not intended to, and shall not be con-
strued to exclude, supplant, or limit
otherwise lawful activities of the De-
partment or the Secretary. These regu-
lations do not, are not intended to,
shall not be construed to, and may not
be relied upon to create any rights,
substantive or procedural, enforceable
at law by any party in any matter,
civil or criminal. The Secretary shall
have exclusive authority to enforce
these regulations through such admin-
istrative and other means as he may
deed appropriate.

(68 FR 35282, June 13, 2003)

PART 289—AMERICAN INDIANS
BORN IN CANADA

Sec.
289.1 Definition.
289.2 Lawful admission for permanent resi-
dence.
289.3 Recording the entry of certain Amer-
ican Indians born in Canada.

AUTHORITY: Secs. 103, 262, 289, 66 Stat. 173,
224, 234; 8 U.S.C. 1103, 1302, 1359; 45 Stat. 401,

§ 289.1 Definition.
The term American Indian born in
Canada as used in section 289 of the Act
includes only persons possessing 50 per
centum or more of the blood of the American Indian race. It does not in-
clude a person who is the spouse or
child of such an Indian or a person
whose membership in an Indian tribe
or family is created by adoption, unless
such person possesses at least 50 per
centum or more of such blood.

[29 FR 11494, Aug. 11, 1964]

§ 289.2 Lawful admission for perma-
nent residence.

Any American Indian born in Canada
who at the time of entry was entitled
to the exemption provided for such per-
son by the Act of April 2, 1928 (45 Stat.
401), or section 289 of the Act, and has
maintained residence in the United
States since his entry, shall be re-
garded as having been lawfully admit-
ted for permanent residence. A person
who does not possess 50 per centum of
the blood of the American Indian race,
but who entered the United States
prior to December 24, 1952, under the
exemption provided by the Act of April
2, 1928, and has maintained his resi-
dence in the United States since such
entry shall also be regarded as having
been lawfully admitted for permanent
residence. In the absence of a Service
record of arrival in the United States,
the record of registration under the
Alien Registration Act, of 1940 (54 Stat.
670; 8 U.S.C. 451), or section 262 of the
Act, or other satisfactory evidence
may be accepted to establish the date
of entry.

[29 FR 11494, Aug. 11, 1964]

§ 289.3 Recording the entry of certain
American Indians born in Canada.
The lawful admission for permanent
residence of an American Indian born
in Canada shall be recorded on Form I-
181.

[33 FR 7485, May 21, 1968]

PART 292—REPRESENTATION AND
APPEARANCES

Sec.
292.1 Representation of others.
292.2 Organizations qualified for recogni-
tion; requests for recognition; with-
drawal of recognition; accreditation of
representatives; roster.
292.3 Professional conduct for practi-
tioners—Rules and procedures.
292.4 Appearances.
292.5 Service upon and action by attorney
or representative of record.
292.6 Interpretation.

AUTHORITY: 6 U.S.C. 112; 8 U.S.C. 1103,
1252b, 1362.

§ 292.1 Representation of others.

(a) A person entitled to representa-
tion may be represented by any of the
following, subject to the limitations in
8 CFR 103.2(a)(3):

(1) Attorneys in the United States. Any
attorney as defined in 8 CFR 1.2.

(2) Law students and law graduates not
yet admitted to the bar. A law student
who is enrolled in an accredited U.S.
law school, or a graduate of an accred-
ited U.S. law school who is not yet ad-
mitted to the bar, provided that:

(i) He or she is appearing at the re-
quest of the person entitled to rep-
resentation;

(ii) In the case of a law student, he or
she has filed a statement that he or she