



Farewell to the I-94 Card - What It Means for the Form I-9 Process for Foreign Workers

Insights

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Earlier this year, U.S. Customs and Border Protection (CBP) started phasing out the I-94 cards issued to nonimmigrant visitors and implementing a new on-line procedure. Now, instead of receiving a white or green card stapled to the passport upon entry into the U.S. by sea or air, the CBP is endorsing the passport with an admission stamp that specifies the date of admission, class of admission and admitted until date. The foreign national is required to visit the [CBP website](#), to retrieve the Admission (I-94) number. This is done by entering his or her information as listed on the travel document used to enter the U.S. (e.g., name, date of birth, passport number, date of entry, and class of admission) and printing the page containing evidence of lawful admission and the expiration date of the authorized stay. If the information is incorrect or unavailable, the foreign visitor may need to visit a local CBP office. Foreign visitors entering by land will continue to be issued paper I-94 cards upon entry.

Foreign nationals may be required to provide evidence of their legal status for employment purposes. Foreign workers with work authorization for a specific employer related to their status may prove identity and work authorization by presenting the List A document combination of a foreign unexpired passport and an I-94 form. Employers should expect to see I-94 forms in both the card (with an original stamp and writing) and print-out (with no writing or stamp) formats. Both versions are acceptable to complete the Form I-9 process. To complete the Form I-9 using the passport and I-94 combination, the employer must view the original documents and insert in Section 2 under List A the document titles, issuing authorities, document numbers and expiration dates for the foreign passport and I-94 card or print-out. The required Form I-9 information will be listed on both the I-94 card and print-out versions.