



U.S. Citizenship
and Immigration
Services

84

[Redacted]

FILE:

[Redacted]

OFFICE: TEXAS SERVICE CENTER Date:

OCT 25 2004

IN RE:

Petitioner:

[Redacted]

Beneficiary:

PETITION: Immigrant Petition for Alien Worker as a Multinational Executive or Manager Pursuant to Section 203(b)(1)(C) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(C)

ON BEHALF OF PETITIONER:

[Redacted]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.


Robert P. Wiemann, Director
Administrative Appeals Office

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prevent unauthorized
disclosure of personal privacy

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DISCUSSION: The preference visa petition was denied by the Director, Texas Service Center. The matter came before the Administrative Appeals Office (AAO) on appeal. Pursuant to a thorough review of the record, the AAO withdrew the director's decision and remanded the case back to the service center, instructing the director to review the nature of the beneficiary's employment and determine whether the beneficiary's proposed employment fit the definitions of managerial or executive capacity pursuant to sections 101(a)(44)(A) and (B) of the Act, 8 U.S.C. §§ 1101(a)(44)(A) and (B), respectively. The director subsequently issued a notice, dated August 29, 2003, instructing the petitioner to submit additional evidence with regard to the beneficiary's job duties abroad and in the United States. After reviewing the petitioner's response, the director approved the petition and certified the matter to the AAO for review.

Based upon a review of the recently submitted evidence, the AAO will affirm the director's decision to approve the petition.

In visa petition proceedings, the burden of proving eligibility for the benefit sought remains entirely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has sustained that burden.

ORDER: The director's decision approving the petition is affirmed.