

Reference Citation

8 CFR 264.6 Application for an initial or replacement Form I-94, Nonimmigrant Arrival-Departure Document, or Form I-95, Crewmen's Landing Permit. (Added 2/10/94; 59 FR 1466)

(a) General. An application for a new or replacement Form I-94 or replacement Form I-95 must be made on Form I-102. The application must be filed with the fee required in Sec. 103.7 of this chapter and the initial evidence required on the application form.

(b) Filing. An application may be approved if filed by an alien in the United States who:

(1) Applies to replace a lost or stolen Form I-94 or Form I-95 that had been issued to him or her;

(2) Applies to replace a mutilated Form I-94 or Form I-95 issued to him or her; or

(3) Was not issued a Form I-94 pursuant to Sec. 235.1(f)(1)(i), (iii), (iv), (v), or (vi) of this chapter, when last admitted as a nonimmigrant, has not since been issued a Form I-94, and now requires a Form I-94.

(c) Processing. A pending application filed under paragraph (a) of this section shall be considered temporary evidence of registration. If the application is approved, the document shall be issued. There is no appeal from the denial of an application filed on Form I-102.

8 U.S. Code § 1304 - Forms for registration and fingerprinting

(a) Preparation; contents

The Attorney General and the Secretary of State jointly are authorized and directed to prepare forms for the registration of aliens under [section 1301 of this title](#), and the Attorney General is authorized and directed to prepare forms for the registration and fingerprinting of aliens under [section 1302 of this title](#). Such forms shall contain inquiries with respect to (1) the date and place of entry of the alien into the United States; (2) activities in which he has been and intends to be engaged; (3) the length of time he expects to remain in the United States; (4) the police and criminal record, if any, of such alien; and (5) such additional matters as may be prescribed.

(b) Confidential nature

All registration and fingerprint records made under the provisions of this subchapter shall be confidential, and shall be made available only (1) pursuant to [section 1357\(f\)\(2\) of this title](#), and (2) to such persons or agencies as may be designated by the Attorney General.

(c) Information under oath

Every person required to apply for the registration of himself or another under this subchapter shall submit under oath the information required for such registration. Any person authorized under regulations issued by the Attorney General to register aliens under this subchapter shall be authorized to administer oaths for such purpose.

(d) Certificate of alien registration or alien receipt card

Every alien in the United States who has been registered and fingerprinted under the provisions of the Alien Registration Act, 1940, or under the provisions of this chapter shall be issued a certificate of alien registration or an alien registration receipt card in such form and manner and at such time as shall be prescribed under regulations issued by the Attorney General.

(e) Personal possession of registration or receipt card; penalties

Every alien, eighteen years of age and over, shall at all times carry with him and have in his personal possession any certificate of alien registration or alien registration receipt card issued to him pursuant to subsection (d). Any alien who fails to comply with the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction for each offense be fined not to exceed \$100 or be imprisoned not more than thirty days, or both.

(f) Alien's social security account number

Notwithstanding any other provision of law, the Attorney General is authorized to require any alien to provide the alien's social security account number for purposes of inclusion in any record of the alien maintained by the Attorney General or the Service.

(June 27, 1952, ch. 477, title II, ch. 7, § 264, [66 Stat. 224](#); [Pub. L. 99-653](#), § 10, Nov. 14, 1986, [100 Stat. 3657](#); [Pub. L. 100-525](#), § 8(i), Oct. 24, 1988, [102 Stat. 2617](#); [Pub. L. 101-649, title V](#), § 503(b)(2), Nov. 29, 1990, [104 Stat. 5049](#); [Pub. L. 104-208, div. C, title IV](#), § 415, Sept. 30, 1996, [110 Stat. 3009-669](#).)

8 CFR 235.1(h)(1)(i), (iii), (iv), or (v):

8 CFR 235.1 Scope of examination.

...

(h) Form I-94, Arrival-Departure Record.

(1) Unless otherwise exempted, each arriving nonimmigrant who is admitted to the [United States](#) will be issued a [Form I-94](#) as evidence of the terms of admission. For land border admission, a [Form I-94](#) will be issued only upon payment of a fee, and will be considered issued for multiple entries unless specifically annotated for a limited number of entries. A [Form I-94](#) issued at other than a land border port-of-entry, unless issued for multiple entries, must be surrendered upon departure from the [United States](#) in accordance with the instructions on the [form](#). [Form I-94](#) is not required by:

(i) Any nonimmigrant alien described in [§ 212.1\(a\)](#) of this chapter and [22 CFR 41.33](#) who is admitted as a visitor for business or pleasure or admitted to proceed in direct transit through the [United States](#);

...

(iii) Except as provided in [paragraph \(h\)\(1\)\(v\)](#) of this section, any Mexican national admitted as a nonimmigrant visitor who is:

(A) Exempt from a visa and passport pursuant to [§ 212.1\(c\)\(1\)](#) of this chapter and is admitted for a period not to exceed 30 [days](#) to visit within 25 miles of the border; or

(B) In possession of a valid visa and passport and is admitted for a period not to exceed 72 hours to visit within 25 miles of the border;

(iv) Bearers of Mexican diplomatic or official passports described in [§ 212.1\(c\)](#) of this chapter; or

(v) Any Mexican national admitted as a nonimmigrant visitor who is:

(A) Exempt from a visa and passport pursuant to [§ 212.1\(c\)\(1\)](#) of this chapter and is admitted at the Mexican border POEs in the State of Arizona at Sasabe, Nogales, Mariposa, Naco or Douglas to visit within the State of Arizona within 75 miles of the border for a period not to exceed 30 days; or

(B) In possession of a valid visa and passport and is admitted at the Mexican border POEs in the State of Arizona at Sasabe, Nogales, Mariposa, Naco or Douglas to visit within the State of Arizona within 75 miles of the border for a period not to exceed 72 hours; or

(C) Exempt from visa and passport pursuant to [§ 212.1\(c\)\(1\)](#) of this chapter and is admitted for a period not to exceed 30 [days](#) to visit within the State of New Mexico within 55 miles of the border or the area south of and including Interstate Highway I-10, whichever is further north; or

(D) In possession of a valid visa and passport and is admitted for a period not to exceed 72 hours to visit within the State of New Mexico within 55 miles of the border or the area south of and including Interstate Highway I-10, whichever is further north.