

## **9 FAM 40.62 FAILURE TO ATTEND REMOVAL PROCEEDINGS**

*(CT:VISA-1316; 09-23-2009)  
(Office of Origin: CA/VO/L/R)*

### **9 FAM 40.62 RELATED STATUTORY PROVISIONS**

*(CT:VISA-1316; 09-23-2009)*

See INA 212(a)(6)(B) (8 U.S.C. 1182(a)(6)(B))

#### **INA 212(a)(6)(B)**

(6) Illegal Entrants and Immigration Violators

(B) Failure to Attend Removal Proceeding

Any alien who without reasonable cause fails or refuses to attend or remain in attendance at a proceeding to determine the alien's inadmissibility or deportability and who seeks admission to the United States within 5 years of such alien's subsequent departure or removal is inadmissible. *INA 212(a)(6)(A) and (B) amended by Section 301(c) of IIRAIRA.*

### **9 FAM 40.62 RELATED REGULATORY PROVISIONS**

*(CT:VISA-1228; 06-12-2009)*

22 CFR 40.62

#### **40.62 Failure to attend removal proceedings.**

An alien who without reasonable cause failed to attend, or to remain in attendance at, a hearing initiated on or after April 1, 1997, under INA 240 to determine inadmissibility or deportability shall be ineligible for a visa under INA 212(a)(6)(B) for five years following the alien's subsequent departure or removal from the United States.

62 FR 67564 (12/29/97, effective 4/1/97).