



Office of International Affairs
International Student & Scholar Services

Automatic Revalidation of an Expired Nonimmigrant Visa
22 CFR 41.112(d)

Summary of 22 CFR 41.112(d):

Under United States immigration regulations, most persons in H visa status, who have either an expired entry visa or a valid visa in another classification because status was changed to H after arrival in the US, may re-enter the US after a visit of not more than 30 days to contiguous territories (Mexico or Canada) without going to the US Consulate in that country during the trip to apply for a new H visa.

Conditions for Automatic Revalidation:

A person in H visa status must meet all of the following conditions in order to be eligible to use the automatic revalidation provision:

- Is in lawful status and intends to resume that status upon return to the USA
- Has an unexpired Form I-94 reflecting H status (may be on the bottom of most recent extension I-797 Approval Notice)
- Has original Form I-94 Departure Record issued at last entry to U.S.
- Has an expired visa or a valid visa in another classification (such as B-2, H-4)
- Has a valid foreign passport
- Has an unexpired I-797 Approval Notice for H-1B status
- Does not require authorization for admission under INA 212(d)(3)
- Has not applied for a new visa while abroad
- Is not from a country identified as a state sponsor of terrorism (Iran, Iraq, Syria, Libya, Sudan, North Korea or Cuba)

General Instructions:

Scholars traveling using the automatic revalidation rules should not surrender their white I-94 card or original I-797 at the border when leaving the US, because they will need to present the original I-94 card when reentering the USA in order to take advantage of the revalidation provisions. Additionally, a scholar should take proof that they are still employed in the same position for which the H-1B status was approved, such as a letter from the College, School, Department, or Division.

Travelers should check with a Mexican or Canadian consulate to see if they are required to obtain a visa to visit the country to which they are traveling.