rendering him or her inadmissible were caused by, or were incident to, the victimization described in section 101(a)(15)(T)(i)(I) of the Act.

(d) Revocation. The Commissioner may at any time revoke a waiver previously authorized under section 212(d) of the Act. Under no circumstances shall the alien or any party acting on his or her behalf have a right to appeal from a decision to revoke a waiver.

[67 FR 4795, Jan. 31, 2002]

PART 1214—REVIEW OF NONIMMIGRANT CLASSES

Sec.

1214.1 Review of requirements for admission, extension, and maintenance of status.

1214.2 Review of alien victims of severe forms of trafficking in persons; aliens in pending immigration proceedings.

1214.3 Certain spouses and children of lawful permanent residents; aliens in proceedings; V visas.


SOURCE: 68 FR 9835, Feb. 28, 2003, unless otherwise noted.

§ 1214.2 Review of alien victims of severe forms of trafficking in persons; aliens in pending immigration proceedings.

(a) Applications for T visas while in proceedings. Individuals who believe they are victims of severe forms of trafficking in persons and who are in pending immigration proceedings must inform the Service if they intend to apply for T nonimmigrant status under this section. The immigration judge or the Board, whichever has jurisdiction, may grant such an application for T nonimmigrant status by order.

(b) Waivers of inadmissibility. The immigrant judge or the Board, whichever has jurisdiction, may grant such an application for T nonimmigrant status by order.

(c) Bonds. If the Service finds an alien ineligible for T nonimmigrant status, the Service shall re-commence proceedings that have been

931
§ 1214.3 Administrative closure.

An alien who is already in immigration proceedings and believes that he or she may have become eligible to apply for V nonimmigrant status should request before the immigration judge or the Board of Immigration Appeals, as appropriate, that the proceedings be administratively closed (or before the Board that a previously-filed motion for reopening or reconsideration be indefinitely continued) in order to allow the alien to pursue an application for V nonimmigrant status with the Service. If the alien appears eligible for V nonimmigrant status, the immigration judge or the Board, whichever has jurisdiction, shall administratively close the proceeding or continue the motion indefinitely. In the event that the Service finds an alien ineligible for V nonimmigrant status, the Service can adjudicate the change of status under this section.

PART 1215—CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES

Sec.
1215.1 Definitions.
1215.2 Authority of departure-control officer to prevent alien's departure from the United States.
1215.3 Alien whose departure is deemed prejudicial to the interests of the United States.
1215.4 Procedure in case of alien prevented from departing from the United States.
1215.5 Hearing procedure before special inquiry officer.
1215.6 Departure from the Canal Zone, the Trust Territory of the Pacific Islands, or outlying possessions of the United States.
1215.7 Instructions from the Administrator required in certain cases.


§ 1215.1 Definitions.

For the purpose of this part:
(a) The term alien means any person who is not a citizen or national of the United States.
(b) The term Commissioner means the Commissioner of Immigration and Naturalization.
(c) The term regional commissioner means an officer of the Immigration and Naturalization Service duly appointed or designated as a regional commissioner, or an officer who has been designated to act as a regional commissioner.
(d) The term district director means an officer of the Immigration and Naturalization Service duly appointed or designated as a district director, or an officer who has been designated to act as a district director.