

8 USC 1229c: Voluntary departure

Text contains those laws in effect on September 15, 2024

From Title 8-ALIENS AND NATIONALITY

CHAPTER 12-IMMIGRATION AND NATIONALITY

SUBCHAPTER II-IMMIGRATION

Part IV-Inspection, Apprehension, Examination, Exclusion, and Removal

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References In Text

Amendments

Effective Date

§1229c. Voluntary departure

(a) Certain conditions

(1) In general

The Attorney General may permit an alien voluntarily to depart the United States at the alien's own expense under this subsection, in lieu of being subject to proceedings under [section 1229a of this title](#) or prior to the completion of such proceedings, if the alien is not deportable under [section 1227\(a\)\(2\)\(A\)\(iii\)](#) or [section 1227\(a\)\(4\)\(B\) of this title](#).

(2) Period

(A) In general

Subject to subparagraph (B), permission to depart voluntarily under this subsection shall not be valid for a period exceeding 120 days.

(B) Three-year pilot program waiver

During the period October 1, 2000, through September 30, 2003, and subject to subparagraphs (C) and (D)(ii), the Attorney General may, in the discretion of the Attorney General for humanitarian purposes, waive application of subparagraph (A) in the case of an alien-

(i) who was admitted to the United States as a nonimmigrant visitor (described in [section 1101\(a\)\(15\)\(B\) of this title](#)) under the provisions of the visa waiver pilot program established pursuant to [section 1187 of this title](#), seeks the waiver for the purpose of continuing to receive medical treatment in the United States from a physician associated with a health care facility, and submits to the Attorney General-

(I) a detailed diagnosis statement from the physician, which includes the treatment being sought and the expected time period the alien will be required to remain in the United States;

(II) a statement from the health care facility containing an assurance that the alien's treatment is not being paid through any Federal or