

**Subpart G—Civil Penalties for  
Failure to Depart [Reserved]**

**Subpart A—Post-hearing  
Detention and Removal**

**PART 241—APPREHENSION AND  
DETENTION OF ALIENS ORDERED  
REMOVED**

**§241.1 Final order of removal.**

**Subpart A—Post-hearing Detention and  
Removal**

Sec.

- 241.1 Final order of removal.
- 241.2 Warrant of removal.
- 241.3 Detention of aliens during removal period.
- 241.4 Continued detention beyond the removal period.
- 241.5 Conditions of release after removal period.
- 241.6 Administrative stay of removal.
- 241.7 Self-removal.
- 241.8 Reinstatement of removal orders.
- 241.9 Notice to transportation line of alien's removal.
- 241.10 Special care and attention of removable aliens.
- 241.11 Detention and removal of stowaways.
- 241.12 Nonapplication of costs of detention and maintenance.
- 241.13—241.19 [Reserved]

**Subpart B—Deportation of Excluded Aliens  
(for Hearings Commenced Prior to  
April 1, 1997)**

- 241.20 Proceedings commenced prior to April 1, 1997.
- 241.21 Stay of deportation of excluded alien.
- 241.22 Notice to surrender for deportation.
- 241.23 Cost of maintenance not assessed.
- 241.24 Notice to transportation line of alien's exclusion.
- 241.25 Deportation.
- 241.26—241.29 [Reserved]

**Subpart C—Deportation of Aliens in the  
United States (for Hearings Com-  
menced Prior to April 1, 1997)**

- 241.30 Proceedings commenced prior to April 1, 1997.
- 241.31 Final order of deportation.
- 241.32 Warrant of deportation.
- 241.33 Expulsion.

AUTHORITY: 8 U.S.C. 1103, 1223, 1227, 1251, 1253, 1255, and 1330; 8 CFR part 2.

SOURCE: 62 FR 10378, Mar. 6, 1997, unless otherwise noted.

An order of removal made by the immigration judge at the conclusion of proceedings under section 240 of the Act shall become final:

(a) Upon dismissal of an appeal by the Board of Immigration Appeals;

(b) Upon waiver of appeal by the respondent;

(c) Upon expiration of the time allotted for an appeal if the respondent does not file an appeal within that time;

(d) If certified to the Board or Attorney General, upon the date of the subsequent decision ordering removal;

(e) If an immigration judge orders an alien removed in the alien's absence, immediately upon entry of such order; or

(f) If an immigration judge issues an alternate order of removal in connection with a grant of voluntary departure, upon overstay of the voluntary departure period except where the respondent has filed a timely appeal with the Board. In such a case, the order shall become final upon an order of removal by the Board or the Attorney General, or upon overstay of any voluntary departure period granted or reinstated by the Board or the Attorney General.

**§241.2 Warrant of removal.**

(a) *Issuance of a warrant of removal.* A Form I-205, Warrant of Removal, based upon the final administrative removal order in the alien's case shall be issued by a district director. The district director shall exercise the authority contained in section 241 of the Act to determine at whose expense the alien shall be removed and whether his or her mental or physical condition requires personal care and attention en route to his or her destination.

(b) *Execution of the warrant of removal.* Any officer authorized by §287.5(e) of this chapter to execute administrative warrants of arrest may execute a warrant of removal.