



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 8911063

Date: SEP. 30, 2020

Appeal of Vermont Service Center Decision

Form I-129, Petition for a Nonimmigrant Worker

The Petitioner, an information technology consulting company, seeks to temporarily employ the Beneficiary as a “technical implementation lead” under the H-1B nonimmigrant classification for specialty occupations. See Immigration and Nationality Act (the Act) section 101(a)(15)(H)(i)(b), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The H-1B program allows a U.S. employer to temporarily employ a qualified foreign worker in a position that requires both (a) the theoretical and practical application of a body of highly specialized knowledge and (b) the attainment of a bachelor’s or higher degree in the specific specialty (or its equivalent) as a minimum prerequisite for entry into the position.

The Director of the Vermont Service Center denied the petition, concluding that the record did not establish that the proffered position qualifies as a specialty occupation. On appeal, the Petitioner asserts that the Director erred in denying the petition.

U.S. Citizenship and Immigration Services records indicate the agency adjusted the Beneficiary’s status to that of a lawful permanent resident in September 2020. Though the Petitioner has not withdrawn the appeal, the issues in this proceeding are moot because the Beneficiary is now a lawful permanent resident of the United States.

ORDER: The appeal is dismissed.