

## **Terrorism Bar to Voluntary Departure**

### **INA § 240B 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 240 or prior to the completion of such proceedings, if the alien is not deportable under section 237(a)(2)(A)(iii) or [section 237\(a\)\(4\)\(B\)](#).

\* \* \* \* \*

#### **(b) At Conclusion of Proceedings**

##### **(1) In General**

The Attorney General may permit an alien voluntarily to depart the United States at the alien's own expense if, at the conclusion of a proceeding under section 240, the immigration judge enters an order granting voluntary departure in lieu of removal and finds that—

(C) the alien is not deportable under section 237(a)(2)(A)(iii) or [section 237\(a\)\(4\)](#);

### **8 C.F.R. § 1240.26 Voluntary Departure- authority of the Executive Office for Immigration Review.**

#### **(b) Prior to completion of removal proceedings.**

(1) Grant by the immigration judge. (i) An alien may be granted voluntary departure by an immigration judge pursuant to section 240B(a) of the Act only if the alien :

(E) Has not been convicted of a crime described in section 101(a)(43) of the Act and is not deportable under [section 237\(a\)\(4\)](#).

\* \* \* \* \*

(c) At the conclusion of the removal proceedings. (1) Required findings. An immigration judge may grant voluntary departure at the conclusion of the removal proceedings under section 240B(b) of the Act, if he or she finds that:

(iii) The alien has not been convicted of a crime described in section 101(a)(43) of the Act and is not deportable under [section 237\(a\)\(4\)](#);