MATTER OF KOWARSKI

In Visa Petition Proceedings

SNA-N-608

Decided by District Director December 28, 1967

An alien of distinguished achievements in European nuclear science and research coming to this country as a visiting university professor for the 1968 spring semester in a teaching and research position in which he will impart new and original concepts and an international perspective to nuclear science and engineering, is coming to the United States to perform "temporary services" within the meaning of section 101(a)(15)(H)(i) of the Immigration and Nationality Act since the teaching responsibilities to be discharged by him will be exceptional in nature and unique to his specific background and specialized experience.

Discussion: The University of Texas, Austin, Texas, has submitted a petition to classify nonimmigrant as temporary worker in behalf of Dr. Lew Kowarski. Dr. Kowarski is a French citizen, having received a degree in chemical engineering from the University of Lyons in 1928, and the Docteures-Science Physiques from the University of Paris in 1934. He is listed in the International Who's Who, 1966–67, and has many distinguished achievements and publications in the area of neutron physics, reactor technology, and organization of nuclear research. He presently holds the position as Head of the Data Handling Division, European Center for Nuclear Research, in Geneva, Switzerland.

The university desires to employ Dr. Kowarski as a visiting professor for the spring semester 1968. It is a teaching and research position in the department of mechanical and nuclear engineering.

The university has stated that it is increasingly important for students of nuclear engineering to acquire international perspective in their work and in particular to become well informed regarding European developments both in nuclear science and nuclear engineering. Dr. Kowarski, with his broad background of experience, will provide an exceptional opportunity for the students to enrich their educational programs. In this case, the concept is suported that the position is temporary because Dr. Kowarski will discharge his teaching responsi-

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bilities in a different manner reflecting his particular training and cultural background. He will also inject into the university's program new and original ideas and concepts in fission physics.

The beneficiary is being petitioned for to perform duties which will be exceptional in nature and unique to his specific background and specialized experience. For this reason, the duties can be distinguished from duties performed by permanent faculty members of the university. Evidence has been submitted that the beneficiary has a foreign residence which he has no intention of abandoning, and is a person of distinguished merit and ability.

On consideration of these facts, it is concluded that the contemplated duties of Dr. Kowarski as specified in the petition by the University of Texas fall within the meaning of temporary in nature as required under the governing statute. Therefore the petition will be approved.

ORDER: It is ordered that the petition to accord the beneficiary classification under section 101(a) (15) (H) (i) of the Immigration and Nationality Act be and is hereby approved.