8 U.S.C. 1367](#).

### Background

Persons eligible for and recipients of survivor-based immigration relief (specifically Violence Against Women Act (VAWA) self-petitioners<sup>1</sup> as well as those seeking T and U nonimmigrant status<sup>2</sup>) are entitled to protections under [8 U.S.C. 1367](#). USCIS also extends the provisions of 8 U.S.C. 1367 to abused spouses of certain persons applying for employment authorization under [INA 106](#).<sup>3</sup>

In compliance with these statutory confidentiality provisions, USCIS has policies and procedures in place so that information related to persons protected under [8 U.S.C. 1367](#) (protected persons) is disclosed only to authorized parties.<sup>4</sup> In the context of mailed correspondence and notification requirements, USCIS has implemented procedures to minimize the risk of unauthorized parties

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<sup>1</sup> See Violence Against Women and Department of Justice Reauthorization Act of 2005, [Pub. L. 109-162](#) (January 5, 2006). When VAWA was reauthorized in 2005, Congress added the definition “VAWA self-petitioner” at [INA 101\(a\)\(51\)](#), which includes persons requesting relief as: a VAWA self-petitioner under [INA 204\(a\)](#); an abused conditional permanent resident spouse or child filing a waiver based on battery or extreme cruelty under [INA 216\(c\)\(4\)\(C\)](#) or [INA 216\(c\)\(4\)\(D\)](#); an abused spouse or child under the Cuban Adjustment Act, [Pub. L. 89-732](#) (November 2, 1966); an abused spouse or child under the Haitian Refugee Immigrant Fairness Act, Division A, Section 902 of [Pub. L. 105-277](#), 112 Stat. 2681, 2681-538 (October 21, 1998); and an abused spouse or child under the Nicaraguan Adjustment and Central American Relief Act, Title II of [Pub. L. 105-100](#), 111 Stat. 2160, 2193 (November 19, 1997). Applicants for special rule cancellation of removal under [INA 240A\(b\)\(2\)](#) are also protected under [8 U.S.C. 1367](#).

<sup>2</sup> See Victims of Trafficking and Violence Protection Act of 2000, [Pub. L. 106-386](#) (October 28, 2000). T nonimmigrant status is available for victims of a severe form of human trafficking and U nonimmigrant status is designated for victims of qualifying criminal activities.

<sup>3</sup> See [Eligibility for Employment Authorization for Battered Spouses of Certain Nonimmigrants](#), PM-602-0130, issued March 8, 2016. Abused spouses of certain nonimmigrants may apply for employment authorization by filing an Application for Employment Authorization for Abused Nonimmigrant Spouse ([Form I-765V](#)).

<sup>4</sup> The term “authorized parties” includes employees of DHS, the U.S. Department of State, and the U.S. Department of Justice for legitimate agency purposes. It also includes attorneys or accredited representatives who have properly filed a Notice of Entry of Appearance as Attorney or Accredited Representative ([Form G-28](#)), on behalf of a protected person, as well as protected persons themselves.

viewing the protected information. This Policy Manual update provides guidance on mailing address and adjudication procedures for victim-based and non-victim-based forms filed by protected persons.

Before April 11, 2023, USCIS had not published guidance in the USCIS Policy Manual specific to the safe mailing address procedures associated with protected persons, which were largely based on regulations and local office practice.<sup>5</sup> On April 19, 2021, DHS published a Request for Public Input (RPI) seeking the public's input on barriers to USCIS benefits and services.<sup>6</sup> Public comments received in response to the RPI identified mailing address procedures, including safe mailing address procedures for protected persons, as an area for improvement. Moreover, during a USCIS listening session on VAWA self-petitions in August 2021 as well as in more recent engagements, stakeholders expressed concerns about change of address and safe mailing address procedures for protected persons. Additionally, while USCIS currently has guidance on the application of 8 U.S.C. 1367 protections throughout the USCIS Policy Manual as it relates to victim-based benefit requests, USCIS identified a need for guidance on the handling of non-victim-based benefit requests filed by protected persons, including the application of 8 U.S.C. 1367 protections in those cases.

Through this update, USCIS provides clear guidance on safe mailing address procedures for protected persons to help ensure a uniform approach within USCIS, reduce administrative burdens, and facilitate access to immigration services.<sup>7</sup>

This guidance, contained in Volume 1 of the Policy Manual, is effective July 11, 2023 and applies to benefit requests that are pending or filed on or after that date. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.<sup>8</sup> **Note: The effective date for this policy has changed. USCIS anticipates that this policy will become effective on or before March 29, 2024, barring unforeseen circumstances.**

### Policy Highlights

- Provides that [8 U.S.C. 1367\(a\)\(2\)](#) prevents DHS from disclosing “any information which relates” to a protected person subject to certain limited exceptions.<sup>9</sup> This includes information

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<sup>5</sup> USCIS notification requirements are outlined in [8 CFR 103.2\(b\)\(19\)](#).

<sup>6</sup> See [86 FR 20398](#) (Apr. 19, 2021).

<sup>7</sup> This effort is enhancing and supporting efficiency and transparency, and as such is consistent with the priorities outlined in Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans, [86 FR 8277](#), (February 2, 2021).

<sup>8</sup> By issuing this guidance, USCIS is clarifying safe mailing address procedures, consistent with current regulations at [8 CFR 103.2\(b\)\(19\)](#), to ensure a uniform approach within the agency for the identification of safe and secure mailing addresses for protected persons. The changes and clarifications do not establish new benefits, or create new obligations or rights. USCIS has considered to what extent, if any, these changes and clarifications adversely impact interested parties, including applicants, attorneys or accredited representatives, the public, state or local governments, or another government entity, in case prior USCIS safe mailing address approaches may have engendered serious reliance interests. Given that these changes and clarification provide victim-centered procedures and guidance to ensure a uniform approach on the identification of safe and secure mailing addresses and the handling of benefit requests filed by protected persons, as mandated by law, USCIS believes that there are no adverse impacts or, if any, the impacts are negligible. For these reasons, USCIS believes that, if there are any, those reliance interests would not outweigh the benefits provided by this updated guidance.

<sup>9</sup> See [8 U.S.C. 1367\(b\)](#).

USCIS has in its records or other information about the protected person, even if those records do not specifically identify the person as one who has sought VAWA, T, or U benefits.

- Provides that officers must review each form individually to determine where to send notices and secure identity documents, taking into consideration the protected person's selections regarding receipt of USCIS notices and documents on the Notice of Entry of Appearance as Attorney or Accredited Representative ([Form G-28](#)).
- Explains that the prohibition on adverse determinations described in [8 U.S.C. 1367\(a\)\(1\)](#) applies to all cases where a protected person is an applicant, beneficiary, or petitioner. Therefore, even if an officer is adjudicating a non-victim-based application or petition filed by a protected person, the officer cannot make adverse case determinations based solely on information provided by a prohibited source.
- Provides clear guidance on mailing address procedures for protected persons represented by an attorney or accredited representative, protected persons without an attorney or accredited representative, and protected persons with multiple pending forms.

### Summary of Changes

Affected Section: Volume 1 > Part A > Chapter 7 > Section E, VAWA, T, and U Cases

- In Subsection 1 (Confidentiality Provisions), revises first paragraph.
- In Subsection 2 (Scope of Confidentiality), revises the first paragraph under the “Disclosure of Information” italicized subheading and adds new guidance under the new “Prohibited Source” italicized subheading.
- Adds new Subsection 4 (Mailing Address Procedures for Persons Protected Under 8 U.S.C. 1367).

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

### Citation

Volume 1: General Policies and Procedures, Part A, Public Services, Chapter 7, Privacy and Confidentiality [[1 USCIS-PM A.7](#)].

**This policy is effective on July 11, 2023 and will be incorporated into the Policy Manual accordingly.**

**Note: The effective date for this policy has changed. USCIS anticipates that this policy will become effective on or before March 29, 2024, barring unforeseen circumstances.**

USCIS Policy Manual, Volume 1: General Policies and Procedures  
Part A – Public Services

## **Chapter 7. Privacy and Confidentiality**

### **E. VAWA, T, and U Cases**

#### **1. Confidentiality Provisions**

Persons eligible for and recipients of victim-based immigration relief (specifically, Violence Against Women Act (VAWA) self-petitioners<sup>1</sup> as well as applicants and petitioners for, and recipients of, T and U nonimmigrant status (protected person<sup>2</sup>) are entitled to protections under 8 U.S.C. 1367. USCIS also extends the provisions of 8 U.S.C. 1367 to abused spouses of certain persons applying for employment authorization under INA 106.<sup>3</sup> The governing statute generally prohibits the unauthorized disclosure of information about petitioners and applicants for, and beneficiaries of VAWA, T, and U-related benefit requests to anyone other than an officer or employee of DHS, the U.S. Department of Justice (DOJ), or the U.S. Department of State (DOS) for a legitimate agency purpose.<sup>4</sup>

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#### **2. Scope of Confidentiality**

##### *Duration of Confidentiality Requirement*

By law, the confidentiality provisions apply while a VAWA, T, or U case is pending and after it is approved, and ends when the application or petition for immigration relief is denied and all opportunities for appeal of the denial have been exhausted.<sup>5</sup>

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<sup>1</sup> See Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. 109-162 (January 5, 2006). When VAWA was reauthorized in 2005, Congress added the definition “VAWA self-petitioner” at INA 101(a)(51), which includes persons requesting relief as: a VAWA self-petitioner under INA 204(a); an abused conditional permanent resident spouse or child filing a waiver based on battery or extreme cruelty under INA 216(c)(4)(C) or INA 216(c)(4)(D); an abused spouse or child under the Cuban Adjustment Act, Pub. L. 89-732 (November 2, 1966); an abused spouse or child under the Haitian Refugee Immigrant Fairness Act, Division A, Section 902 of Pub. L. 105-277, 112 Stat. 2681, 2681-538 (October 21, 1998); and an abused spouse or child under the Nicaraguan Adjustment and Central American Relief Act, Title II of Pub. L. 105-100, 111 Stat. 2160, 2193 (November 19, 1997). Applicants for special rule cancellation of removal under INA 240A(b)(2) are also protected under 8 U.S.C. 1367.

<sup>2</sup> See Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386 (October 28, 2000). T nonimmigrant status is available for victims of a severe form of human trafficking and U nonimmigrant status is designated for victims of qualifying criminal activities.

<sup>3</sup> See Eligibility for Employment Authorization for Battered Spouses of Certain Nonimmigrants, PM-602-0130, issued March 8, 2016. Abused spouses of certain nonimmigrants may apply for employment authorization by filing an Application for Employment Authorization for Abused Nonimmigrant Spouse (Form I-765V).

<sup>4</sup> See 8 U.S.C. 1367(a)(2).

<sup>5</sup> See 8 U.S.C. 1367(a)(2) and 8 U.S.C. 1367(b).

### *Disclosure of Information*

The statute prevents DHS from disclosing any information which relates to a person protected under 8 U.S.C. 1367 (protected person), subject to certain limited exceptions.<sup>6</sup> This includes information USCIS has in its records or other information about the protected person, even if those records do not specifically identify the person as one who has sought VAWA, T, or U benefits. Consequently, USCIS cannot disclose information about a protected person even if that information is not contained in a VAWA, T, or U filing.<sup>7</sup>

USCIS cannot release any information relating to a protected person until USCIS verifies both the identity of the requestor of information and the requestor's authorization to receive the protected information. USCIS must verify the identity and authorization before responding to any inquiry, expedite request, referral, or other communication. After identity and authorization verification, USCIS can provide protected information directly to the protected person or the protected person's representative authorized to receive 1367-protected information.

Representative refers to an attorney or accredited representative who has properly filed a Notice of Entry of Appearance as Attorney or Accredited Representative (Form G-28) on behalf of a protected person and who remains in good standing or is not otherwise ineligible to represent persons with matters before USCIS.

### *Exceptions for Disclosure of Information*

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### *Prohibited Source*

USCIS employees are prohibited from making an adverse determination of admissibility, deportability, or removability on a protected person using information furnished solely by a prohibited source. The officer must not use information provided by the following prohibited sources to make an adverse determination:

- The abuser or perpetrator of the offense;
- Family member of the abuser; or
- Someone acting at the request of the abuser.

If the officer can independently corroborate the information from a non-prohibited source, the officer may use the information from the non-prohibited source in the adjudication process.

USCIS employees may receive information about a protected person through an anonymous personal letter, phone call, statement, tip form submission, or other method that raises questions regarding their eligibility

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<sup>6</sup> See 8 U.S.C. 1367(a)(2) and 8 U.S.C. 1367(b).

<sup>7</sup> See Implementation of Section 1367 Information Provisions, DHS Instruction 002-02-001, Revision 00.1, issued November 7, 2013 for more information.

for immigration benefits. USCIS employees should treat the information as inherently suspect and presume that derogatory information received from an unknown source came from a prohibited source.<sup>8</sup>

### 3. USCIS Assistance

USCIS employees must ensure confidentiality is maintained when an applicant, petitioner, or beneficiary of certain victim-based benefits requests assistance.

#### *Change of Address*

Applicants or petitioners with VAWA, T, or U-related cases can request a change of address by following the instructions on the How to Change Your Address webpage.

An applicant or petitioner may also appear in person at a USCIS field office to request a change of address, by calling the USCIS Contact Center at 1-800-375-5283 (TTY: 1-800-767-1833) to request an in-person appointment. The applicant's identity must be verified before making the requested change. If the case is at a service center, the field office must also notify the service center of the change of address for VAWA, T, and U cases. If the case is pending at the Administrative Appeals Office (AAO) as either an appeal or a motion, then the field office must notify the AAO of any change of address for a case within the AAO's jurisdiction.

#### *Customer Service Inquiries*

Due to 8 U.S.C. 1367 protections, protected persons have specialized customer service options for their case inquires to USCIS. USCIS must verify the identity of the person inquiring about a confidential case and verify that person's eligibility to receive information. For information related to how to make customer service inquiries for protected persons VAWA, T and U related filings, see the USCIS Contact Us webpage.

### 4. Mailing Address Procedures for Persons Protected Under 8 U.S.C. 1367

#### *Defining "Safe Mailing Address" and "Preferred Mailing Address"*

USCIS is committed to incorporating victim-centered approaches into agency policies, programs, and procedures related to interactions with protected persons.

A critical component of this approach is the prioritization of victim safety and autonomy. Under this framework, USCIS acknowledges that protected persons are best positioned to make decisions about where correspondence should be directed.

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<sup>8</sup> See Implementation of Section 1367 Information Provisions, DHS Instruction 002-02-001, Revision 00.1, issued November 7, 2013 for more information.

USCIS has policies and procedures in place so that information related to protected persons is disclosed only to authorized parties.<sup>9</sup> In the context of mailed correspondence, USCIS has implemented procedures to minimize the risk of unauthorized parties viewing the protected information. Many of the forms that initiate the 8 U.S.C. 1367 protections (victim-based forms) include a specific address field for a designated “safe mailing address.”<sup>10</sup>

Other forms may not have a designated safe mailing address field, but instead may include space to provide a mailing address that may be different from the person’s home or physical address (referred to in this guidance as the “preferred mailing address”). When a form does not have a safe mailing address field, but the protected person has listed a preferred mailing address, USCIS considers the preferred mailing address to be a safe and secure address to use for notices, correspondence, and secure identity documents for the protected person. The safe mailing address or preferred mailing address may change over time as the protected person files new benefit requests or submits a request to change their address.<sup>11</sup>

#### *Adjudication of Non-Victim-Based Benefit Requests*

The protections provided by 8 U.S.C. 1367 do not change which USCIS office has jurisdiction to adjudicate a benefit request that a protected person has filed.

In instances where a protected person files a non-victim-based benefit request, the USCIS office that has jurisdiction over that matter may still adjudicate the benefit request even though it contains information about a protected person. Officers are not required to involve the USCIS offices assigned to adjudicate victim-based benefit requests in the adjudication of the non-victim-based benefit request.<sup>12</sup>

The prohibition on adverse determinations described in 8 U.S.C. 1367(a)(1) applies to all cases where a protected person is an applicant, beneficiary, or petitioner. Therefore, even if an officer is adjudicating a non-victim-based application or petition (such as a Petition for Nonimmigrant Worker (Form I-129), Petition for Alien Relative (Form I-130), Immigrant Petition for Alien Workers (Form I-140), or Application for Naturalization (Form N-400)), officers cannot make adverse determinations of admissibility, deportability, or removability based solely on information provided by a prohibited source. Officers can use information if that information can be located in, and sourced to, an independent, non-prohibited source.<sup>13</sup>

#### *Sending Notices to the Designated Safe Mailing Address or Preferred Mailing Address*

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<sup>9</sup> The term “authorized parties” includes employees of DHS, the U.S. Department of State, and the U.S. Department of Justice for legitimate agency purposes. It also includes an attorney or accredited representative who has properly filed a Notice of Entry of Appearance as Attorney or Accredited Representative (Form G-28) on behalf of a protected person and who remains in good standing or is not otherwise ineligible to represent persons with matters before USCIS, as well as the protected person themselves.

<sup>10</sup> See Petition for Amerasian, Widow(er), or Special Immigrant (Form I-360). See Petition for U Nonimmigrant Status (Form I-918). See Application for T Nonimmigrant Status (Form I-914). See Application for Employment Authorization for Abused Nonimmigrant Spouse (Form I-765V).

<sup>11</sup> For information on how to register an address change with USCIS, see the How to Change Your Address webpage.

<sup>12</sup> However, officers may only disclose information from the previously-filed victim-based form in compliance with the confidentiality provisions of 8 U.S.C. 1367(a)(2).

<sup>13</sup> See Implementation of Section 1367 Information Provisions, DHS Instruction 002-02-001, Revision 00.1, issued November 7, 2013 for more information.

The designated safe mailing address or preferred mailing address may be the protected person's home address, their attorney or accredited representative's address, their preparer's address, or any other address listed on a form under the safe mailing address field or mailing address field.<sup>14</sup> If a protected person designates a safe mailing address or provides a preferred mailing address in an applicable field, USCIS sends original notices (including the notice containing the Arrival/Departure Record (Form I-94)), correspondence, and secure identity documents to that address, unless the person is represented and has a properly filed Form G-28 on record that requests USCIS send original notices, the Form I-94, and secure identity documents to the attorney or accredited representative.<sup>15</sup> In such a case, USCIS only sends courtesy copies of notices to the protected person at their designated safe or preferred mailing address.

#### *Sending Notices to Protected Persons on Subsequent, Concurrent, or Previous Filings*

Officers must review each form individually to determine where to send notices or secure identity documents issued from an adjudication of that form. Officers should not rely on addresses contained in prior filings, including any prior Form G-28 where representation does not extend to other forms, when sending notices related to forms filed with, or after, the 8 U.S.C. 1367 filing. This guidance applies to both the primary forms that are protected by 8 U.S.C. 1367, as well as any related or subsequent forms or requests submitted by a protected person, such as an Application for Employment Authorization (Form I-765), Application to Replace Permanent Resident Card (Form I-90), or Application for Naturalization (Form N-400).

When adjudicating benefit requests filed by or for the protected person before the 8 U.S.C. 1367 protections applied, officers should review the immigration records to determine if the person filed a request for an address change.<sup>16</sup> In general, officers should use the preferred mailing address listed on the individual's benefit form under adjudication for notices, correspondence, or secure identity documents related to that form unless the person has changed their address for that specific form with USCIS or an exception to the policy applies.

There are certain exceptions to this policy, such as when the underlying basis for an Application to Register Permanent Residence or Adjust Status (Form I-485), is changed from a Form I-130 to a Petition for Amerasian, Widow(er), or Special Immigrant (Form I-360), filed as a VAWA self-petition. USCIS changes the mailing address of the pending ancillary forms, such as the Form I-765 and Application for Travel Document (Form I-131) to the safe mailing address on the VAWA self-petition. USCIS changes the mailing address on the Form I-485 to the safe mailing address on the VAWA self-petition after approval of the petition.

#### *Guide to Mailing Address Procedures for Protected Persons*

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<sup>14</sup> Attorneys or accredited representatives can change their mailing address with USCIS by either submitting a new Form G-28 for every pending case (with the receipt number) or submitting a letter on office stationery that clearly states: "ATTORNEY CHANGE OF ADDRESS." The letter must include a list of pending cases with the form type, receipt number, A-number, and the benefit requestor's name listed for each case. A change of address for the attorney or accredited representative also changes the benefit requestor's safe address if the attorney or accredited representative's address is listed as the safe mailing address or preferred mailing address on the form. See the Filing Your Form G-28 webpage for additional information.

<sup>15</sup> Prior editions of the Form G-28 may not include an option for sending certain notices or secure identity documents to an attorney or accredited representative. Officers should review the Form G-28 associated with the underlying form to determine which options were checked, if any.

<sup>16</sup> As described above, 8 U.S.C. 1367(a)(2) protections apply when a person files a VAWA, T, or U benefit request.



The table below outlines common scenarios relevant to safe address procedures. Officers should follow the instructions below to ensure all notices and secure identity documents are sent to the correct location.

**Protected Persons With a Representative**

If the protected person...	Then
Provided their representative's address as the safe or preferred mailing address.	USCIS sends original and courtesy copies of notices and secure identity documents to the address of the protected person's representative.
Provided a safe or preferred mailing address, which is not their representative's address, and selected the options on the Form G-28 for all original notices and secure identity documents to be sent to their representative.	According to the preferences indicated by the protected person on the Form G-28, USCIS sends all original notices and secure identity documents to the representative listed on the Form G-28. USCIS only sends a courtesy copy of a notice to the protected person at their safe or preferred mailing address.
Provided only a physical address.	For victim-based forms, USCIS always sends all notices or secure identity documents to the address of the protected person's representative, regardless of their selections on the Form G-28. <sup>17</sup>  For non-victim-based forms, <sup>18</sup> USCIS sends original notices or secure identity documents to the physical address listed on the Form G-28. The representative only receives a courtesy copy of any notices sent to the protected person.

<sup>17</sup> This exception is in recognition of long-standing safe address procedures in place at the service centers with jurisdiction over adjudication of victim-based-forms. As described above, victim-based-forms are the forms that initiate 1367-protections, including the Form I-360, Form I-918, Petition for Qualifying Family Member of a U-1 Nonimmigrant (Form I-929), Form I-914, Form I-765V, Petition to Remove Conditions on Residence (Form I-751), and Form I-485.

<sup>18</sup> This includes forms that may be commonly used by a person filing a VAWA, T, or U benefit requests, including but not limited to Notice of Appeal or Motion (Form I-290B), Application to Extend/Change Nonimmigrant Status (Form I-539), Application for Waiver of Grounds of Inadmissibility (Form I-601), or Form I-765.

**Protected Persons With a Representative**

<b>If the protected person...</b>	<b>Then</b>
Provided only a physical address and selected the option on the Form G-28 that the Form I-94 be sent to the protected person's mailing address.	<p>For victim-based forms, USCIS sends the Form I-94 to the address of the protected person's representative, regardless of their selections on the Form G-28.<sup>19</sup></p> <p>For non-victim-based forms,<sup>20</sup> USCIS sends the Form I-94 to the physical address listed on the Form G-28. The representative only receives a courtesy copy of any notices sent to the protected person.</p>

**Protected Persons Without a Representative**

<b>If the protected person...</b>	<b>Then</b>
Provided a safe mailing address or preferred mailing address.	USCIS sends all original notices and secure identity documents to the protected person's safe mailing address or preferred mailing address.
Provided only a physical address.	USCIS sends all original notices and secure identity documents to the protected person's physical address listed on the form. <sup>21</sup>

*Instructions for Mailing Address Procedures for Protected Persons with Multiple Pending Forms*

<sup>19</sup> This exception is in recognition of long-standing safe address procedures in place at the service centers with jurisdiction over adjudication of victim-based-forms. As described above, victim-based-forms are the forms that initiate 1367-protections, including the Form I-360, Form I-918, Form I-929, Form I-914, Form I-765V, Form I-751, and Form I-485.

<sup>20</sup> This includes forms that may be commonly used by a person filing a VAWA, T, or U benefit requests, including but not limited to Form I-290B, Form I-539, Form I-601, or Form I-765.

<sup>21</sup> Certain form instructions state that if a petitioner or applicant does not provide a safe mailing address, then USCIS may use the address of the preparer of the form. USCIS recognizes that preparers who are not the attorney or accredited representative listed on a Form G-28 may be only engaged in the case for a temporary period of time. In consideration of this factor, and USCIS' acknowledgment that protected persons are best positioned to make decisions about where their correspondence should be directed, USCIS sends notices and secure identity documents to the physical address listed on a form, should an unrepresented petitioner or applicant decide not to complete the safe mailing address or mailing address field on a form. Certain forms may require the completion of the mailing address field. Applicants and petitioners should review form instructions to determine when this field may be required.

If the protected person has more than one pending benefit request, in general, USCIS uses the safe mailing address or preferred mailing address that the person listed on the relevant form. USCIS may send correspondence to multiple addresses depending on the protected person's preferences listed on the relevant form or Form G-28.

*Example*

A protected person lists a friend's address as a safe mailing address on a Petition for U Nonimmigrant Status (Form I-918), but uses their physical address as a mailing address on their pending Application for Temporary Protected Status (Form I-821). In this case, USCIS considers the friend's address as the safe or preferred mailing address for the Form I-918. However, USCIS considers the physical address as the safe or preferred mailing address for the Form I-821. If the protected person has a Form G-28 on file, USCIS sends all original notices or secure documents according to their preferences listed on Form G-28.

The protected person must change their address for each individual form they have filed with USCIS. The filing of a subsequent benefit request with a new address does not automatically update the address for the prior filing.