MATTER OF TOBA

In Visa Petition Proceedings

A-14076092

Decided by Acting Regional Commissioner July 21, 1965

Since judo training is substantially beneficial to the welfare and cultural interests of the United States as it helps build physical fitness, courage, and alertness in man, eligibility for first preference status under section 203(a)(1), Immigration and Nationality Act, as amended, as a judo instructor, is established by an alien who is a high school graduate, who holds a fourth degree judo belt diploma, and who has had one year of experience as a judo instructor.

This case is on appeal from the decision of the district director who denied the petition. The reason for denial was that the petitioner had not established an urgent need for the services of the beneficiary nor that such services would be beneficial to the national economy, cultural interests or welfare of the United States.

The petitioner, Obukan Judo Dojo, Inc., is a nonprofit organization whose purpose is to promote the physical fitness program. The organization has about 100 student members and an annual income from dues, fees, donations, and gifts of about $10,000. The petitioner desires to employ the beneficiary to fill an existing vacancy as a physical instructor to teach judo to the member students for periods totaling 25 hours per week. He can teach individuals private lessons when not employed in regular class periods. The petitioner has stated that the position requires a person who is a high school graduate and holds a fourth grade judo belt federation diploma, and who has had one year of experience as a judo-dojo instructor.

The beneficiary is a 25-year-old citizen of Japan who is presently in the United States. He has been employed by the petitioner in the position of instructor of judo since the petition was filed. He is a graduate of Nihon University and holds the rank of fourth degree black belt in judo. He instructed in judo at the Shiina Dojo

at Tochigi Prefecture, Japan, from March 1, 1962, to December 31, 1962, and at Nihon University, Tokyo, Japan, from April 10 through July 10, 1963.

The information submitted with the appeal has been carefully reviewed. It is concluded that judo training is substantially beneficial to the welfare and cultural interests of the United States as it helps to build physical fitness, courage, and alertness in man. We also find that the petitioner has established a need for the services of the beneficiary as an instructor. Therefore, the petition will be approved.

ORDER: It is ordered that the appeal be and the same is hereby sustained.