



## AUTOMATIC REVALIDATION

Travel to Canada, Mexico, and Islands in the Caribbean  
(Except Cuba) With an Expired Visa

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**Under certain circumstances, F-1/J-1 students and scholars may reenter the U.S. with an expired visa provided that the F-1/J-1 student/scholar:**

- Applies for readmission to the U.S. after an absence not exceeding 30 days in Canada, Mexico, or adjacent islands in Caribbean, except Cuba.
- Has maintained and intends to resume status as an F-1/J-1 student/scholar.
- Presents (or is the accompanying spouse or child of an alien who presents) a valid I-94 and the current I-20/DS-2019 endorsed to travel.
- Possesses a valid passport (unless exempt from passport requirements).
- Applies for re-entry to the U.S by the program completion date listed on the I-20/DS-2019.
- Has **not** applied for a new visa stamp while outside the U.S.
- Is not a citizen of a country on the Department of State's list of State Sponsors of Terrorism.

**This process is technically called “automatic revalidation of visa”. The reference in the Code of Federal Regulations is found on the reverse side** (Section 41.112(d) of 22 CFR). This regulation means that the Department of Homeland Security (DHS) treats your expired visa as if it were extended to the date of re-entry in to the U.S.. Automatic revalidation of your visa does not extend your visa for future use. Travel to all other countries will still require a new visa.

**Students/Scholars Who Do Not Have an F-1/J-1 Visa and Changed Their Status in the U.S.:** A person who entered the U.S in a classification other than F-1 or J-1 but whose status was later changed inside the U.S. to F-1/J-1 students /scholar, may also reenter the U.S. if he or she meets the conditions listed above. A student whose visa has been cancelled is not eligible.

### **New passports not containing the visa stamp:**

Individuals who carry passports issued from within the U.S. to replace the passport that contains their original nonimmigrant visa must have an old passport in their possession. Citizens of countries that keep the old passport upon issuance of a new one are, therefore, at a disadvantage when traveling to contiguous territories (i.e., Mexico, Canada, and adjacent islands in the Caribbean, except Cuba).

### **Steps to follow:**

- Check to see if the above requirements are met.
- Request a travel endorsement on the form I-20/DS-2019 from the Office of International Students & Scholars.
- Be sure the passport is valid. If the current passport does not contain the visa used to enter the U.S., bring the old passport that does contain the visa.
- Keep the I-94 card.** Do not surrender it at the time of the departure from the U.S. This is an essential document for reentering the United States.

*Note:* On the reverse side is a photocopy of the Code of Federal Regulations (CFR) that addresses reentry into the U.S. with an expired visa. Other related information may be found in 22 CFR 41.125(f).

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Approved for re-entry under Automatic Revalidation

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Adria L. Baker , Director  
Office of Int'l Students & Scholars

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Date

issue regular and official visas. Diplomatic visas may be issued only by:

(1) A consular officer attached to a U.S. diplomatic mission, if authorized to do so by the Chief of Mission; or

(2) A consular officer assigned to a consular office under the jurisdiction of a diplomatic mission, if so authorized by the Department or the Chief, Deputy Chief, or Counselor for Consular Affairs of that mission, or, if assigned to a consular post not under the jurisdiction of a diplomatic mission, by the principal officer of that post.

(b) *Issuance in the United States in certain cases.* The Deputy Assistant Secretary for Visa Services and such officers of the Department as the former may designate are authorized, in their discretion, to issue nonimmigrant visas, including diplomatic visas, to:

(1) Qualified aliens who are currently maintaining status and are properly classifiable in the A, C-2, C-3, G or NATO category and intend to reenter the United States in that status after a temporary absence abroad and who also present evidence that:

(i) They have been lawfully admitted in that status or have, after admission, had their classification changed to that status; and

(ii) Their period of authorized stay in the United States in that status has not expired; and

(2) Other qualified aliens who:

(i) Are currently maintaining status in the E, H, I, L, O, or P nonimmigrant category;

(ii) Intend to reenter the United States in that status after a temporary absence abroad; and

(iii) Who also present evidence that:

(A) They were previously issued visas at a consular office abroad and admitted to the United States in the status which they are currently maintaining; and

(B) Their period of authorized admission in that status has not expired.

[52 FR 42597, Nov. 5, 1987, as amended at 66 FR 12738, Feb. 28, 2001]

#### § 41.112 Validity of visa.

(a) *Significance of period of validity of visa.* The period of validity of a nonimmigrant visa is the period during which the alien may use it in making application for admission. The period

of visa validity has no relation to the period of time the immigration authorities at a port of entry may authorize the alien to stay in the United States.

(b) *Validity of visa and number of applications for admission.* (1) Except as provided in paragraphs (c) and (d) of this section, a nonimmigrant visa shall have the validity prescribed in schedules provided to consular officers by the Department, reflecting insofar as practicable the reciprocal treatment accorded U.S. nationals, U.S. permanent residents, or aliens granted refugee status in the U.S. by the government of the country of which the alien is a national, permanent resident, refugee or stateless resident.

(2) Notwithstanding paragraph (b)(1) of this section, United States nonimmigrant visas shall have a maximum validity period of 10 years.

(3) An unexpired visa is valid for application for admission even if the passport in which the visa is stamped has expired, provided the alien is also in possession of a valid passport issued by the authorities of the country of which the alien is a national.

(c) *Limitation on validity.* If warranted in an individual case, a consular officer may issue a nonimmigrant visa for:

(1) A period of validity that is less than that prescribed on a basis of reciprocity,

(2) A number of applications for admission within the period of the validity of the visa that is less than that prescribed on a basis of reciprocity,

(3) Application for admission at a specified port or at specified ports of entry, or

(4) Use on and after a given date subsequent to the date of issuance.

(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 INS 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 INS 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 INS, or by the sponsor of the exchange program in which the alien has been authorized to participate by INS, and endorsed by the issuing school official or program sponsor to indicate the period of initial admission or extension of stay authorized by INS;

(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)(1) 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.

(e) [Reserved]

(f) Validity of visas, issued on Olympic and Paralympic Identity/Accreditation Cards. For the purposes of the XIX Olympic Winter Games, a visa issued on the Olympic Identity/Accreditation Card shall be valid for multiple entries into the United States from January 8, 2002 until March 24, 2002. For the purposes of the VIII Paralympic Winter Games, a visa issued on the Paralympic Identity/Accreditation Card shall be valid for multiple entries into the United States from February 7, 2002 until April 16, 2002.

[52 FR 42597, Nov. 5, 1987; 53 FR 9112, 9172, Mar. 21, 1988, as amended at 55 FR 36028, Oct. 31, 1990; 62 FR 24332, May 5, 1997; 66 FR 38643, July 25, 2001; 67 FR 10323, Mar. 7, 2002]

#### § 41.113 Procedures in issuing visas.

(a) *Visa evidenced by stamp placed in passport.* Except as provided in paragraphs (b) of this section, a nonimmigrant visa shall be evidenced by a visa stamp placed in the alien's passport. The appropriate symbol as prescribed in 41.12, showing the classification of the alien, shall be entered on the visa.

(b) *Cases in which visa not placed in passport.* In the following cases the visa shall be placed on the prescribed Form OF-232. In issuing such a visa, a notation shall be made on the Form OF-232 on which the visa is placed specifying the pertinent subparagraph of this paragraph under which the action is taken.

(1) The alien's passport was issued by a government with which the United States does not have formal diplomatic relations, unless the Department has specifically authorized the placing of the visa in such passport;

(2) The alien's passport does not provide sufficient space for the visa;

(3) The passport requirement has been waived; or

(4) In other cases as authorized by the Department.

(c) *Visa stamp.* A machine-readable nonimmigrant visa foil, or other indicia as directed by the Department, shall constitute a visa "stamp," and shall be in a format designated by the Department, and contain, at a minimum, the following data:

(1) Full name of the applicant;