

PROTECT AGAINST UNWARRANTED
INVASION OF PERSONAL PRIVACY

PUBLIC LAW

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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE: EAC 03 114 52458 Office: VERMONT SERVICE CENTER Date: MAY 17 2005

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

PETITION: Nonimmigrant Petition for Religious Worker Pursuant to Section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1)

ON BEHALF OF PETITIONER:



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

DISCUSSION: The Director, Vermont Service Center, denied the nonimmigrant visa petition. The petitioner filed a motion to reconsider, and the director subsequently affirmed the denial of the petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

When the director first denied the petition, the director correctly indicated that the regulations make no provision to allow the petitioner to appeal the denial of an R-1 nonimmigrant visa petition. The fact that the director denied the petition a second time, following the petitioner's motion, does not trigger any regulatory provision permitting the filing of an appeal.

Because there is no provision to allow the petitioner to appeal the director's decision, and because the regulations grant the AAO no regulatory authority to review such an appeal, the appeal cannot be accepted, and therefore must be rejected.

ORDER: The appeal is rejected.