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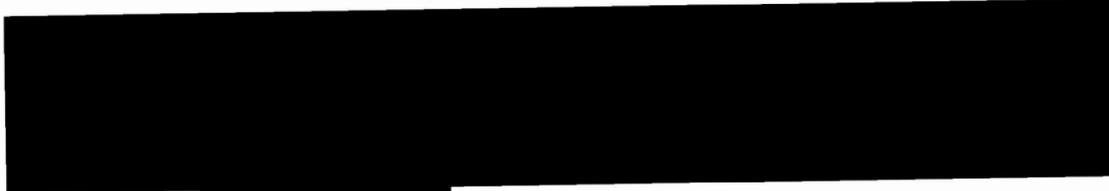
U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



Citizenship  
and Immigration  
Services

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FILE: [redacted] Office: VERMONT SERVICE CENTER Date: JAN 17 2007  
EAC 05 087 51496

IN RE: Petitioner: [redacted]  
Beneficiary: [redacted]

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)

ON 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, Chief  
Administrative Appeals Office

**DISCUSSION:** The Director, Vermont Service Center, denied the employment-based immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The petitioner is identified as a church of the Assemblies of God denomination. It seeks to classify the beneficiary as a 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), to perform services as a minister. The director determined that the petitioner had not established its status as a tax-exempt religious organization, or that the beneficiary had the requisite qualifications and experience as a minister.

8 C.F.R. § 103.3(a)(1)(iii) states that, for purposes of appeals, certifications, and reopening or reconsideration, “affected party” (in addition to Citizenship and Immigration Services (CIS)) means the person or entity with legal standing in a proceeding. It does not include the beneficiary of a visa petition. 8 C.F.R. § 103.3(a)(2)(v) states that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee CIS has accepted will not be refunded.

Form I-290B, Notice of Appeal, was not signed by any official of the petitioning church. Instead, the appeal form was signed by [REDACTED] who identifies himself as a minister and “representative.” There is no evidence that Mr. [REDACTED] is an accredited representative of an organization described at 8 C.F.R. § 292.2, as required by 8 C.F.R. § 292.1(a)(4). Mr. [REDACTED] also claims to hold a law degree, but he has not shown that he is a member of the bar or meets the definition of “attorney” at 8 C.F.R. § 1.1(f). Pursuant to 8 C.F.R. § 292.2(a)(iii), a law graduate who is not a member of the bar may represent an affected party only without remuneration and under the direct supervision of a licensed attorney or accredited representative. There is no evidence that Mr. [REDACTED] has met these requirements.

On December 18, 2006, the AAO allowed Mr. [REDACTED] 15 days to submit documentation showing that he is qualified to represent affected parties under the above regulations. The AAO has received no response, and hereby acts based on the record as it now stands. Because Mr. [REDACTED] has not established standing as an attorney or representative, we cannot accept any appeal that he has filed on behalf of any affected party. We must, therefore, reject the appeal as improperly filed.

**ORDER:** The appeal is rejected.