U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20536

C-1

U.S. Citizenship and Immigration Services

[redacted]

File: [redacted] Office: CALIFORNIA SERVICE CENTER Date: JUL 9 2004

IN RE: Petitioner: [redacted]
Beneficiary:

Petition: Immigrant Petition for Special Immigrant Religious Worker Pursuant to Section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(C) of the Act, 8 U.S.C. § 1101(a)(27)(C)

IN BEHALF OF PETITIONER:

SELF-REPRESENTED

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

identifying data deleted to prevent clearly unwarranted invasion of personal privacy

PUBLIC COPY

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, California Service Center. The Administrative Appeals Office (AAO) dismissed a subsequent appeal. The matter is now before the AAO on a motion to reconsider. The motion will be dismissed, the previous decision of the AAO will be affirmed and the petition will be denied.

In a decision dated August 22, 2003 the AAO determined that the petitioner failed to establish that the beneficiary had continuously worked as a religious worker from April 30, 1999 to April 30, 2001. The AAO further found that the petitioner had failed to establish the position offered to the beneficiary qualified as that of a religious worker.

The petitioner filed the instant motion on September 23, 2003, with no new evidence.

The regulation at 8 C.F.R. § 103.5(a)(2) provides:

> A motion to reopen must state the new facts to be provided in the reopened proceeding and be supported by affidavits or other documentary evidence.

Further, the regulation at 8 C.F.R. § 103.5(a)(3) provides:

> A motion to reconsider must state the reasons for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Service policy. A motion to reconsider a decision on an application or petition must, when filed, also establish that the decision was incorrect based on the evidence in the record at the time of the initial decision.

On motion, the petitioner states that it has the following "new information" related to the adjudication of the petition:

> Our spiritual and whole-hearted loyalty . . . we are firm in allegiance to our great country and government always:
>
> 1. We, every Sunday and Wednesday, pray for our President and leaders.
> 2. Our lectures and publications are closely related to our Homeland Security:
> a) Lectures on how to minister in English to minority Christian leaders and people are functioning to change the hearts of young people and stop the terrorist spirit. We already trained over 800 Korean Churches in America . . .
> b) The introduction of my Encyclopedia and many kinds of Christian bilingual books (English – Arabic) will remove the evil terrorist hearts and help our Homeland Security to save a lot of money and time
> c) I would like to (personally) share my works and ideas in detail with our President in the near future because we believe we don't have to spend billions of dollars, energy, and manpower.

3. We are sending the documents we sent to your office on January 3, 2002, for your re-examination.

The "new information" provided on motion by the petitioner does not address any of the findings made by the AAO in its decision. The petitioner has failed to provide any new facts, documentary evidence, or precedent decisions to establish that the AAO's decision was based on an incorrect application of law or Citizenship and Immigration Service policy. Further, the petitioner failed to make any claim that the AAO's decision was incorrect based upon the evidence in the record.

As the petitioner has failed to meet the requirements of a motion to reopen or reconsider, the motion must be dismissed.

ORDER: The motion is dismissed. The AAO's decision of August 22, 2003 is affirmed. The petition is denied.