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FILE:

Office: National Benefits Center

Date: FEB 05 2004

IN RE: Applicant:

APPLICATION: Application for Status as a Permanent Resident pursuant to Section 1104 of the Legal Immigration Family Equity (LIFE) Act of 2000, Pub. L. 106-553, 114 Stat. 2762 (2000), amended by Life Act Amendments, Pub. L. 106-554, 114 Stat. 2763 (2000).

ON BEHALF OF APPLICANT: Self-represented

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the National Benefits Center. If your appeal was sustained, or if the matter was remanded for further action, you will be contacted. If your appeal was dismissed, you no longer have a case pending before this office, and you are not entitled to file a motion to reopen or reconsider your case.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the Director, Missouri Service Center. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The director concluded that the applicant had not established he had applied for class membership in any of the requisite legalization class-action lawsuits prior to October 1, 2000 and, therefore, denied the application.

On appeal, the applicant states that in addition to his current application he had another action before the INS (now Citizenship and Immigration Services, or CIS) identified as no [REDACTED]. He also furnished copies of two documents he allegedly submitted to an INS office in 1998.

An applicant for permanent resident status under the LIFE Act must establish that before October 1, 2000, he or she filed a written claim with the Attorney General for class membership in one of the following legalization class-action lawsuits: *Catholic Social Services, Inc. v. Meese*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993) ("CSS"), *League of United Latin American Citizens v. INS*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993) ("LULAC"), or *Zambrano v. INS*, vacated sub nom. *Immigration and Naturalization Service v. Zambrano*, 509 U.S. 918 (1993) ("Zambrano"). See section 1104(b) of the LIFE Act and 8 C.F.R. § 245a.10.

The regulations provide an illustrative list of documents that an applicant may submit to establish that he or she filed a written claim for class membership before October 1, 2000. Those regulations also permit the submission of "[a]ny other relevant document(s)." See 8 C.F.R. § 245a.14.

The applicant does not even assert, much less submit any supporting documentation, that he filed a written claim for class membership in any of the three legalization lawsuits. One of the documents furnished on appeal is a photocopy of notice from CIS to the applicant advising that his registration number was [REDACTED] with regard to the Form I-807 he had filed. As explained by the director in his decision, Form I-807 relates to the Replenishment Agricultural Worker (RAW) program. The other document furnished on appeal is a Spanish-language form letter from Amnesty Services / Amnesty School which appears to refer to the \$10.00 fee for filing a Form I-807. See also 8 C.F.R. § 103.7. Registration in the RAW program does not constitute an application for class membership in any of the legalization class-action lawsuits, *CSS*, *LULAC*, or *Zambrano*. Furthermore, the LIFE Act contains no provision allowing for the reopening or reconsideration of applications filed in the RAW program.

The applicant has not provided any evidence that he applied for class membership in one of the requisite lawsuits. Nor are there any records within CIS which demonstrate that the applicant applied for class membership. Accordingly, the applicant has not established his eligibility for permanent resident status under section 1104 of the LIFE Act.

ORDER: The appeal is dismissed. This decision constitutes a final notice of ineligibility.