

MATTER OF WOLFE

In SECTION 245 Proceedings

A-11149323

*Decided by Acting Regional Commissioner June 23, 1964*

Adjustment of status under section 245, Immigration and Nationality Act, as amended, is denied in the exercise of discretion to an Iranian student whose education in this country was financed by the Iranian government and who is committed to return to Iran and work for the government since, in the opinion of the Department of State, such adjustment may adversely affect the relations between the governments of the United States and Iran in the absence of evidence that applicant has made firm plans to return to Iran at a specific future date or has made mutually satisfactory arrangements for repaying the Iranian government.

This case is on certification from the decision of the District Director denying the application on the ground that adjustment of her status to that of a permanent resident may adversely affect our relations with Iran.

The applicant is a twenty-seven-year-old female, native and citizen of Iran, who was last admitted to the United States at New York, New York on September 2, 1961, as a student pursuant to section 101 (a) (15) (F) of the Immigration and Nationality Act. She first entered the United States on June 20, 1958, as a student and remained until June 1960. She was again admitted to the United States as a student on September 10, 1960, and remained until June 1961. The applicant's education was financed by the Iranian Government and she received \$160 monthly from the Iranian Ministry of Education between September 1958 and June 1962. She signed a commitment to return and work for the government for the same period of time that she had spent in the United States. In the brief submitted by the applicant's United States citizen husband, he stated that they had received a statement from the Iranian Government informing the applicant that she owed them \$10,380. The Secretary of State, through his designated representative, has made the following statement: "Mrs. Wolfe's case appears to be one in which the adjustment of status to permanent resident would cause the Iranian Government

Interim Decision #1368

to feel that its interests had not been taken into account. Therefore, the Department suggests that before Mrs. Wolfe's status is changed, the Service require that she show evidence that she has made firm plans to return to Iran at a specific future date or that she has reached a mutually satisfactory arrangement with the Iranian authorities for repaying the Iranian Government at least some of the money it has invested in her education".

While the applicant's husband stated his willingness to repay the money, he has not presented any evidence of satisfactory arrangements with the Iranian Government.

The present facts in this case do not warrant favorable exercise of the Attorney General's discretion. When and if the applicant makes satisfactory arrangements with the Iranian authorities to repay the money and obtains a release from her commitment, favorable action could be considered.

**ORDER:** It is ordered that the order entered by the District Director on May 25, 1964, be affirmed.