

[Print this Page](#)
[Close this Window](#)

Printer Friendly Version Of:

http://www.cbp.gov/xp/cgov/travel/id_visa/visitors_us/legally_admitted_to_the_u_s.xml

Printed:

Sat Mar 3 08:55:08 EST 2007

Admission into United States

Q: What is the Inspection Process?

A: All persons arriving at a port-of-entry to the United States are inspected by U.S. Customs and Border Protection (CBP) Officers. CBP Officers will conduct the Immigration, Customs and Agriculture components of the Inspections process. If a traveler has health concerns, he/she will be referred to a Public Health Officer for a separate screening.

Q: What Does the Law Say?

A: The legal foundation that requires the inspection of all persons arriving in the United States comes from the Immigration and Nationality Act (INA), see INA § 235 [8 U.S.C.]. Rules published in the Federal Register explain the inspection requirements and process. These rules are incorporated into the Code of Federal Regulations [CFR] at 8 CFR § 235.

Q: What Can I Expect to Happen at a Port-of-Entry?

A:

Airport

When arriving at an airport, the airline will give all non-United States citizens a form to complete while still en route to the United States, either Form I-94 (white), Arrival/Departure Record, or Form I-94W (green), Nonimmigrant Visa Waiver Arrival/Departure Form and Customs Declaration form 6059B. The forms ask for basic identification information and the address where you will stay in the United States.

Upon arrival, the airline personnel will show you to the inspection area. You will queue up in an inspection line and then speak with a CBP officer. If you are a U.S. citizen, special lines may be available to you. If you are not a U.S. citizen, you should use the lanes marked for non-citizens. If you are a U.S. citizen, the officer will ask you for your passport and Customs Declaration form, verify your citizenship, and welcome you back to the United States. You may be asked to proceed to a second screening point with your belongings for additional questioning by CBP Officers. If you are a U.S. citizen, the officer will ask you for your passport, verify your citizenship, and then welcome you back to the United States. You will then proceed to the Customs inspection area.

If you are an alien, the CBP Officer must determine why you are coming to the United States, what documents you may require, if you have those documents, and how long you should be allowed to initially stay in the United States. These determinations usually take less than one minute to make. If you are allowed to proceed, the officer will stamp your passport and customs declaration form and issue a completed Form I-94 to you. A completed form I-94 will show what immigration classification you were given and how long you are allowed to stay.

Also, If you are an alien, CBP Officers may decide that you should not be permitted to enter the United States. There are many reasons why this might happen (see INA § 212 (a)). You will either be placed in detention, or temporarily held until return flight arrangements can be made. If you have a visa, it may be cancelled. In certain instances, Officer(s) may not be able to decide if you should be allowed into the United States. In this case, your inspection may be deferred (postponed), and you will be instructed to go to another office located near your intended destination in the United States for further processing.

Land

At a land border port-of-entry you will undergo the same general process. One officer will conduct the primary inspection on the vehicle lane. That officer may send you for further

review or issuance of needed papers to a secondary inspection area. Once a determination is made to allow you into the United States, you may be sent for further Customs inspection or immediately allowed to proceed on your trip. Alien truck drivers may qualify for admission as B-1 visitors for business to pick up or deliver cargo traveling in the stream of international commerce. Please see [How Do I Enter the United States as a Commercial Truck Driver](#) for more information.

Sea

The inspection process at a sea port-of-entry is similar to the airport process if inspection facilities are available. Otherwise passengers will be instructed where to report for inspection on board the vessel.

Q: What Documents Must You Present?

A: A U.S. citizen must present a passport if traveling from outside of the Western Hemisphere (The Western Hemisphere includes North, Central, and South America). If traveling from inside the Western Hemisphere, any proof of U.S. citizenship that clearly establishes identity and nationality is permitted, such as a birth record or baptismal record. An alien who is a lawful permanent resident of the United States must present a Permanent Resident Card ("Green Card", Form I-551), a Reentry Permit, or a Returning Resident Visa. (See [How Do I Become a Lawful Permanent Resident While in the United States?](#) and [How Do I Get a Travel Document?](#))

Generally, an alien must present a passport and a valid visa issued by a U.S. Consular Official (some exceptions exist, see 8 CFR § 211.4 and 8 CFR § 212.1). For more information on visas, please see the [Visa Categories](#) page.

Under the Visa Waiver Program, nationals of participating countries do not require a visa to apply to enter the United States as a Visitor for Business or Pleasure (B-1 or B-2), if staying for no more than 90 days, and if not inadmissible (see INA § 212 (a)). (For more information, please see the [Visa Waiver Program](#) page.)

Canadians do not generally require a visa. There are a few exceptions.

Q: How Can I Appeal?

A: In certain circumstances, if you used a valid visa to apply for admission and your application for admission has been denied, you can request a hearing before the Immigration Court, where an immigration judge will determine your case. A judge's decision can be appealed to the Board of Immigration Appeals (BIA). You will receive instructions on where and how to appeal. For more information, please see, [How Do I Appeal?](#) If you apply for admission to the United States under the Visa Waiver Pilot Program, the decision of the officer is final. In cases involving fraud, willful misrepresentation, false claim to U.S. citizenship or lack of a valid immigrant visa for an intending immigrant, the officer's decision is final.

see also:

on [cbp.gov](#):

[FAQs on the Arrival-Departure Record \(I-94 Form\) & Crewman Landing Permit \(I-95 Form\)](#)

[Requirements for Immigrant and Nonimmigrant Visas](#)

[How Do I Enter the United States as a Commercial Truck Driver?](#)

on the web:

[Business or Pleasure Visitors](#)

[How Do I Become a Lawful Permanent Resident While in the United States?](#)

[VISA Categories](#)