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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED] Office: TEXAS SERVICE CENTER Date: JUN 20 2005

IN RE: Petitioner: [REDACTED]
Beneficiaries: [REDACTED]

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

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.

Mari Johnson

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The nonimmigrant visa petition was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a resort that seeks to employ the beneficiaries temporarily as chefs de partie/chefs brigade. The petitioner seeks designation of its Club Cultural Exchange Program¹ as an international cultural exchange program and classification of the beneficiaries as an international cultural exchange visitor pursuant to the provisions of section 101(a)(15)(Q)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(Q)(i).

The director denied the petition, finding that the petitioner's exchange program was not a qualifying international cultural exchange program, pursuant to the provisions of 8 C.F.R. § 214.2(q)(3) whose participants would be eligible for Q nonimmigrant visa classification. The director further found that the aliens would not be engaging in employment of which the essential element is the sharing of the culture of the alien's country of nationality.

On appeal, counsel for the petitioner simply states as the reason for the appeal: "incorrect interpretation of the law and regulations." Counsel for the petitioner further indicated that he would submit a brief and/or additional evidence within thirty days of filing the appeal. More than eight months have lapsed since the appeal was filed and nothing more has been submitted to the AAO.

The petitioner failed to address specifically the grounds for denial set forth in the decision of the director.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

Inasmuch as the petitioner has failed to identify specifically an erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.

¹ A culinary program.