

## **Satisfactory Departure**

Pursuant to *Title 8 Code of Federal Regulations (CFR) Section 217.3(a)*, if an emergency prevents an alien admitted under the VWP from departing the United States within the period of authorized stay, a period of Satisfactory Departure may be granted not to exceed 30 days – provided that the request is made during the period of admission and the alien is still in status at the time of the request. If departure is made within the period of approved Satisfactory Departure, the alien is regarded as having made a timely departure without overstaying the allowed time. In emergent circumstances, requests for Satisfactory Departure may be granted if the alien is out of status but can prove the intent was to depart timely. Requests for Satisfactory Departure are generally adjudicated by U.S. Citizenship and Immigration Services (USCIS).

*Additionally, from CIS website:*

### **I am visiting under the Visa Waiver Program, but I can't leave as scheduled due to an emergency. Is there anything I can do to extend my stay?**

If you have been admitted under the Visa Waiver Program and an emergency is preventing you from departing the United States within your period of authorized stay, you may request that USCIS grant you a period of satisfactory departure. A grant of satisfactory departure cannot exceed 30-days. If you are granted satisfactory departure, and leave within the window of time allotted, you will be regarded as having satisfactorily accomplished your visit in the United States without overstaying your period of authorized stay. If you are visiting under the Visa Waiver Program and do not qualify for a grant of satisfactory departure, you may not stay in the United States beyond the initial 90-days for which you were authorized.

### **What types of emergencies would qualify me for a grant of satisfactory departure?**

Satisfactory departure is granted only in limited cases and for serious emergencies, such as hospitalization, or conditions that cause flights to be delayed or cancelled for more than 24 hours (weather, worker strikes, etc.). Otherwise, people visiting under the Visa Waiver Program may not stay beyond their initial 90-days.

### **How do I apply for a grant of satisfactory departure?**

To apply for a grant of satisfactory departure, contact USCIS (currently by calling USCIS Customer Service at 1-800-375-5283) to schedule an appointment with the local USCIS office having jurisdiction over the place of temporary stay. At the appointment, any available evidence of the emergency situation would be presented.