



## **IMPORTANT UPDATE**

# **AUTOMATIC REVALIDATION OF VISAS**

The validity of an expired nonimmigrant visa may be considered to be automatically extended to the date of application for readmission at ports of entry. This includes cases where U.S. Citizenship and Immigration Services has changed the nonimmigrant classifications of an alien to another nonimmigrant classification. The validity of an expired or unexpired nonimmigrant visa may be considered to be automatically extended to the date of readmission and the visa may be converted as necessary to that changed classification. [22.C.F.R. 41.112(d)]

Visitors (and accompanying spouses and / or children) whose visas have expired may be boarded provided they meet the following requirements:

### F and J nonimmigrants:

- Readmission from contiguous territory or adjacent islands (except Cuba)
- Readmission after an absence not exceeding 30 days
- In possession of Form I-94 endorsed to show an unexpired period of initial admission or extension of stay or in possession of the Certificate of Eligibility Student and Exchange Visitor Information System (SEVIS) I-20AB or SEVIS DS-2029
- In possession of a valid passport, unless exempt
- Does not require authorization for admission under the INA 212(d)(3)
- Has not applied for a new visa while abroad
- Has maintained and intends to resume nonimmigrant status

### All other nonimmigrants:

- Readmission from contiguous territory
- Readmission after an absence not exceeding 30 days
- In possession of Form I-94 endorsed to show an unexpired period of initial admission or extension of stay
- M-1 student must also present a properly endorsed SEVIS Form I-20MN
- In possession of a valid passport, unless exempt
- Does not require authorization for admission under the INA 212(d)(3)
- Has not applied for a new visa while abroad
- Has maintained and intends to resume nonimmigrant status

The provisions of the automatic revalidation of visas does not apply to citizens of countries identified as supporting terrorism in the State Department's annual report to Congress. Countries that are ineligible are Iran, Syria, Sudan and ~~Cuba~~ North Korea.

The information on this bulletin supersedes page 18 inside the revised May 2011 Carrier Information Guide.

**RE-ENTRY TO THE UNITED STATES EITHER ON AN EXPIRED VISA OR  
AFTER CHANGE OF VISA STATUS  
FOR STUDENTS TRAVELING TO CANADA, MEXICO OR CONTIGUOUS  
TERRITORIES, EXCLUDING CUBA.**

(Automatic Visa Revalidation or Automatic Revalidation if Visa Status has changed in the US)

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Under certain conditions, the Customs and Border Protection (CBP) will automatically “extend the validity” of expired visas at port-of-entry to the United States.

A description of this provision and its conditions is explained below.

International students with expired visas (F, J, H, E, A, B, C, I, L visas) may travel to Canada, Mexico or “adjacent islands” (Saint Pierre, Miquelon, Dominican Republic, Haiti, Bermuda, Bahamas, Barbados, Jamaica, The Windward and Leeward Islands, Trinidad, Martinique, and other British, French, and Netherlands territories in or bordering the Caribbean Sea NOT including Cuba) and return to the United States without acquiring a new visa if you **return within 30 days or less and you meet the following conditions:**

1. You have maintained and intend to resume your status as a full-time student in good standing with immigration.
2. You **did not** apply for a new visa during the 30 days you were outside the US. (*See explanation under “Please Note the Following” below*)
3. You have not traveled to any other countries within the 30-day time period.
4. You carry a valid **passport** (*some must be valid for at least 6 months after the date(s) of travel and re-entry to the US*), an un-expired **I-94 card**, a current **Form I-20 or Form DS-2019** (*signed for travel by an International Student Advisor*), and your **F or J visa** (*if your most recent visa is in an expired passport, remember to bring the expired passport as well*).
5. You are **not** required to obtain a waiver of inadmissibility for temporary admission to the U.S. under section 212 (d)(3) of the Immigration and Nationality Act. This is a provision for those students who would not normally be admissible due to being ineligible under the law. The waiver on grounds of inadmissibility is indicated on your visa and the I-94 by the notation “**212 (d) (3) (A)**”. If this notation appears, you must be granted another waiver in order to re-enter the U.S. after a temporary departure.

**Please Note the Following:**

- You should **not** surrender your I-94 card when you leave the U.S., as you will need it for re-entry under this provision. However, some airline or border officials may demand the surrender of the I-94, so it is best to make a photocopy of it before traveling and give the copy to the official instead of the original.
- **You should NOT apply for a visa (see 22 CFR 41.112 (d) (2) (vii) on the other side of this handout)**, because if you do, you **cannot** re-enter the U.S. under this provision. Be advised that applications for changes in visa status undertaken while in Canada, Mexico or one of these territories will require a possibly extended stay while the application is being processed.
- Depending on your country of citizenship, you may need to acquire a visa to enter Canada, Mexico or one of the adjacent islands.
- If you are a citizen of IRAN, SYRIA, SUDAN, or CUBA, you are **NOT** eligible for automatic revalidation. This list of countries may be found at: [http://travel.state.gov/visa/temp/info/info\\_1300.html](http://travel.state.gov/visa/temp/info/info_1300.html)
- If you have changed visa types while in the U.S., and have evidence of it, you are eligible to re-enter the U.S. under this provision (if the rules of that visa type have been followed), even if you do not have a visa in the passport that matches the current visa type. However, you will still need to show your old visa (expired or un-expired) at the port-of-entry.

**\*\*Turn this sheet over for a copy of the federal regulations. Take this sheet in case you need it at the Port of Entry.**

*Below is a copy of the federal regulations. Take this sheet in case you need to show a copy of the regulations at the Port of Entry.*

**DEPARTMENT OF STATE**

**22 CFR 41.112**

[Public Notice: 3938]

Immigration and Nationality Act:

Automatic Visa Revalidation

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(d) *Automatic extension of validity at ports of entry.* (1) Provided that the requirements set out in paragraph (d)(2) of this section are fully met, the following provisions apply to nonimmigrant aliens seeking readmission at ports of entry:

(i) The validity of an expired nonimmigrant visa issued under INA 101(a)(15) may be considered to be automatically extended to the date of application for readmission; and

(ii) In cases where the original nonimmigrant classification of an alien has been changed by DHS to another nonimmigrant classification, the validity of an expired or unexpired nonimmigrant visa may be considered to be automatically extended to the date of application for readmission, and the visa may be converted as necessary to that changed classification

(2) The provisions in paragraph (d)(1) of this section are applicable only in the case of a nonimmigrant alien who:

(i) Is in possession of a Form I-94, Arrival-Departure Record, endorsed by DHS to show an unexpired period of initial admission or extension of stay, or, in the case of a qualified F or J student or exchange visitor or the accompanying spouse or child of such an alien, is in possession of a current Form I-20, Certificate of Eligibility for Nonimmigrant Student Status, or Form IAP-66, Certificate of Eligibility for Exchange Visitor Status, issued by the school the student has been authorized to attend by DHS, or by the sponsor of the exchange program in which the alien has been authorized to participate by DHS, and endorsed by the issuing school official or program sponsor to indicate the period of initial admission or extension of stay authorized by DHS;

(ii) Is applying for readmission after an absence not exceeding 30 days solely in contiguous territory, or, in the case of a student or exchange visitor or accompanying spouse or child meeting the stipulations of paragraph (d)(2)(i) of this section, after an absence not exceeding 30 days in contiguous territory or adjacent islands other than Cuba;

(iii) Has maintained and intends to resume nonimmigrant status;

(iv) Is applying for readmission within the authorized period of initial admission or extension of stay;

(v) Is in possession of a valid passport;

(vi) Does not require authorization for admission under INA 212(d)(3); and

(vii) Has not applied for a new visa while abroad.

(3) The provisions in paragraphs (d)(1) and (d)(2) of this section shall not apply to the nationals of countries identified as supporting terrorism in the Department's annual report to Congress entitled Patterns of Global Terrorism.