U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF B-C-, INC.

DATE: JULY 27, 2018

APPEAL OF NEBRASKA SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a construction company, seeks to employ the Beneficiary as a project engineer. It requests classification of the Beneficiary as a professional under the third preference immigrant classification. Immigration and Nationality Act (the Act) section 203(b)(3)(A)(ii), 8 U.S.C. § 1153(b)(3)(A)(ii). This employment-based "EB-3" immigrant classification allows a U.S. employer to sponsor a professional with a baccalaureate degree for lawful permanent resident status.

The Director of the Nebraska Service Center denied the petition on the ground that the Beneficiary's educational degree was a three-year degree and therefore not equivalent to a U.S. baccalaureate degree, the minimum level required for classification as a professional.

On appeal, the Petitioner submits a brief and additional documentation.

Upon *de novo* review, we find that the documentation in the record establishes that the Beneficiary's degree comprised four academic years of coursework and demonstrates that the degree is comparable to a bachelor's degree in mechanical engineering from an accredited college or university in the United States. As such, the Beneficiary meets the minimum educational requirement of the labor certification and is eligible for professional classification. Accordingly, we withdraw the Director's decision.

ORDER: The appeal is sustained.

Cite as *Matter of B-C-, Inc.*, ID# 1606796 (AAO July 27, 2018)