

General are governed by part 1003 of 8 CFR chapter V.

(b)–(f) [Reserved.]

(g) Decisions as precedents. Except as Board decisions may be modified or overruled by the Board or the Attorney General, decisions of the Board, and decisions of the Attorney General, shall be binding on all officers and employees of the Department of Homeland Security or immigration judges in the administration of the immigration laws of the United States. By majority vote of the permanent Board members, selected decisions of the Board rendered by a three-member panel or by the Board en banc may be designated to serve as precedents in all proceedings involving the same issue or issues. Selected decisions designated by the Board, decisions of the Attorney General, and decisions of the Secretary of Homeland Security to the extent authorized in paragraph (i) of this section, shall serve

as precedents in all proceedings involving the same issue or issues.

(h) Referral of cases to the Attorney General. (1) The Board shall refer to the Attorney General for review of its decision all cases which:

(i) The Attorney General directs the Board to refer to him.

(ii) The Chairman or a majority of the Board believes should be referred to the Attorney General for review.

(iii) The Secretary of Homeland Security, or specific officials of the Department of Homeland Security designated by the Secretary with the concurrence of the Attorney General, refers to the Attorney General for review.

(2) In any case the Attorney General decides, the Attorney General's decision shall be stated in writing and shall be transmitted to the Board or Secretary, as appropriate, for transmittal and service as provided in paragraph (f) of this section.

(i) Publication of Secretary's precedent decisions. The Secretary of Homeland Security, or specific officials of the Department of Homeland Security designated by the Secretary with the concurrence of the Attorney General, may file with the Attorney General Service precedent decisions as set forth in § 103.3(c).

Chapter I, Subchapter B

PART 103—[DUPLICATED IN PART AS PART 1103]

Chapter V, Subchapter B

PART 1103—APPEALS, RECORDS, AND FEES

12. Sections 103.3, 103.4 and 103.7 of part 103 are duplicated in part 1103 and redesignated as set forth in the following table:

Part 103	Heading	Is duplicated as Part 1103
§ 103.3	Denials, appeals, and precedent decisions	§ 1103.3
§ 103.4	Certifications	§ 1103.4
§ 103.7	Fees	§ 1103.7

12a. The authority citation for newly duplicated part 1103 is revised to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1304, 1356; 31 U.S.C. 9701; 28 U.S.C. 509, 510.

Chapter V, Subchapter B

13. Add part 1204 to read as follows:

PART 1204—IMMIGRANT PETITIONS

Authority: 8 U.S.C. 1101, 1103, 1151, 1153, 1154, 1182, 1186a, 1255, 1641; 8 CFR part 2.

§ 1204.1 Single level of appellate review.

The decision of the Board of Immigration Appeals concerning the denial of a relative visa petition under 8 CFR chapter I, part 204 because the petitioner failed to establish eligibility for the bona fide marriage exemption contained in that part will constitute the single level of appellate review established by statute.

PART 205—[DUPLICATED AS PART 1205]

Chapter V, Subchapter B

PART 1205—REVOCATION OF APPROVAL OF PETITIONS

14. All sections in part 205 are duplicated in part 1205, as set out in the following table:

Part 205	Heading	Is duplicated as Part 1205
§ 205.1	Automatic Revocation	§ 1205.1
§ 205.2	Revocation on notice	§ 1205.2

14a. The authority citation for newly designated part 1205 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1151, 1153, 1154, 1155, 1182, and 1186a.

Chapter I, Subchapter B

PART 207—[DUPLICATED IN PART AS PART 1207]

Chapter V, Subchapter B

PART 1207—ADMISSION OF REFUGEES

15. Section 207.3 is duplicated in part 1207 of chapter V, subchapter B of 8 CFR, as section 1207.3.

15a. The authority citation for newly designated part 1207 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1151, 1157, 1159, 1182; 8 CFR part 2.