

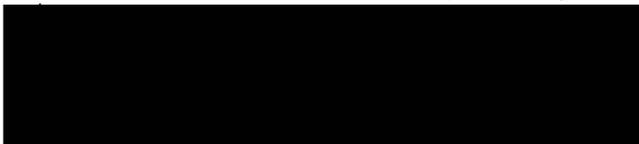
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U.S. Department of Homeland Security  
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U.S. Citizenship  
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FILE: [REDACTED] Office: NEBRASKA SERVICE CENTER Date: **NOV 20 2006**  
(LIN-06-076-50420 relates)

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Travel Document Pursuant to Section 223 of the Immigration and Nationality Act, 8 U.S.C. § 1203.

ON BEHALF OF APPLICANT: 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, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Acting Director, Nebraska Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of Honduras, who seeks to obtain a travel document (reentry permit) under section 223 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1203. The Acting Director denied the Application for Travel Document (Form I-131) after determining that the applicant did not provide the required photographs. *See Acting Director's Decision* dated July 5, 2006.

On appeal, the applicant states that he submitted photographs twice without realizing that the passport style photograph was incorrect. On appeal, the applicant submits a new set of photographs and requests that the Service considers his application for a reentry permit.

The regulation at 8 C.F.R. § 103.2 states in pertinent part:

*(b) Evidence and processing. (1) General.* An applicant or petitioner must establish eligibility for a requested immigration benefit. An application or petition form must be completed as applicable and filed with any initial evidence required by regulation or by the instructions on the form. Any evidence submitted is considered part of the relating application or petition.

The record of proceeding reflects that the applicant filed a Form I-131 on January 13, 2006. With his application the applicant submitted three-quarter face photographs. The Acting Director informed the applicant on two separate occasions that full-frontal face photographs are required. In addition, the Acting Director informed the applicant that for specific information on acceptable passport photos the applicant should visit the Department of State website. On appeal, the applicant once again submits the wrong photographs. Instead of submitting full-frontal face photographs the applicant submitted three-quarter face photographs. Citizenship and Immigration Services has not accepted three-quarter face photographs since September 1, 2004. Since the applicant has not provided the required full-frontal face photographs the application may not be approved.

If a lawful permanent resident seeks to reenter the United States and does not possess a reentry permit, he/she should contact a United States consulate abroad for further information regarding his/her possible options for return to the United States.

Section 291 of the Act, 8 U.S.C. § 1361, provides that the burden of proof is upon the applicant to establish eligibility for the benefit sought. Here, the applicant has not met that burden. Accordingly, the appeal will be dismissed.

**ORDER:** The appeal is dismissed.