Visa Revocation Due to DUI or other Arrest and/or Conviction

A Department of State Policy implemented on November 5, 2015, requires consular officers to revoke nonimmigrant visas of individuals arrested for, or convicted of, driving under the influence or driving while intoxicated (or similar arrests/convictions), when such arrest or conviction occurred within the previous five years. The requirement does not apply when the arrest or conviction occurred prior to the date of the visa application and has already been assessed within the context of a visa application.

This means that a consular officer can revoke an individual’s visa (visa stamp in the passport), even if the individual is physically in the United States. The consular officer informs the visa holder (usually by e-mail), if his or her visa is revoked or cancelled. If this happens, the individual may continue to stay in the United States, but their visa is no longer valid for future travel to the United States. An individual whose visa has been revoked, and who departs the United States, must re-apply for a visa and may return to the United States if a new visa is granted.

For more information, see the Foreign Affairs Manual at 9 FAM 403.11-2:

https://fam.state.gov/fam/09FAM/09FAM040311.html.