



Automatic Visa Revalidation Handout

International Student Services – Texas A&M University

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 “contiguous territory” (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. Within the 30-day time period, you have traveled or will travel only to the contiguous territory or adjacent islands (excluding Cuba) described above.
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. See website http://www.travel.state.gov/visa/temp/info/info_1299.html
- 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 student (from ANY country), you are no longer eligible to apply for a new U.S. visa while in Canada, Mexico or other contiguous territories and return to the U.S. to wait for it to be processed. Attempting to do so may lead to a cancellation of your visa status. 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.
- 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
- 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.

Take this sheet along in case you need it at the Port of Entry.

**Turn this sheet over for a copy of the federal regulations.

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.

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