
I-94, November Visa Bulletin, Diversity Visa Lottery

Oct 28, 2014

What Is An I-94 and Why It Is Important?

An I-94 is a record of arrivals for foreign nationals (not U.S. citizens or lawful permanent residents, also called green card holders) coming into the U.S. on a temporary status. The I-94 is issued by a U.S. Customs and Border Protection (CBP) officer upon the arrival of the foreign national into the U.S. In addition to the I-94, the foreign national's passport will also be stamped upon arrival. The I-94 is important because it is proof that the foreign national is lawfully present in the U.S. and dictates how long the foreign national can remain in the U.S. For persons in work authorized status, the I-94 confirms that the foreign national is work authorized and is used on the I-9 Employment Eligibility Verification Form (employers complete this for all employees in the U.S.).

The I-94 can come in electronic or paper format. As of April 30, 2014, the majority of I-94s are electronic and can be accessed [through the CBP website here](#). Clicking on "Get Most Recent I-94" allows the foreign national to retrieve their I-94 number, most recent entry date, class of admission, and expiration date. However, the website does not reflect any status changes, extensions of stay, or other changes that were granted in the U.S. by the U.S. Citizenship and Immigration Service. This website also allows the foreign national access to their entry records dating back five years by clicking "Get Travel History." For more information regarding I-94 cards, see the [Clark Hill website](#).

In the News

Clark Hill Attorney Alison P. Shurtleff quoted in [DBusiness Magazine's "Health Care Without Borders" article](#).

Visa Priority Dates - November Visa Bulletin

[The November 2014 Visa Bulletin has been posted](#). Visas for employment based EB-1, EB-4, and EB-5 categories remain current during November 2014, meaning that visa numbers are available for all applicants, from every country, within these categories.

The EB-2 category continues to be current for all countries, except India and China. The cutoff date for China will advance by a few weeks, from November 15, 2009 to December 8, 2009. The cutoff date for India will retrogress dramatically by more than four years, from May 1, 2009 to February 15, 2005. No forward movement in India EB-2 is expected until August or September 2015.

The EB-3 worldwide category advances considerably, once again. The cutoff date for EB-3 worldwide, as well as for Mexico and the Philippines, shifts forward by eight months, to June 1, 2012. The EB-3 China cutoff date advances by nine months, to January 1, 2010. With this change, the cutoff date for EB-3 China is, once again, more favorable than the EB-2 cutoff date for that country. The cutoff date for EB-3 India moves up by only a week, to November 22, 2003.

For a summary of priority dates, retrogression, and how these dates impact U.S. green card processing, please visit the [Clark Hill website](#).

Diversity Visa Lottery

Every year Congress issues 55,000 permanent resident visas (green cards) to randomly selected applicants who complete entries, meet eligibility requirements, and are from countries with low rates of immigration to the United States.

Entries for the 2016 Diversity Lottery must be submitted electronically between Thursday, October 1, 2014 at 12:00 noon (EDT), and conclude on Monday, November 3, 2014 at 12:00 noon (EDT). Instructions on applying for the Diversity Lottery can be found on the [US Department of State website](#). There is no fee to enter and applicants must only enter once. Our office encourages foreign nationals NOT to pay a fee for assistance with this process, as it does not increase the chances of success. Photographs of the applicant, spouse, and his/her children under age 21 must also be submitted electronically (for specifications, see the instructions). To prevent delays due to heavy demand, it is best not to wait until the last few days to apply. An applicant must be from a qualifying country (see below), and have either a high school education or two years of experience within the past five years in an occupation requiring at least two years of training to perform. Persons must maintain U.S. status if they plan to obtain their green card while remaining in the United States (Adjustment of Status).

Natives of the following countries are **ineligible** to enter the 2016 Diversity Lottery: Bangladesh, Brazil, Canada, China (mainland-born), Colombia, Dominican Republic, Ecuador, El Salvador, Haiti, India, Jamaica, Mexico, Nigeria, Pakistan, Peru, Philippines, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.

Persons born in Hong Kong SAR, Macau SAR, and Taiwan are **eligible**. If a person is a native of one of these ineligible countries but his/her spouse is from a country that is eligible, he/she may be eligible under the spouse's country of birth.

Applicants can check the status of their 2016 Diversity Visa Lottery entry by returning to the Entrant Status Check at www.dvlottery.state.gov and entering the applicant's unique confirmation number and personal information. Entrant Status Check will be the sole means of informing applicants of their selection for the 2016 diversity lottery and will provide instructions on how to proceed with the application if the applicant has been selected. If selected, Entrant Status Check will also notify applicants of their appointment for the immigrant visa interview. Therefore, it is essential applicants retain their

confirmation number. The U.S. Department of State is unable to provide applicants their entry confirmation number if it is lost.