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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



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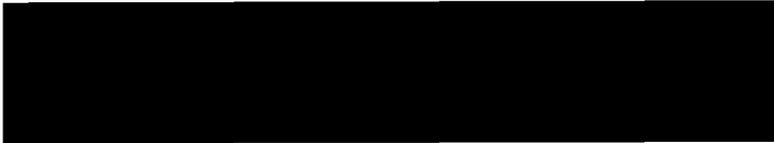
FILE: [REDACTED] Office: CHICAGO
MSC 02 212 61336

Date: **MAR 08 2010**

IN RE: Applicant: [REDACTED]

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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

Perry Rhew
Chief, Administrative Appeals Office

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

The director denied the application because the applicant had not demonstrated that he had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988 as required by section 1104(c)(2)(B) of the LIFE Act.

On appeal, counsel reiterated the applicant's claim of residence in this country for the required period and asserted that the applicant submitted sufficient evidence in support of such claim. Counsel contended that the applicant had submitted a response to the notice of intent to deny that was not acknowledged by the director in the notice of denial. Counsel provided copies of this response and corresponding supporting documents.

An applicant for permanent resident status under section 1104 of the LIFE Act must establish entry into the United States before January 1, 1982 and continuous residence in the United States in an unlawful status since such date and through May 4, 1988. Section 1104(c)(2)(B) of the LIFE Act and 8 C.F.R. § 245a.11(b).

The applicant has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States under the provisions of section 212(a) of the Immigration and Nationality Act (Act), and is otherwise eligible for adjustment of status under this section. The inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. 8 C.F.R. § 245a.12(e).

Although the regulation at 8 C.F.R. § 245a.2(d)(3) provides an illustrative list of contemporaneous documents that an applicant may submit in support of his or her claim of continuous residence in the United States in an unlawful status since prior to January 1, 1982 to May 4, 1988, the submission of any other relevant document including affidavits is permitted pursuant to 8 C.F.R. § 245a.2(d)(3)(vi)(L).

The "preponderance of the evidence" standard requires that the evidence demonstrate that the applicant's claim is "probably true," where the determination of "truth" is made based on the factual circumstances of each individual case. *Matter of E-M-*, 20 I&N Dec. 77, 79-80 (Comm. 1989). In evaluating the evidence, *Matter of E-M-* also stated that "[t]ruth is to be determined not by the quantity of evidence alone but by its quality." *Id.* At 80. Thus, in adjudicating the application pursuant to the preponderance of the evidence standard, the director must examine each piece of evidence for relevance, probative value, and credibility, both individually and within the context of the totality of the evidence, to determine whether the fact to be proven is probably true. *Id.*

Even if the director has some doubt as to the truth, if the petitioner submits relevant, probative, and credible evidence that leads the director to believe that the claim is “probably true” or “more likely than not,” the applicant or petitioner has satisfied the standard of proof. *See U.S. v. Cardozo-Fonseca*, 480 U.S. 421, 431 (1987) (defining “more likely than not” as a greater than 50 percent probability of something occurring). If the director can articulate a material doubt, it is appropriate for the director to either request additional evidence or, if that doubt leads the director to believe that the claim is probably not true, deny the application or petition.

At issue in this proceeding is whether the applicant has submitted sufficient credible evidence to meet his burden of establishing his continuous unlawful residence in the United States during the requisite period. Here, the applicant has failed to meet this burden.

The applicant made a claim to class membership in a legalization class-action lawsuit and as such, was permitted to file a Form I-687, Application for Temporary Resident Status Pursuant to Section 245A of the Act, on September 7, 1990. Subsequently, the applicant filed his Form I-485 LIFE Act application on April 30, 2002.

In support of his claim of residence in the United States for the requisite period, the applicant submitted employment letters, an affidavit relating to the applicant’s attempt to apply for legalization with the Service in October 1987, photocopied pages from his Jordanian passport, photocopied pages from savings account passbook, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-For Academic and Language Students, photocopied student grade reports, photocopied postmarked postcards, and photocopied postmarked envelopes.

The director determined that the applicant failed to submit sufficient credible evidence demonstrating his residence in the United States in an unlawful status during the period in question and, therefore, denied the Form I-485 LIFE Act application on January 22, 2004.

Counsel’s remarks on appeal relating to the sufficiency of the evidence submitted by the applicant in support of his claim of continuous residence are noted. However, during the adjudication of the applicant’s appeal, information came to light that adversely affects the applicant’s overall credibility as well as the credibility of his claim of residence in this country from prior to January 1, 1982 to May 4, 1988. As has been previously discussed, the applicant submitted supporting documentation including photocopied postcards postmarked December 12, 1981 and January 13, 1982 and photocopied envelopes postmarked March 30, 1981, April 5, 1981, May 28, 1981, June 11, 1981, August 5, 1981, September 10, 1981, October 9, 1981, January 7, 1982, February 15, 1982, April 28, 1982, May 6, 1982, July 25, 1982, October 7, 1982, December 8, 1982, February 2, 1983, April 21, 1983, July 3, 1983, October 20, 1983, and an indeterminate day in October 1986, respectively. The envelopes bear Jordanian postage stamps and were represented as having been mailed from Jordan to the applicant at the addresses in this country he claimed as his residences as of the date of these respective postmarks. A review of the *2009 Scott Standard Postage Stamp Catalogue Volume 4* (Scott Publishing Company 2008), reveals the following:

- The envelope postmarked March 30, 1981 bears two of the same stamp each with a value of forty fils that commemorates the opening of the Jordan Postal Museum. The stamp contains reproductions of two previously issued Jordanian stamps. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1081 A156. The envelope also bears two of the same stamp each with a value of fifty fils that commemorates the opening of the Jordan Postal Museum. The stamp contains reproductions of two previously issued Jordanian stamps. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1082 A156. The catalogue lists these stamps' date of issue as July 1, 1981.
- The envelope postmarked June 11, 1981 bears two of the same stamp each with a value of forty fils that commemorates famous Arab women. This stamp contains a stylized illustration of the writer, El-Khansa, with a quill pen in an inkwell in the foreground. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1084 A157. The catalogue lists this stamp's date of issue as August 25, 1981.
- The envelope postmarked August 5, 1981 bears two of the same stamp each with a value of fifty fils that commemorates International Year of Disabled Persons in 1981. This stamp contains a stylized illustration of burning candles on the left and the logo of the International Year of Disabled Persons on the right. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1091 A159. The catalogue lists this stamp's date of issue as November 14, 1981.
- The envelope postmarked January 7, 1982 bears two of the same stamp each with a value of fifty fils that commemorates the Thirtieth Anniversary of the Arab Postal Union. The stamp contains a stylized illustration of the logo of the Arab Postal Union encircled by the letter "J" in the colors of the Jordanian flag. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1101 A162. The envelope also bears a stamp with a value of one hundred fils that commemorates the Thirtieth Anniversary of the Arab Postal Union. The stamp contains a stylized illustration of the logo of the Arab Postal Union encircled by the letter "J" in the colors of the Jordanian flag. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1102 A162. The catalogue lists these stamps' date of issue as April 12, 1982. The envelope also bears a stamp with a value of twenty-five fils that contains a portrait of King Hussein. This stamp is listed at pages 130 and 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1140 A170. The catalogue lists this stamp's date of issue as March 3, 1983.

- The postcard postmarked January 13, 1982 bears a stamp with a value of one hundred fils that contains a portrait of King Hussein. This stamp is listed at pages 130 and 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1143 A170. The catalogue lists this stamp's date of issue as March 3, 1983.
- The envelope postmarked February 15, 1982 bears two of the same stamp each with a value of twenty-five fils that commemorates Independence and Army Day and the thirtieth anniversary King Hussein's accession to the throne. The stamp contains a stylized illustration of tanks crossing a bridge on the left and a portrait of King Hussein in a beret on the right. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1104 A163. The envelope also bears a stamp with a value of fifty fils that commemorates Independence and Army Day and the thirtieth anniversary King Hussein's accession to the throne. The stamp contains a stylized illustration of tanks traveling across sand dunes on the left and a portrait of King Hussein in a beret on the right. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1106 A163. The envelope also bears a stamp with a value of one hundred fils that commemorates Independence and Army Day and the thirtieth anniversary King Hussein's accession to the throne. The stamp contains a stylized illustration of soldiers raising a flag on the left and a portrait of King Hussein in a beret on the right. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1107 A163. The catalogue lists these stamps' date of issue as May 25, 1982.
- The envelope postmarked April 28, 1982 bears a stamp with a value of one hundred fils that commemorates the opening of the Salt Secondary School in Jordan. The stamp contains a photograph of the entrance and front of the Salt Secondary School. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1112 A164. The catalogue lists this stamp's date of issue as September 12, 1982. The envelope also bears a stamp with a value of twenty-five fils that contains a portrait of King Hussein. This stamp is listed at pages 130 and 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1140 A170. The catalogue lists this stamp's date of issue as March 3, 1983.
- The envelope postmarked May 6, 1982 bears a stamp with a value of fifty fils that commemorates the opening of the Salt Secondary School in Jordan. The stamp contains a photograph of the entrance and front of the Salt Secondary School. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage*

Stamp Catalogue as catalogue number 1111 A164. The catalogue lists this stamp's date of issue as September 12, 1982.

- The envelope postmarked July 25, 1982 bears a stamp with a value of fifty fils that commemorates the Second United Nations Conference on Peaceful Uses of Outer Space in Vienna, Austria from August 9, 1982 to August 21, 1982. The stamp contains a stylized illustration of a satellite dish in the lower left corner, the outline of a portion of the planet Earth in the lower right corner, a celestial map in the upper left corner and the logo of the United Nations in the upper right corner. This stamp is listed at page 130 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1127 A167. The catalogue lists this stamp's date of issue as December 1, 1982. The envelope also bears two of the same stamp each with a value of twenty-five fils that contains a portrait of King Hussein. This stamp is listed at pages 130 and 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1140 A170. The catalogue lists this stamp's date of issue as March 3, 1983.
- The envelope postmarked October 7, 1982 bears a stamp with a value of forty fils that contains a portrait of King Hussein. This stamp is listed at pages 130 and 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1141 A170. The catalogue lists this stamp's date of issue as February 8, 1983. The envelope also bears a stamp with a value of sixty fils that contains a portrait of King Hussein. This stamp is listed at pages 130 and 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1142 A170. The catalogue lists this stamp's date of issue as February 1, 1983. The envelope also contains a stamp with a value of forty fils that commemorates the the Massacre at the Shatilla and Sabra Palestinian Refugee Camps in Lebanon on September 17, 1982. The stamp contains a stylized illustration of three frightened children. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1147 A171. The catalogue lists this stamp's date of issue as April 9, 1983.
- The envelope postmarked December 8, 1982 bears a stamp with a value of twenty-five fils that contains a portrait of King Hussein. This stamp is listed at pages 130 and 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1140 A170. The catalogue lists this stamp's date of issue as March 3, 1983.
- The envelope postmarked February 2, 1983 bears a stamp with a value of twenty five fils that commemorates the proclamation of October 16th as the annual World Food Day by the United Nations. The stamp contains a photograph of greenhouses framed by a stylized illustration of an edible grain. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp*

Catalogue as catalogue number 1167 A175. The catalogue lists this stamp's date of issue as October 16, 1983. The envelope also bears a stamp with a value of twenty-five fils that commemorates the proclamation of 1983 as World Communications Year by the United Nations. This stamp contains the symbol of World Communications Year in the upper left corner, a series of telephones in the lower left corner, bolts of electricity in the upper right corner and an Earth satellite station in the lower right corner. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1172 A176. The envelope also bears a stamp with a value of fifty fils that commemorates the proclamation of 1983 as World Communications Year by the United Nations. This stamp contains a stylized illustration of a Jordanian flag draped over a globe in the center flanked on both sides by the symbol of the World Communications Year. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1173 A176. The envelope also bears a stamp with a value of one hundred fils that commemorates the proclamation of 1983 as World Communications Year by the United Nations. This stamp contains the symbol of World Communications Year in the upper left corner, a series of telephones in the lower left corner, bolts of electricity in the upper right corner and an airmailed envelope. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1175 A176. The catalogue lists these stamps' date of issue as November 14, 1983.

- The envelope postmarked April 21, 1983 bears a stamp with a value of fifty fils that commemorates the Royal Academy for Islamic Cultural Research. The stamp contains a stylized illustration of the Dome of the Rock in Jerusalem. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1164 A174. The catalogue lists this stamp's date of issue as September 16, 1983. The envelope also bears a stamp with a value of fifty fils that commemorates the proclamation of October 16th as the annual World Food Day by the United Nations. The stamp contains a photograph of tractor in a field framed by a stylized illustration of an edible grain. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1169 A175. The catalogue lists this stamp's date of issue as October 16, 1983.
- The envelope postmarked July 3, 1983 bears a stamp with a value of forty fils that commemorates the Royal Academy for Islamic Cultural Research. The stamp contains a stylized illustration of the Mosque in Amman, Jordan. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1163 A174. The catalogue lists this stamp's date of issue as September 16, 1983. The envelope also bears a stamp with a value of forty fils that commemorates the proclamation of October 16th as the annual

World Food Day by the United Nations. The stamp contains a photograph of Light-grown crops framed by a stylized illustration of an edible grain. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1168 A175. The catalogue lists this stamp's date of issue as October 16, 1983. The envelope also bears a stamp with a value of forty fils that commemorates the proclamation of 1983 as World Communications Year by the United Nations. This stamp contains the symbol of World Communications Year on the left and a stylized illustration of means of communication on the right. This stamp is listed at page 131 of Volume 4 of the *2009 Scott Standard Postage Stamp Catalogue* as catalogue number 1173 A176. The catalogue lists these stamps' date of issue as November 14, 1983.

The fact that a photocopied postcard postmarked January 13, 1982 and photocopied envelopes postmarked March 30, 1981, June 11, 1981, August 5, 1981, January 7, 1982, February 15, 1982, April 28, 1982, May 6, 1982, July 25, 1982, October 7, 1982, December 8, 1982, February 2, 1983, April 21, 1983, and July 3, 1983 all bear postage stamps that were not issued until well after the date of these postmarks establishes that the applicant utilized these documents in a fraudulent manner and made material misrepresentations in an attempt to establish his residence within the United States for the requisite period. This derogatory information establishes that the applicant made material misrepresentations in asserting his claim of residence in the United States for the period in question and thus casts doubt on his eligibility for adjustment to permanent residence under the provisions of the LIFE Act. By engaging in such an action, the applicant has negated his own credibility, the credibility of his claim of continuous residence in this country for the requisite period, and the credibility of all documentation submitted in support of such claim.

Doubt cast on any aspect of the applicant's proof may lead to a reevaluation of the reliability and sufficiency of the remaining evidence offered in support of the visa petition. It is incumbent upon the applicant to resolve any inconsistencies in the record by independent objective evidence, and attempts to explain or reconcile such inconsistencies, absent competent objective evidence pointing to where the truth, in fact, lies, will not suffice. *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988).

The AAO issued a notice to the applicant and counsel on January 13, 2010, informing the parties that it was the AAO's intent to dismiss the applicant's appeal based upon the fact that he utilized the postmarked envelope cited above in a fraudulent manner and made material misrepresentations in an attempt to establish his residence within the United States for the requisite period. The parties were granted fifteen days to provide evidence to overcome, fully and persuasively, these findings.

In response, the applicant submits a statement in which he objects to the AAO's reliance upon the *2009 Scott Standard Postage Stamp Catalogue* as an authority to determine the issue date of stamps. Specifically, the applicant objects to the AAO's reliance upon the *Scott Standard*

Postage Stamp Catalogue as a basis of authority regarding postage stamps because it is not an official Jordanian government source. It is acknowledged that the *Scott Standard Postage Stamp Catalogue* is published by a private company, Scott Publishing Co, a subsidiary of Amos Press Inc. A review of the Amos Press Inc., internet website at <http://www.amospress.com/History.aspx> reveals the following:

In 1984 Amos Publishing became the world's largest philatelic publisher with the purchase of Scott Publishing Company. Scott is the most recognized name in stamp collecting and is both a publisher and merchandiser of stamp related products. The internationally renowned, 8-volume *Scott Standard Postage Stamp Catalogue* is produced annually to assist collectors in valuing and identifying their stamp holdings. A monthly magazine is also produced under the Scott name which provides collectors with entertaining and informative feature articles along with the very latest new stamp issues from around the world.

While the *Scott Standard Postage Stamp Catalogue* is privately published, it is considered to be so authoritative on the subject of postage stamps and philately (stamp collecting) that the United States Postal Service has adopted the *Scott* Numbering System as its own for identification purposes of all postage stamps issued by the United States. Further, recent editions of the *Scott Standard Postage Stamp Catalogue* are maintained at the reference desks of a large number of public libraries in the United States because the catalogue is considered to be an authoritative resource source on the subject of postage stamps and philately.

The applicant argues that the 2009 *Scott Standard Postage Stamp Catalogue* notes that stamps are issued on dates prior to the issue dates listed for particular stamps in the catalogue while in some cases it is impossible to determine the specific issue date of a stamp. Although the 2009 *Scott Standard Postage Stamp Catalogue* acknowledges that it is unable to determine the date of issue for some stamps, the catalogue specifically states that it classifies the date of issue for such stamps as "No release date." Furthermore, in those cases where a date of issue cannot be determined to the exact month and day for a particular stamp, the *Scott Standard Postage Stamp* will list only the year in which that particular stamp was released as a date of issue. In addition, the editors of the *Scott Standard Postage Stamp Catalogue* correct and update any past inaccuracies or discrepancies by including a specific section at the end of each volume of the catalogue listing each and every addition, deletion, and change in information relating to any stamp in that volume that may have been printed in previous annual editions. The applicant provides a printout dated February 10, 2010 of comments and postings relating to examples of United States and Australian stamps purportedly being used prior to official dates of issue made on the Postage Stamp Chat Board and Stamp Bulletin Board Forum at the internet website <http://www.stampboards.com>. However, the applicant failed to provide any evidence that any of the Jordanian stamps contained in the envelopes and postcard cited above were in use prior to the dates of issue listed in Volume 4 of the 2009 *Scott Standard Postage Stamp Catalogue*. Going on record without supporting documentary evidence is not sufficient for purposes of meeting the

burden of proof in these proceedings. *Matter of Soffici*, 22 I&N Dec. 158, 165 (Comm. 1998)(citing *Matter of Treasure Craft of California*, 14 I&N Dec. 190 (Reg. Comm. 1972)).

The applicant claims that the Jordanian Postal Service in the 1980's was corrupt in nature with employees and private contractors who regularly engaged in extortion, fraud, and practices such as the release and sale of stamps prior to listed dates of issue. The applicant declares that it was not he that had perpetrated fraud with the postage stamps in question but rather he was the victim of fraud committed by other individuals in Jordan. The applicant indicates that the postmarked envelopes and postcard in question had been mailed from Jordan to him in the United States on the dates of the respective postmarks. In support of this contention, the applicant submits a statement signed by [REDACTED] who asserts that he was an employee of the Jordanian Postal Service at the main branch located in downtown Amman, Jordan from February 24, 1969 to his retirement in 1990. [REDACTED] notes that employees of the Jordanian Postal Service regularly sold stamps before the official date of issue for such stamps. Nevertheless, neither the applicant nor [REDACTED] provides any evidence to demonstrate either that [REDACTED] worked for the Jordanian Postal Service as claimed or the level of corruption and misdeeds engaged in by employees of this organization in the 1980's.

The existence of derogatory information that establishes the applicant used a postmarked postcard and envelopes in a fraudulent manner and made material misrepresentations negates the credibility of the applicant's claim of residence in this country for the requisite period, as well as the credibility of the documents submitted in support of such claim. Pursuant to 8 C.F.R. § 245a.12(e), the inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. The applicant has failed to submit sufficient credible documentation to meet his burden of proof in establishing that he has resided in the United States for the requisite period by a preponderance of the evidence as required under both 8 C.F.R. § 245a.12(e) and *Matter of E- M-*, 20 I&N Dec. 77 (Comm. 1989).

Given the applicant's reliance upon documents with minimal or no probative value, it is concluded that he has failed to establish continuous residence in an unlawful status in the United States from prior to January 1, 1982 through May 4, 1988 as required under section 1104(c)(2)(B) of the LIFE Act. Because the applicant has failed to provide independent and objective evidence to overcome, fully and persuasively, our finding that he submitted falsified documents, we affirm our finding of fraud. The applicant is, therefore, ineligible for permanent resident status under section 1104 of the LIFE Act on this basis as well.

A finding of fraud is entered into the record, and the matter will be referred to the United States Attorney for possible prosecution as provided in 8 C.F.R. § 245a.21(c).

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