



**U.S. CBP WILL PHASE OUT FORM I-94 ARRIVAL/DEPARTURE RECORD:
Fundamental Procedural Change May Cause
Widespread Uncertainty and Document Confusion**

U.S. Customs & Border Protection (CBP) has recently confirmed changes in the document issuance procedures for foreign national arrivals. The CBP has confirmed that the agency is in the process of automating arrival records, and will be discontinuing the issuance of the Form I-94 Arrival/Departure Record Card that foreign nationals typically receive upon admission to the United States. Additionally, the NAFSA Association of International Educators has confirmed that the CBP has indicated that the agency will discontinue stamping the F-1 student's Form I-20 upon arrival. While NAFSA has requested clarification, no formal announcement has been made.

The CBP should still stamp the foreign national's passport upon admission and should annotate the admission stamp to indicate status of admission and expiration of authorized stay. Without a separate Form I-94 card or stamped Form I-20, foreign nationals should be certain to carefully review their passport stamp to ensure that a stamp is provided and that the proper annotation is entered for status and expiration date.

Admission documents, such as the Form I-94 Arrival/Departure Record and date-stamped Form I-20, have served as the most important documentation of authorized admission and lawful status for those foreign nationals who are not (or not yet) Lawful Permanent Residents or Citizens of the US. Other agencies, such as state Departments of Public Safety/Transportation, rely on these fundamental documents to confirm eligibility for benefits and privileges, such as a state driver's license. Various federal government agencies also rely on arrival documents for verification of lawful status. For instance, the Social Security Administration typically requires presentation of the Form I-94 to confirm eligibility of work-authorized foreign nationals for a Social Security Number.

Finally, when employers verify an individual's employment authorization for compliance with the Form I-9 Employment Eligibility Verification obligations, the M-274 Employer Handbook frequently references Forms I-94 Arrival/Departure Records as evidence of work authorization for individuals in various nonimmigrant classifications, including but not limited to H-1B, TN, L-1, O-1, and P-1.

While the day-to-day impact of these changes in CBP procedure and document issuance remains unpredictable, FosterQuan will continue to monitor developments impacting on the documentation of lawful immigration status and will make future updates available via [FosterQuan's website](#) and in future Immigration Updates[®]. Employers should contact their FosterQuan immigration attorney with questions regarding proper work authorization documents and the fulfillment of Form I-9 Employment Eligibility Verification obligations.