

AUTOMATIC EXTENSION OF VALIDITY OF VISA

To the Immigration Officer at the Port of Entry:

Automatic revalidation applies to an international student or scholar who is in valid immigration status and is eligible for automatic extension of visa at the port of entry. For your convenience, we have reproduced below (without editing) the portion of the CFR that describes automatic extension and/or conversion of visa.

U.S. Code of Federal Regulations (22 CFR 41.112 Validity of Visa)

- (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)(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.

[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 38543, July 25, 2001; 67 FR 10323, Mar. 7, 2002; 67 FR 66046, Oct. 30, 2002]

Please feel free to contact our office if you have any additional questions about this student or scholar. You may reach us by phone at 541-737-6310 during regular business hours.