

I-94 Automation Frequently Asked Questions

DEFINITIONS

1. **Alien:** Any person who is not a citizen or national of the United States.
2. **Alien Number (“A Number”):** The alien registration file number, which the Department of Homeland Security assigns to certain aliens, consists of eight or nine digits.
3. **Arriving Alien:** means an applicant for admission coming or attempting to come into the United States at a port-of-entry, or an alien seeking transit through the United States at a port-of-entry, or an alien interdicted in international or United States waters and brought into the United States by any means, whether or not to a designated port-of-entry, and regardless of the means of transport.
4. **Asylee:** An alien in the United States or at a Port of Entry who is found to be unable or unwilling to return to his or her country of nationality, or to seek the protection of that country, because of persecution or a well-founded fear of **persecution**.
5. **Class of Admission (COA):** COA reflects the particular provision of law that describes a noncitizen’s immigration status in the United States.
6. **Customs and Border Protection (CBP):** an agency of the Department of Homeland Security (DHS) responsible for keeping terrorists and terrorist weapons out of the United States, as well as facilitating trade and travel while enforcing U.S. regulations, including immigration and drug laws.
7. **Deferred Inspection Site:** sites operated by CBP where incoming aliens are referred when documentation requires additional review and/or possible correction. If an error in an alien’s immigration document occurred upon entering the United States, he or she must visit a local CBP Deferred Inspection Site or a Port of Entry or Admission to have it corrected. For a list of Deferred Inspection Sites or Ports, please visit the CBP website (www.cbp.gov) and click on the “Ports” link at the bottom of the page. (Please note if USCIS issued the Form I-94, the alien should contact USCIS to correct that particular record.)
8. **Form I-94 (Arrival/Departure Record):** Form I-94 is generally issued by CBP to nonimmigrant aliens at the time they lawfully enter the United States and includes the collection of arrival/departure and admission or parole information by the Department of Homeland Security (DHS) whether in paper or electronic format.
9. **Immigrant:** Any person not a citizen of the United States who is residing in the United States under legally recognized and lawfully recorded permanent residence. *See also Permanent Resident.*
10. **Lawful Permanent Resident:** *See Permanent Resident.*
11. **Nonimmigrant:** An alien who seeks temporary entry to the United States for a specific purpose. Non-immigrant examples include foreign government officials, visitors for business or for pleasure, foreign students and religious workers.

- 12. Permanent Resident:** Someone who has been granted authorization to live and work in the United States on a permanent basis. As proof of that status, a person is granted a permanent resident card, commonly called a "green card" or I-551. Permanent residents are also referred to as **"immigrants," "legal permanent residents," "lawful permanent residents," "permanent resident aliens" and "green card holders."**
- 13. Port of Entry (POE):** Any air, land or sea location in the United States or its territories that is designated as a point of entry for aliens and U.S. citizens. At POEs, CBP officers examine incoming aliens' travel documentation, and issue travelers with appropriate classes of admission, per U.S. immigration policy and law.
- 14. Refugee:** Any person who is outside his or her country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on the alien's race, religion, nationality, membership in a particular social group, or political opinion.

General Questions:

Q: What is an I-94?

A: Form I-94 is the Arrival/Departure Record issued by DHS to aliens entering the United States, adjusting status while in the United States, extensions of stay and any other reasons determined by DHS. Upon entering the United States as a non-immigrant, the admitting CBP officer generally attaches the I-94 to the visitor's passport and stamps the departure date and the visitor must exit the U.S. on or before that date. The form may be issued by CIS in response to a benefit request and the I-94 would be found on Form I-797. The form is used to record arrival and departure information and document lawful entry into the United States.

If a visitor departs by a commercial air or sea carrier (airlines or cruise ships), their departure from the U.S. can be independently verified, and it's not necessary to take any further action, although holding on to the outbound (from the U.S.) boarding pass – if they still have it – can help facilitate reentry when coming back to the United States.

If a visitor departs by land the I-94 must be turned in to a CBP officer at the land border when exiting the U.S. If it is not turned in to a CBP officer at the land border, the form must be mailed to *DHS CBP-SBU, 1084 South Laurel Road, London, KY, 40744, USA*, otherwise the visitor will be considered an "overstay" and they may be denied entry when they attempt to reenter the United States in the future.

Q: What is the I-94 automation?

A: In an attempt to increase efficiency and streamline the admission process for the traveling public, CBP has developed an automated I-94 system. Traditionally, CBP mailed the I-94s from each Port of Entry (POE) to a processing center for manual data

entry into a DHS database. This process would create a 5 to 10 day lag time from entry until data entry of the arrival record. The new automated process uses data CBP collects to create an electronic version of the paper I-94. The electronic ready is available immediately. The automated system will generate an electronic arrival record with data elements found on the current paper Form I-94; **however, the electronic I-94 number will not be known to the traveler.** Travelers will go to a website (www.cbp.gov/I94) to obtain the electronic I-94 number if they need it.

Please note that CBP will stamp the traveler's passport upon arrival to the United States. The stamp will include information regarding the traveler's class of admission, the admission date, and the date until which the traveler is admitted into the United States.

Q: Will the I-94 Automation take place at all Ports of Entry (POEs), including land, air and sea?

A: The I-94 Automation will take place at air and sea POEs.

Q: How will the new I-94 automation process impact international travelers' entry into the United States?

A: I-94 Automation will not impact a traveler's entry into the United States. CBP will continue to issue Form I-94 to all travelers previously requiring an I-94, but the form will be created in an electronic format and not provided to the traveler. If a traveler requires the Form I-94, the form can be obtained at www.cbp.gov/I94.

Q: What is the purpose of the tear sheets CBP gives to all travelers entering the United States through air and sea air and sea Ports of Entry (POEs)?

A: The tear sheets are provided to instruct travelers how retrieve their electronic I-94 number from www.cbp.gov/I94. Currently, there is no specific end date for the I-94 Website, and therefore, no specific date that CBP will stop handing out the tear sheets.

Q: How do I report my departure if I enter via air and depart via land?

A: If you have a paper form I-94 and depart by land, you can turn the form into Canadian Border Services Agency (CBSA) upon entry into Canada or to CBP at the port of entry prior to entering Mexico. If you received an electronic I-94 upon arrival by air or sea and depart via land, your departure may not be recorded accurately. A departure will be recorded if you depart via land and re-enter the United States prior to the expiration date stamped in your passport. If you are not a resident of Canada or Mexico and you receive an electronic I-94 and depart via land, but do not re-enter the United States prior to the expiration date stamped on your passport, you may want to

travel with evidence of your departure into Canada or Mexico. Evidence of departure can include, but is not limited to, entry stamps in a passport, transportation tickets, pay stubs and/or other receipts. A traveler can request an entry stamp from CBSA when entering Canada or from the Instituto Nacional de Migracion (INM) when entering Mexico.

Q: What does a traveler do if they forget to turn in their I-94 Form upon departure from the U.S.?

A: If the traveler departs through the land border and forgets to turn in the departure form, they will need to mail the form to *DHS - CBP SBU, 1084 South Laurel Road, London, KY 40744, USA*. If the traveler departs through an airport or sea, they will not need to turn in their form, as we will receive the information electronically via the airlines.

Q: Does this I-94 automation process impact Canadians crossing the land border into the United States?

A: No. I-94 Automation will not impact Canadians crossing the land border into the United States. I-94 Automation does not affect the land borders at this time.

Q: Does the I-94 automation process change the way the airlines/cruise ships collect passenger information?

A: The I-94 automation does not change the way the airlines/cruise ships collect passenger information.

Q: If a traveler loses the I-94 Form, will the automated process help CBP to obtain travel information or will the traveler need to contact USCIS?

A: If a traveler was issued a paper form I-94 and do not need the form other than as an arrival/departure record, it does not need to be replaced. Arrivals and departures are recorded electronically.

If a traveler loses a paper Form I-94 and needs that I-94 for a benefit, they must contact USCIS for a replacement I-94 by using form I-102. If a traveler entered the US after the I-94 was automated (Insert Date), the I-94 can be obtained by visiting www.cbp.gov/I94.

Q: How does this I-94 automation process impact other government entities, such as Department of State, U.S. Citizenship and Immigration Services (USCIS)?

A: CBP has been working with other entities to reduce impact.

Q: Will the I-94 automation process help eliminate errors? If information on the I-94 is in error, how does the traveler correct mistakes?

A: The electronic version of the I-94 will help eliminate errors because the information will be obtained by official documents and officer input. If there is an error or mistake on the paper or electronic form I-94, the traveler can contact the Deferred Inspection office closest to their location.

I-94 Website Questions:

Q. What is the I-94 Website (www.cbp.gov/I94)?

A: The I-94 Website is a public website travelers may visit in order to retrieve their electronic I-94 number. Upon entering the United States, CBP will distribute a tear sheet to travelers with instructions on how to access the website.

Q. How long will the I-94 Website be available? Is it permanent? Will it be available at the beginning of the roll-out? Is the I-94 printout the same as the Form I-94 itself? If not, what differences are there?

A: Currently there is no specific end date for the I-94 Website. The website will be available until CBP can change regulations to eliminate the I-94 requirement.

Q: Will CBP have a website or other method for providing the public with information and any updates to procedures, etc.?

A: Yes. For questions, please visit www.cbp.gov.

Q: Is the printout from the CBP website an official Form I-94?

A: Yes, this is an official Form I-94.

CBP Questions:

Q: Why is CBP implementing the I-94 automation process?

A: CBP is implementing the I-94 automation process in order to streamline the entry process, to increase officer efficiency and to reduce operating costs.

Q: What are the anticipated cost savings for CBP?

A: Immediate anticipated cost savings is \$1-1.5 million per month. Once the form is fully automated, anticipated cost savings could reach over \$19M a year.

Q: Will the process help expedite passenger processing time?

A: The I-94 Automation will expedite passenger processing time once the process is fully automated. CBP automated the I-94W process in 2010 which independent studies indicated the automation resulted in an approximate 20 second time savings in passenger processing. It can be estimated that I-94 automation will result in a similar time savings.

Q: Does CBP plan to eliminate the paper I-94 all together?

A: CBP is continuing to work on fully automating the I-94 Form. CBP will notify travelers if/when the traveler experience changes.

Q: Will CBP still issue paper I-94 forms to travelers once the I-94 automation begins?

A. No. Rather than distributing a paper Form I-94, CBP will scan a traveler's passport, generating an electronic arrival record with data elements found on the current paper Form I-94. CBP will make the electronic I-94 available via a website. Travelers may wish to visit the www.cbp.gov/I94 and print their electronic I-94 number before applying for immigration or public benefits, such as driver's licenses or social security numbers.

CBP intends to continue to provide a paper Form I-94 to certain classes of aliens, such as refugees, certain asylees and parolees, and whenever CBP determines the issuance of a paper form is appropriate.

Q. What has CBP done to accommodate asylees and refugees who do not necessarily possess a foreign passport?

A. CBP will continue to enter certain arrival information for a limited number of aliens who may not have a foreign passport or other travel document, such as asylees, refugees and parolees. Aliens with no foreign passports undergo secondary inspection and, therefore, will have their electronic I-94 number written on their paper Form I-94. The preprinted number that appears in red on the paper Form I-94 will be crossed out.

Q. What if a traveler does not have a foreign passport for CBP to stamp?

A: Individuals without a foreign passport will be sent to CBP's secondary inspection upon arrival into the United States, where they will receive their electronic I-94 number. These individuals will be issued a paper I-94 with the pre-printed number crossed out, and the actual electronic I-94 number handwritten upon it. Employers and agencies can expect refugees, asylee follow-to-joins, parolees and others who do not have any other travel document to have these I-94s.

For immigration status verification purposes with SAVE, **agencies should enter the handwritten I-94 number into SAVE.** Because the handwritten I-94 number is the electronic I-94 number, SAVE will be able to use it to verify immigration status.

Q. At times, a permanent resident entering the United States is issued an I-94 with a temporary I-551 stamp as evidence of his or her permanent resident status. Will individuals still receive these stamps on their I-94s from CBP?

A: Yes, CBP will continue to issue the temporary I-551 stamps on the I-94s for applicable individuals.

Q: What should a traveler do if he or she was admitted incorrectly to the United States?

A: If an applicant was admitted incorrectly to the United States, the applicant should visit a local CBP Deferred Inspection Site or Port of Entry (POE) to have his or her admission corrected. A list of Deferred Inspection Sites and POEs can be found on CBP's website, www.cbp.gov, under the "Ports" link at the bottom of the page. If an applicant was issued an incorrect I-94 by USCIS, the applicant should refer to the Form I-102, which can be found at www.uscis.gov/forms.

USCIS Questions:

Q. Will USCIS still issue I-94 documents?

A: Yes, USCIS will continue to issue I-94 documents.

Benefit Related Questions:

Q. Do I still need to give my I-94 number on my Form I-9?

A: Yes, the current Form I-9 requirements for providing the I-94 number do not change. If you select the "Alien Authorized to Work" category in Section 1 of the Form I-9, or present a foreign passport with an I-94 as proof of identity and work authorization in Section 2 of the Form I-9, you will be required to provide your I-94 number on the form.

Q: Because paper Form I-94s will no longer be issued at air and sea Ports of Entry (POEs) when the I-94 automation begins, what document should applicants present at public benefit-granting government agencies, such as a DMVs, for immigration status verification?

A: Each agency determines which documents it will accept from benefit applicants as proof of identity or immigration status. Applicants lacking United States government issued documentation should present their Unexpired Foreign Passport. If a benefit applicant has procured his or her I-94 number from www.cbp.gov/I94, he or she should be prepared to present the printout from the website as well.

If the benefit applicant is an individual that traveled to the United States without a passport, such as a refugee or asylee, he or she should present the paper Form I-94 he or she received from CBP during secondary inspection upon entering the country. Note, however, that such individuals will typically also receive additional United States government issued documents which they may present, such as an I-766 Work Authorization Document. Until they receive such additional documents, the I-94 may be their only evidence of immigration status.

Q: What should a traveler do if he or she has lost his or her passport?

A: If a traveler has lost his or her passport, he or she should go to the embassy or consulate of their country of citizenship. If the traveler needs an admission record after I-94 automation, then the traveler can obtain the record at www.cbp.gov/I-94. If the admission record occurred prior to automation, the traveler must file an I-102 with USCIS. An I-102 application can be found at www.uscis.gov.

Q: Can employers use the CBP website to verify an employee's status?

A: No. The CBP website is only for use by travelers seeking to obtain a hardcopy of their electronic Arrival/Departure Record (Form I-94). For more information, on CBP's policy and the use of this system visit www.cbp.gov.

Q: Can employers fire employees whose Form I-94 information cannot be confirmed by the website?

A: Employers should not fire an employee whose Form I-94 information cannot be confirmed by the website based solely on this information. The website is not a system designed for confirming or verifying admission information, immigration status, or employment authorization and should not be used as such. Moreover, the website does not include any CBP records prior to **XXX (date)**. Employers must accept documents that reasonably appear to be genuine and to relate to the person presenting them. However, if a new employee provides a document that does not reasonably appear to be genuine, the employer must reject that document and ask for other documents that satisfy the requirements of Form I-9. In general, if an employer receives information that calls into question the current employment authorization of the employee, the employer should make additional inquiries to resolve such concerns.

Q: Can my employer refuse to accept the printout as my official Form I-94?

A: In general, no. A Form I-94 printout from the CBP website is the equivalent of the more familiar Form I-94 card. However, if the document does not reasonably appear to be genuine or to relate to the individual presenting, then the employer may reject it. If this happens, your employer should give you an opportunity to provide other documents that satisfy the requirements of Form I-9. If you have questions about a printout, visit www.cpb.gov.

Q: How does CBP's automation of Form I-94 affect the Form I-9 process?

A: It does not affect the Form I-9 process. However, the public should be prepared to see Forms I-94 that will look differently than what they are used to seeing. Now, they will see both Forms I-94 that have original stamps and writing on a card as well as Forms I-94 that are printouts with no original writing or stamps on them. Both versions are acceptable for Form I-9 purposes.

Q: How does CBP's automation of Form I-94 affect E-Verify employers?

A: E-Verify employers will now need to enter the employee's foreign passport number and country of issuance from Section 1 of Form I-9 in E-Verify, in cases where the employee provided Form I-94.

Q: Will the new printout Form I-94 result in more tentative nonconfirmation notices for employees?

A: E-Verify is adding a new data source that will be able to determine an employee's employment eligibility. Employees should not receive more tentative nonconfirmation notices if they provide the new Form I-94 to employers, along with their foreign passport number and country of issuance.