U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41736750

Date: APR. 29, 2026

Appeal of Service Center Operations (SCOPS) Decision

Form I-140, Immigrant Petition for Alien Workers (Extraordinary Ability)

The Petitioner, an international program director and public policy analyst, requests classification under the employment-based, first-preference (EB-1) immigrant visa category as an alien with "extraordinary ability." *See* Immigration and Nationality Act (the Act) section 203 (b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). Successful petitioners for U.S. permanent residence in this category must demonstrate "sustained national or international acclaim" and extensively document recognition of their achievements in their fields. Section 203(b)(1)(A)(i) of the Act.

Service Center Operations (SCOPS) denied the petition, concluding the record did not establish that the Petitioner had satisfied at least three of ten initial evidentiary criteria for this classification, as required. The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3.

The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

I. LAW

To qualify for this immigrant visa category, a petitioner must demonstrate that he or she:

- Has "extraordinary ability in the sciences, acts, education, business, or athletics;"
- Seeks to continue work in his or her field of expertise in the United States; and
- Would substantially benefit prospectively the country as a permanent resident.

Section 203(b)(1)(A)(i)-(iii) of the Act.

The term "extraordinary ability" means expertise commensurate with "one of that small percentage who have risen to the very top of the field of endeavor." 8 C.F.R. § 204.5(h)(2).[1] The implementing regulation at 8 C.F.R. § 204.5(h)(3) sets forth two options for satisfying this classification's initial

[1] If an evidentiary criterion does not "readily apply" to a petitioner's occupation, he or she may submit "comparable evidence" to establish eligibility. 8 C.F.R. § 204.5(h)(4).

evidence requirements. First, a petitioner can demonstrate a one-time achievement (that is, a major, internationally recognized award). If that petitioner does not submit this evidence, then he or she must provide documentation that meets at least three of the ten categories listed at 8 C.F.R. § 204.5(h)(3)(i) – (x) (including items such as awards, published material in certain media, and scholarly articles).

If a petitioner meets either evidentiary standard and the requirements of section 203(b)(1)(A)(ii), (iii) of the Act, U.S. Citizenship and Immigration Services (USCIS) must then make a final merits determination. To merit approval, the record – as a whole – must establish a petitioner's "sustained national or international acclaim" and recognized achievements placing him or her among the small percentage at the very top of his or her field. *See Kazarian v. USCIS*, 596 F.3d 1115, 1119-20 (9th Cir. 2010); *see also Visinscaia v. Beers*, 4 F. Supp. 3d 126, 131-32 (D.D.C. 2013); *Rijal v. USCIS*, 772 F. Supp. 2d 1339 (W.D. Wash. 2011); *Amin v. Mayorkas*, 24 F.4th 383, 391 (5th Cir. 2022) (finding USCIS' two-step extraordinary ability analysis "consistent with the governing statute and regulation"); *see generally* 6 *USCIS Policy Manual* F.2(B), https://www.uscis.gov/policy-manual.

II. ANALYSIS

Because the Petitioner has not claimed or established her receipt of a major, internationally recognized award, she must satisfy at least three of the alternate regulatory criteria under 8 C.F.R. § 204.5(h)(3)(i)-(x). SCOPS determined the Petitioner met only one (participation, either individually or on a panel, as a judge of the work of others in the same or an allied field of specification for which classification is sought under 8 C.F.R. § 204.5(h)(3)(iv)) of the nine claimed categories of evidence.[2] On appeal, the Petitioner asserts that she fulfills the remaining criteria she claimed.

Upon our de novo review, we conclude that the Petitioner met one additional criterion contained at 8 C.F.R. § 204.5(h)(3)(vi) relating to evidence of the alien's authorship of scholarly articles in the field, in professional or major trade publications or other major media. But we agree with SCOPS and conclude the Petitioner did not demonstrate eligibility under the remaining criteria she claimed as specified below. And, for the reasons discussed below, the record does not show sustained national or international acclaim or that the Petitioner is among the small percentage at the top of her field of endeavor. *See Kazarian*, 596 F.3d at 1110-20 (citing section 203(b)(1)(A) of the Act; 8 C.F.R. § 204.5(h)(2) and (3)). So, we will dismiss the Petitioner's appeal.

A. *"Documentation of the alien's receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor." 8 C.F.R. § 204.5(h)(3)(i).*

The regulation at 8 C.F.R. § 204.5(h)(3)(i) calls for "[d]ocumentation of the alien's receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor." We first determine whether the alien is the recipient of prizes or awards, and then whether the award is nationally or internationally recognized and was granted based upon excellence in the alien's field of endeavor. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), www.uscis.gov/policy-manual.

[2] We will not disturb SCOPS' conclusion that the Petitioner met the criteria contained at 8 C.F.R. § 204.5(h)(3)(iv) related to participation, either individually or on a panel, as a judge of the work of others in the same or an allied field of specification for which classification is sought.

The Petitioner initially claimed eligibility under this criterion based upon receipt of a [redacted] for a chapter she contributed to a book entitled "[redacted]." She also claims she received a Certificate of Participation in a research competition titled "[redacted]." Both were issued by the [redacted] ([redacted]). The Petitioner claims the [redacted] bestowed a [redacted] on her. More recently, the Petitioner acquired [redacted] from the [redacted]. In her response to SCOPS' request for evidence (RFE), the Petitioner claimed that she met the criterion on a different basis, namely her membership in [redacted] alone. And on appeal, the Petitioner reiterates the recognitions submitted with her initial petition save for her membership in [redacted] to claim her eligibility under the criterion.

USCIS determines whether the award is a lesser nationally or internationally recognized prize or award which the person received for excellence in the field of endeavor. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual. Relevant considerations regarding whether the basis for granting the prizes or awards was excellence in the field include but are not limited to the criteria used to grant the awards or prizes, the national or international significance of the awards or prizes in the field, the number of awardees or prize recipients, and limitations on competitors. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1).

We note that the Certificate of Participation is not for excellence. It is for the Petitioner's participation in a research competition. And the Petitioner's membership in [redacted] is not a prize or award. Whilst [redacted] requires "academic excellence" as a threshold for entrance to membership, [redacted] also requires prospective members to demonstrate peer-reviewed scholarship, research contributions, professional achievements or societal impact that do not appear to require excellence as an essential element. So, we conclude these do not serve to support the Petitioner's claim to eligibility under this criterion.

Further, [redacted] bestowed two other distinctions on the Petitioner: [redacted] and [redacted]. The record also contains a letter from [redacted], executive director of [redacted]. [redacted] does not discuss the Petitioner's receipt of the award or the certificate. And the record does not contain evidence that the [redacted] and [redacted] are recognized nationally or internationally. On appeal, the Petitioner asserts without evidence that the [redacted]'s recognition is patent because it is "[a]djudicated by an international committee including representatives" from foreign governments in Albania. But, in evaluating the national or international recognition of an award, we consider the award and not its issuer. *Krasniqi v. Dibbins*, 558 F. Supp. 3d 168, 183 (D.N.J. 2021) (finding the focus is on the award, not the awarding organization). The record does not contain evidence establishing the level of recognition, national or international, ascribed to the [redacted] honorifics the Petitioner claims she received.

We note that the [redacted] from [redacted], and both [redacted] from [redacted] were not conferred on the Petitioner. The [redacted] certificate reflects that it was "proudly presented to [redacted]." The [redacted] indicate "Albania" or "Albania Team" as the recipients. Nothing precludes a person from relying on a team award to claim eligibility under this

criterion. However, the person must establish that she is one of the recipients of the award. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual.

The record contains two recommendation letters from . states that the Petitioner is a former colleague whose prior work at the university was appreciated. But does not discuss the or the Petitioner's association with the . Another letter from authored by also does not discuss the or the Petitioner's association with the . The evidence does not identify the Petitioner's association with , so we are unable to evaluate if the can be credited as citation bestowed upon the Petitioner.

On appeal, the Petitioner submits a letter from , former rector, . states that conferred the on the "recognizing in particular the leadership and professional contribution of" the Petitioner. But, 's impression is not corroborated by independent material, relevant, or probative evidence in the record. *See Guida v. Miller*, No. 20-CV-01471-LB, 2021 WL 568850, at *8 (N.D. Cal. Feb. 16, 2021) (upholding there was no primary evidence of the awards but only letters describing receipt of awards).

The record also contains letters from individuals associated with the . , people and culture director with confirms the Petitioner served as its programme (sic) manager in Albania. , country director for , described how the Petitioner met employment objectives and achievements, but did not mention the or how the Petitioner was associated with Albania or as those terms appear on the certificates. And whilst , deputy regional director at , mentioned its Albania office received two awards from 's director of policy or programmes, he only credited the Petitioner as working and cooperating with the team and did not identify if she was one of the recipients of the .

With the appeal, the Petitioner submits a letter from , director of policy and programmes, . But the letter is inconsistent with other information in the record. For example, it refers to a June 2023 award as the and identifies the Petitioner as the recipient. But the certificate in the record notes the name of the award is and Albania is the recipient. And the Q2 2023-2024 award is named the , which is also discordant with the certificate contained in the record. The Petitioner must address inconsistencies in a record with independent, objective evidence pointing to where the truth lies. *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988). Therefore, we conclude the record does not establish the Petitioner was a member of the Albania that received the from the .

So, for all the reasons discussed above, we conclude that the Petitioner does not meet this criterion.

B. *"Documentation of the alien's membership in associations in the field for which classification is sought, which require outstanding achievements of their members, as judged by recognized national or international experts in their disciplines or fields." 8 C.F.R. § 204.5(h)(3)(ii).*

The regulation at 8 C.F.R. § 204.5(h)(3)(ii) requires "[d]ocumentation of the alien's membership in associations in the field for which for which classification is sought, which require outstanding achievements of their members, as judged by recognized national or international experts in their disciplines or fields."

The Petitioner claimed that she was a member of [redacted] between 2018 and 2024. She also stated that she was a member of the Young Professionals Network (YPN). In response to the RFE and appeal, the Petitioner roots her claim of eligibility in her membership in [redacted] and does not discuss her membership in YPN further.

USCIS determines if the association for which the person claims present or past membership requires that members have outstanding achievements in the field as judged by recognized experts in that field. *See generally* 6 *USCIS Policy Manual F.2(B)(1)*, https://www.uscis.gov/policy-manual. The petitioner must show that membership in the association requires outstanding achievements in the field for which classification is sought, as judged by recognized national or international experts. *See generally* 6 *USCIS Policy Manual*, supra, at F.2(B)(1). Relevant factors that may lead to a conclusion that the person's membership in the association(s) was not based on outstanding achievements in the field include, but are not limited to, instances where the person's membership was based solely on the following factors (by themselves or in the aggregate): a level of education or years of experience in a particular field; the payment of a fee or by subscribing to an association's publications; and a requirement, compulsory or otherwise, for employment in certain occupations, as commonly seen with union membership or guild affiliation for actors. *See generally* 6 *USCIS Policy Manual*, supra, at F.2(B)(1).

The Petitioner submitted a copy of a certificate of membership recognizing the Petitioner as a dedicated supporter of YPN. But the record does not contain any additional evidence describing YPN's connection to the Petitioner's field, if membership is predicated on outstanding achievements in that field, and if the outstanding achievements of prospective members are judged by recognized national or international experts. So, we conclude the Petitioner's membership and dedicated support of YPN do not bolster the Petitioner's claim to eligibility under this criterion.

The Petitioner submitted a certificate of membership identifying her as a dedicated supporter of [redacted] and a letter from [redacted], executive director, [redacted] with her initial petition. In response to the RFE, the Petitioner augmented the documents she initially submitted with [redacted]'s internal regulations of the board of director dated September 2020, a document of unknown origin titled [redacted], a document of unknown origin providing a "[b]ackground of [redacted]" and [redacted], and a second letter from [redacted] in his capacity as founder and executive director of [redacted] identifying [redacted]s board members.

SCOPS concluded that the Petitioner's membership in [redacted] did not support the Petitioner's claim to eligibility and we agree. [redacted]s internal regulations of the board of director require members to have "academic excellence," "peer-reviewed scholarship," "research contributions," "professional

achievements," and "societal impact." But the descriptions of the standards set forth in the internal regulations do not describe a level of achievement that is outstanding. For example, "academic excellence" is described as the "[c]ompletion of advanced academic studies, research projects, or notable achievements in higher education institutions in relevant fields." But there is no evidence in the record that such achievements are outstanding. *See Aravamuthan v. Jaddou*, No. 3:23-CV-01412-N, 2025 WL 1708126, at *4 (N.D. Tex. June 17, 2025) (upholding that while the minimum requirements presented a higher threshold for membership than simply a minimum number of years of experience, plaintiff did not show that such achievements are considered to be outstanding). And whilst [redacted]'s letter describes the Petitioner's activities and the objectives she met in the course of her engagement in [redacted] as a "researcher, lecturer, coordinator in various projects and a member of [redacted]," [redacted] does not demonstrate that the activities and successful realization of objectives is outstanding.

Furthermore, we note the Petitioner highlights her "elevation to leadership" at [redacted] as additional recognition of her exceptional standing and professional leadership within the organization. And the Petitioner points out a certificate of excellence she received from [redacted] for '[redacted].'" But [redacted] praise of the Petitioner and her elevation to leadership in [redacted] does not describe an outstanding achievement, especially since the object of the praise and the elevation occurred after the Petitioner had become a member of [redacted] And, contrary to the Petitioner's contention, there is no evidence in the record that demonstrates the Petitioner's judging activities are outstanding let alone that [redacted] considered the Petitioner's judging activities at all when it considered the Petitioner for membership.

So, for all the reasons discussed above, we conclude that the Petitioner does not meet this criterion.

C. *"Published material about the alien in professional or major trade publications or other major media, relating to the alien's work in the field for which classification is sought. Such evidence shall include the title, date, and author of the material, and any necessary translation." 8 C.F.R. § 204.5(h)(3)(iii).*

To fulfill this criterion, the Petitioner must demonstrate there is published material about him or her in professional or major trade publications or other major media, as well as the title, date, and author of the material. The published material should be about the alien and his or her work, rather than the alien's employer and its work (or about an organization and its work). Professional or major trade publications may be identified by their intended audience, whereas other major media and major trade publications should have elevated circulation or readership relative to other media in the field. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1).

The Petitioner's initial claim to eligibility under this criterion consisted of one article dated [redacted], 2019, appearing in [redacted] and six other documents described mainly as organizational webpages and social media account posts describing events such as webinars or seminars. We conclude at the outset that the other documents are not published material about the Petitioner in professional or trade publications and the Petitioner has not reiterated eligibility for the criterion on their basis in proceedings after the initial filing of the petition.

In response to the RFE, the Petitioner resubmitted the [redacted], 2019, article and submitted five other purported published articles. The Petitioner submitted a different article dated [redacted], 2020, published in [redacted]. The Petitioner also submitted an article appearing in [redacted] on [redacted], 2023. The record also contains an article dated [redacted], 2021, published in a [redacted] as well as on the North Macedonia website [redacted] on [redacted] 2023. And the Petitioner submitted an article appearing in Serbian media's [redacted] on [redacted], 2022.

In the first instance, we do not agree that all the articles the Petitioner submitted into the record are about the Petitioner and her work. USCIS determines whether the published material was related to the person and the person's specific work in the field for which classification is sought. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual. The published material should be about the person, relating to the person's work in the field, and not just about the person's employer and the employer's work or about another organization and that organization's work. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1).

The articles the Petitioner submitted appearing in [redacted] are not about the Petitioner and her work or provide substantive information about her work. The [redacted], 2019, [redacted] article identifies the Petitioner and the work that she does very generally. For example, the article states the Petitioner "developed research" and "published reports" and also speaks overall about her transition from student to teacher i.e. her "professional formation," and not specifically about her work in her field. *See Lapteva v. Schuurmans*, No. 8:24CV83, 2025 WL 815087, at *4 (D. Neb. Mar. 10, 2025) (finding the regulation and USCIS policy clearly intend for evidence under this criterion to say something substantive about the petitioner and her work). And the article appearing in [redacted] on [redacted], 2020, is not discussing the Petitioner and her work either despite containing a quote attributed to the Petitioner. This article simply discussed the [redacted] and the opportunities it provided in the study of finance and banking under full scholarship with internship and future employment opportunities. *See Gadhave v. Thompson*, No. 3:21-CV-2938-D, 2023 WL 6931334, at *4 (N.D. Tex. Oct. 19, 2023) (upholding articles only citing, quoting, or referencing the beneficiary do not qualify as about a petitioner).

The remaining articles the Petitioner submitted do discuss the Petitioner and her work. For example, the article appearing in Newspaper [redacted] on [redacted], 2023, speaks about the Petitioner and her conception and launching of a [redacted] initiative in Albania. The article in [redacted] appearing on [redacted], 2021, specifically notes the Petitioner's contributions in the publication of a book the publication cast as "[redacted]" And the article appearing on [redacted] discussed the Petitioner's work as a programme manager at the [redacted].

In her appeal, the Petitioner grounds her assertion that the media outlets are "professional or major media" in a ministerial statement and a national broadcast. USCIS determines whether the publication qualifies as a professional publication, major trade publication, or major media publication. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual. Examples of qualifying media may include, but are not limited to: professional or major print publications (newspaper articles, popular and academic journal articles, books, textbooks, or similar publications)

regarding the person and the person's work; professional or major online publications regarding the person and the person's work; and transcripts of professional or major audio or video coverage of the person and the person's work. *See generally* 6 *USCIS Policy Manual*, supra, at F.2(B)(1). Evidence may include documentation such as print or online newspaper or magazine articles, popular or academic journal articles, books, textbooks, similar publications, or a transcript of professional or major audio or video coverage of the person and the person's work. *See generally* 6 *USCIS Policy Manual*, supra, at F.2(B)(1).

But the evidence in the record consisting of a [redacted] post from an diplomatic mission with a picture of the Petitioner and a senior official of her employer and a screenshot of a different social media post by the [redacted] does not adequately describe matters such as the points we describe in the *USCIS Policy Manual* to determine if a media outlet is a professional or major trade publication or other major media. And whilst the Petitioner did provide some web traffic data and circulation data for the media outlets the articles appeared in, that information standing in isolation from any comparative information about other websites or portals, did not sufficiently demonstrate that publications or web portals hosting the articles enjoyed a relative circulation, readership, or viewership which reached the level of major media or could be considered a professional or major trade publication.

So, we conclude the Petitioner's submitted evidence does not support his claim of eligibility under this criterion.

D. *"Evidence of the alien's original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field." 8 C.F.R. § 204.5(h)(3)(v).*

The regulation at 8 C.F.R. § 204.5(h)(3)(v) calls for "evidence of the alien's original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field. A petitioner may show that his or her contributions have been widely implemented throughout the field, have remarkably impacted or influenced the field, or have otherwise risen to a level of major significance. *See Visinscaia v. Beers*, 4 F. Supp. 3d 126, 134-35 (D.D.C. 2013). Relevant evidence of an original contribution may include, but is not limited to:

- Published materials about the significance of the alien's original work.
- Letters providing details about how the alien's original work has been significant in the field.
- Citation of the alien's published scholarly work at a level indicative of major significance.
- Patents or licenses deriving from the alien's work or evidence of its commercialization.

See generally 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1).

The Petitioner submitted documentation describing her conception, design, and implementation of [redacted], a platform for reporting political gender-based violence. She also submitted letters from members of the Albanian parliament discussing her creation of a [redacted], a youth forum recognized within the legislature. And the Petitioner claimed she developed and launched a [redacted] for the [redacted] for student recruiting and development.

But the evidence in the record does not help us ascribe a level of significance of the claimed contributions to her field as a whole. For example, the Petitioner states the [redacted] platform was integrated into the electoral infrastructure and publicly acknowledged by national ministries and organizations that funded or supports its development like the [redacted]. But the evidence the Petitioner submitted only reflected that the website had gone live, had been promoted and shared, and utilized by two unidentified women. And the Petitioner submitted a newsletter issued by [redacted] and the [redacted] including a description and discussion of the platform in the context of publishing social science research findings and observations. It is not apparent how the described usage supports any widespread commentary. *See Amin v. Mayorkas*, 24 F.4th 383, 394 (5th Cir. 2022) (finding plaintiff's evidence did not show anyone beyond his company used (or even attempted to use) his design). And the evidence does not establish that the platform was adopted and integrated into electoral infrastructure.

Moreover, it is not evident from the evidence in the record how the development of the [redacted] is of major significance to the Petitioner's field. Whilst the Petitioner asserts on appeal that the [redacted] remains operational, the evidence does not establish that establishing such clubs is a major development in her field. *See Agrawal v. Miller*, No. 4:24CV3143, 2025 WL 2879217, at *20 (D. Neb. Sept. 12, 2025) (upholding that it must be objectively demonstrated that the field considers the work to be majorly significant).

And the record shows the adoption and utilization of the [redacted] is localized to the [redacted]. So, we cannot ascribe it a level of major significance. *See Amin v Mayorkas*, *supra*, at 394.

Testimonial letters and letters of support can support a petitioner's claim of original contributions of major significance with details about how the petitioner's original work has been significant in his or her field. But the contents of the testimonial letters or advisory opinions in the record do not preponderantly demonstrate that the Petitioner's original contributions are of major significance. In general, the testimonial letters the Petitioner submitted express an effusive appreciation of the Petitioner's competent undertaking of her chosen or assigned projects. And the testimonial letters or advisory opinions do not establish how the Petitioner's contributions, even when successful, well received, and competent, are original contributions to her field and the hold significance the supporters or employers who championed the Petitioner's projects and initiatives. So, we conclude the Petitioner has not demonstrated eligibility for the claimed criterion.

E. *"Evidence of the alien's authorship of scholarly articles in the field, in professional or major trade publications or other major media." 8 C.F.R. § 204.5(h)(3)(vi).*

USCIS determines whether the person has authored scholarly articles in the field. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual. As defined in the academic arena, a scholarly article reports on original research, experimentation, or philosophical discourse. It is written by a researcher or expert in the field who is often affiliated with a college, university, or research institution. Scholarly articles are also generally peer reviewed by other experts in the field of specialization. In general, it should have footnotes, endnotes, or a bibliography, and may include

graphs, charts, videos, or pictures as illustrations of the concepts expressed in the article. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1). For other fields, a scholarly article should be written for learned persons in that field. Learned persons include all persons having profound knowledge of a field. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1).

Unlike SCOPS, we conclude the Petitioner's chapter '[redacted]' appearing in [redacted] as well as articles she wrote that appeared in academic journals, such as RAIS Academic Journal of Social Sciences, are scholarly articles because they report on original research, experimentation, or philosophical discourse. And we further conclude upon de novo review that the book and journal in which the Petitioner's scholarly articles appear are professional publications. So, we conclude the Petitioner has met this criterion and will withdraw SCOPS' conclusion to the contrary.

F. "*Evidence that the alien's work has been displayed at artistic exhibitions or showcases.*" *8 C.F.R. § 204.5(h)(3)(vii).*

The Petitioner asserts that her professional and academic work has been displayed and showcased through curated conferences, congresses, program launches and institutional exhibitions. The Petitioner presents these as "the functional equivalents of 'artistic exhibitions or showcases' within" the Petitioner's field.

Merriam-Webster's online dictionary defines "exhibition" as a public showing (as of works of art, objects of manufacture, or athletic skills). Whilst the dictionary definition includes public showings other than those that are artistic in nature, the plain language of the criterion includes the modifier "artistic" and explicitly requires that the exhibitions or showcases be artistic in nature. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual.

The Petitioner clearly states that the venues where her work was displayed and showcased was not artistic but was "the functional equivalent" of artistic. The plain language of the regulations does not afford eligibility under this criterion to functional equivalents. The exhibition or showcase must be artistic in nature. So, we conclude the Petitioner has not met this criterion.

G. "*Evidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation.*" *8 C.F.R. § 204.5(h)(3)(viii).*

The Petitioner claims she held a leading and critical role at the [redacted]. The criterion at 8 C.F.R. § 204.5(h)(3)(viii) requires "[e]vidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation." A leading role may be demonstrated by evidence that establishes the individual is or was a leader within an organization or establishment, or a division or department thereof. An alien may fulfill a critical role in an organization or establishment, or a division or department thereof under this criterion. And a critical role may encompass a supporting role. But the evidence must establish that the alien's contributions through the critical or supporting role are of "significant importance to the outcome of the organization or establishment's activities or those of a division or department of the organization or establishment." *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual.

The record reflects the Petitioner was employed by [redacted] as a programme manager. The Petitioner states that she occupied a leading position as the second highest operational position in the Albania office. For a leading role, USCIS looks at whether the evidence establishes that the person is (or was) a leader within the organization or establishment or a division or department thereof. A title, with appropriate matching duties, can help to establish that a role is (or was), in fact, leading. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual.

However, the line and block chart the Petitioner submitted with the appeal reflects that the programme manager is at the same level as other operational functions, such as two programme assistants, two programme coordinators and a programme and finance officer. All of the operational functions exist separately from one another and report to the country director, with no identified subordinates. So, it is not evident from the record that the Petitioner's programme manager position is at the level she contends within the organization. Consequently, we conclude the programme manager position at [redacted] is not a leading position at that organization.

Nor do we conclude that it is a critical role. For a critical role, USCIS looks at whether the evidence establishes that the person has contributed in a way that is of significant importance to the outcome of the organization or establishment's activities or those of a division or department of the organization or establishment. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1). A supporting role may be considered critical if the person's performance in the role (or was) important. It is not the title of the person's role, but rather the person's performance in the role that determines whether the role is (or was) critical. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1).

As stated above, the record contains letters from [redacted], country director for [redacted] and [redacted], deputy regional director at [redacted]. Letters from persons with personal knowledge of the significance of the person's leading or critical role can be particularly helpful in making this determination, so long as the letters contain detailed and probative information that specifically addresses how the person's role for the organization, establishment, division, or department was leading or critical. *See generally* 6 *USCIS Policy Manual*, supra, at F.2(B)(1).

The letters the Petitioner submitted do not contain detailed and probative information that specifically addresses how the Petitioner's role for [redacted] was critical or leading. Ms. [redacted]'s first letter recommended the Petitioner for "her leadership skills, strategic thinking, and goal oriented approach." It also described her job duties as a programme manager wherein she "timely completed complex projects," "managed various projects" and "managed events." But her description of the programme manager role changed as described in the letter the Petitioner submitted with the RFE response. In that second letter, Ms. [redacted] sought to certify the Petitioner's leading or critical role and stated that she was "entrusted with direct responsibility" which she "conceived." So, Ms. [redacted]'s letters contain discordant information impeding an evaluation of the criticality or leading nature of the Petitioner's position at [redacted]. The Petitioner must address inconsistencies in a record with independent, objective evidence pointing to where the truth lies. *See Matter of Ho*, *supra*, at 591-92.

And the Petitioner submitted a letter from Mr. [redacted], recommending her based on her "commendable tenure as the Programme Manager at [redacted's] Albania office." He described her as "dedicated and driven" and that her work "offered a great contribution towards the realization and implementation of all activities" the [redacted] undertook in Albania. But he does not describe the role of programme manager and how it occupies any place of criticality within the operations of [redacted]. *See Agrawal v. Miller*, No. 4:24CV3143, 2025 WL 2879217, at *21 (D. Neb. Sept. 12, 2025) (finding that testimonial letters are not particularly valuable unless the letters specifically address how the role was leading or critical). *See also Javakhadze v. Mayorkas*, No. 3:21-CV-00617-E, 2023 WL 8037730, at *7 (N.D. Tex. Nov. 20, 2023) (finding letters that only compliment the plaintiff's performance in various competitions do not demonstrate his role as critical).

So, we conclude the Petitioner has not demonstrated her eligibility under this criterion.

H. *"Evidence that the alien has commanded a high salary or other significantly high remuneration for services, in relation to others in the field." 8 C.F.R. § 204.5(h)(3)(ix).*

In order to satisfy this criterion, the Petitioner must show that the person's salary or remuneration is high relative to the compensation paid to others working in the field. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual. USCIS determines whether the USCIS does not interpret the phrase "has commanded" to mean that the person must have already earned such salary or remuneration in order to meet the criterion. Rather, a credible contract or job offer showing prospective salary or remuneration may establish that the person has been able to command such compensation. *Id.*

Evidence regarding whether a petitioner's compensation is high relative to what of others working in the field can include compensation surveys and organizational justifications so long as the description of the occupation matches, the validity of the survey is credible and reliable, and the location, currency, and salary rate being measured are comparable. *Id.*

In support of her commanded salary, the Petitioner initially submitted with the underlying petition an employment certificate issued by [redacted], people and culture director, at [redacted] indicating the Petitioner earned a gross monthly salary of £2,017 as a programme manager. The initial record also contained copies of webpages from tradingeconomics.com with information about average monthly wages in Albania. In response to the RFE, the Petitioner submitted a copy of her employment contract with [redacted] with extension, social security and health insurance contributions certificate, documents from INSTAT (Albania, official statistical authority), a dataset from World Salaries, and statistics compiled by Remote People.

The regulatory requirement that the commanded salary be high "in relation to others in the field" is interpreted as allowing comparisons to those employed in the same occupation at a similar level. *See Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994) (considering a professional golfer's earnings versus other PGA Tour golfers); *see also Skokos v. U.S. Dept. of Homeland Sec.*, 420 F. App'x 712, 713-14 (9th Cir. 2011) (finding salary information for those performing lesser duties is not a comparison to others in the field); *Grimson v. INS*, 934 F. Supp. 965, 968 (N.D. Ill. 1996)

(considering NHL enforcer's salary versus other NHL enforcers); *Muni v. INS*, 891 F. Supp. 440, 444-45 (N. D. Ill. 1995) (comparing salary of NHL defensive player to salary of other NHL defensemen).

We conclude the evidence in the record does not demonstrate that the Petitioner's compensation is high relative to others in her field. The webpages from tradingeconomics.com, the documents from INSTAT, and the statistics compiled by Remote People discuss the average of monthly wages in Albania but do not identify if this data solely applies to the Petitioner's public policy field or rather considers all wage earners in Albania across all industries and work conditions.

The dataset from World Salaries contains average salary information for project managers. But the dataset did not contain evidence of the job description accompanying the project manager job title applicable to the dataset.

So, we are unable to determine if the Petitioner's salary is high compared to other working in the field.

I. Final Merits Determination

The Petitioner did not meet the evidentiary standard and the requirements of section 203(b)(1)(A)(ii), (iii) of the Act. So, we are not required to make a final merits determination. But, as the Petitioner's appeal contends that she has sustained acclaim and will substantially benefit the United States of America prospectively as a permanent resident, we will conduct a final merits determination. Upon our review of the record we conclude that, even if the Petitioner had established that she met the evidentiary standard and the requirements of section 203(b)(1)(A)(ii), (iii) of the Act, we would nonetheless conclude she did not demonstrate extraordinary ability in her field of endeavor.

In a final merits determination, we analyze a petitioner's accomplishments and weigh the totality of the evidence to determine if her successes are sufficient to by a preponderance of the evidence demonstrate that she has extraordinary ability in the field of endeavor through sustained national or international acclaim, that she is one of the small percentage at the very top of the field of endeavor, and that her achievements have been recognized in the field through extensive documentation. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3); *see also Kazarian v. USCIS*, 596 F.3d 1115 (9th Cir. 2010).

On appeal, the Petitioner contends that her "sustained acclaim is reflected by multi-year institutional recognition from the UK-government-funded [redacted], cross-border replication of her governance models, peer-reviewed and award-recognized authorship, and ongoing professional visibility in academic and governmental settings."

But the record as a whole does not demonstrate that her achievements are reflective of a "career of acclaimed work in the field" as contemplated by Congress. H.R. Rep. No. 101-723, 59 (Sept. 19, 1990). As stated above, the Petitioner claims to have received a [redacted] for a chapter she contributed to a book entitled "[redacted]." She also claims she received a Certificate of Participation in a research competition titled "[redacted]." Both citations were issued by [redacted]. The Petitioner also claims the [redacted] bestowed a [redacted] on her. The Petitioner further acquired [redacted] from

the [redacted]. But the record does not indicate that the receipt of the commendations the Petitioner presented reflects her sustained acclaim in her field nationally or internationally such that we can ascertain if she has risen to the level of the small percentage of individuals at the very top of the field of endeavor.

The record does not support that the Petitioner cultivated sustained national or international acclaim or a career of acclaimed work by entering into membership in organizations that do not require outstanding achievements as judged by recognized national or international experts in the Petitioner field like YPN and ISP. *See Donskoy v. United States Citizenship & Immigr. Servs.*, No. 21-CV-04757-CRB, 2021 WL 5240224, at *5 (N.D. Cal. Nov. 11, 2021) (upholding the petitioner's membership did not demonstrate the requisite level of achievement or sustained acclaim to establish extraordinary ability).

Moreover, the Petitioner did not demonstrate how her memberships reflected that she was amongst the small percentage who has risen to the very top of the field of endeavor. For example, the Petitioner did not explain how the memberships placed her among the upper echelon of his field. The record does not contain evidence indicating that she received national or international recognition based on her memberships. In addition, the Petitioner did not establish that she has distinguished herself from others in the field based on her memberships, gaining national or international attention or placing her among the upper echelon in her field.

Regarding the Petitioner's service as a judge of the work of others, an evaluation of the significance of her experience is appropriate to determine if such evidence indicates the required extraordinary ability for this highly restrictive classification. *See Kazarian,* 596 F. 3d at 1121-22.[3] The Petitioner listed three occasions where she served in a judging capacity, as part of an editorial board and in two peer-review activities. However, the Petitioner did not establish that these judging and peer-review opportunities contribute to a finding that she has a career of acclaimed work in the field or indicate her sustained national or international acclaim.

The Petitioner did not show, for example, how her judging experience compares to others at the very top of the field. The Petitioner asserts one of her peer review opportunities was discussed on Albanian national television. And her employer at the time also posted about her role on a social media account. However, the screen shots of the Petitioner's television appearance do not establish that she garnered wide attention from the field based on her peer review work. Moreover, serving on an editorial board and conducting two peer-review activities does not automatically demonstrate that an individual has extraordinary ability and sustained national or international acclaim at the very top of her field. Without evidence that sets the Petitioner apart from others in his field, such as evidence that she has a consistent history of reviewing or judging recognized, acclaimed experts in her field, the Petitioner has not shown that her narrow judging experience places her among that small percentage who has risen to the very top of the field of endeavor. *See Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801, at *2 (finding the petitioner did not show that he served as a judge

[3] *See also generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1) (providing that the second step requires USCIS to evaluate the person's judging participation to determine whether it was indicative of the person being of that small percentage who has risen to the very top of the field of endeavor and enjoying sustained national or international acclaim).

of renowned directors as opposed to aspiring artists or the competitions were considered prestigious or attracted significant attention by the field).

Likewise, authorship and publication do not automatically place one at the top of the field.[4] The record reflects the Petitioner presented evidence showing that she has published a book chapter and articles in a scholarly journal. But the Petitioner did not show the significance of his authorships or how her publication record compares to others who are viewed to be at the very top of the field. *See Jafarov v. United States Citizenship & Immigr. Servs.*, No. 23 CIV. 3372 (PAE), 2024 WL 69056, at *9 (S.D.N.Y. Jan. 5, 2024) (finding it reasonable for USCIS to focus on the fact that a publication record of six publications over seven years is inconsistent with a career of acclaimed work and sustained national or international acclaim). And the Petitioner provided no citation history or other evidence of the influence of her written work so that we could evaluate the impact and recognition that her publications have had on the field and whether such influence has been sustained. *See Bhanu v. Garland*, No. 22-103, 2023 WL 6119357, at *9 (E.D. Pa. Sept. 18, 2023) (upholding the Petitioner did not show the significance of authorships reflecting that he is among the small percentage at the very top of the field).

The Petitioner provided recommendation letters generally praising her and her work. But the letters do not contain sufficient information and explanation to show the Petitioner made original contributions of major significance such that the Petitioner is viewed by the overall field, rather than by a solicited few, among the upper echelon or that she has garnered recognition on a national or international scale, consistent with being among the small percentage at the very top of the field of endeavor. *Mishra v. Richardson*, No. 120CV991LMBTCB, 2021 WL 1566071, at *3 (E.D. Va. Apr. 20, 2021) (finding the plaintiff submitted letters only from people within his circle of professional acquaintances, and none of the letters point to evidence of extensive documentation of his accomplishments to show sustained national or international acclaim). Although the letters highlight the Petitioner's talents and responsibilities, they do not reflect a career of acclaimed work in the field, garnering the required sustained national or international acclaim. *See Bodhankar v. United States Citizenship & Immigr. Servs.*, No. 119CV706MADCFH, 2020 WL 777211, at *5 (finding the plaintiff's work for organizations did not result in national or international acclaim). Moreover, the Petitioner did not establish that her roles received widespread acclaim from the field, drew significant attention from the greater field, or the overall field view her among the leading individuals in the field. *See Hamal v. U.S. Dep't of Homeland Sec.*, No. CV 19-2534 (RC), 2021 WL 2338316, at *4, *aff'd sub nom. Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801 (upholding plaintiff did not contextualize his work at an organization demonstrating recognition by the field as being significantly important or viewed as unusually influential). Furthermore, the Petitioner did not show that she attracted a level of attention from her work that places her among that small percentage at the very top of the field or those enjoying a career of acclaimed work.

Relating to the display of her work, the Petitioner claims that she has presented her work at the "functional equivalents of 'artistic exhibitions or showcases' within" her field. But her presentation of her public policy work and initiatives is not reflective of acclaim consistent with this classification.

[4] *See also generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1) (indicating that the second step requires USCIS to evaluate the person's publications to determine whether it is indicative of being one of that small percentage who has risen to the very top of the field of endeavor and enjoying sustained national or international acclaim).

Whilst the Petitioner presented evidence showing a wide range of experience she did not demonstrate, for example, that her specific work and presentation of the same brought wide praise from critics, drew notable attention, raised awareness of the public policy conundrums she discussed, or was responsible for any thought provocation. The Petitioner's evidence does not distinguish her display of her work from others in her field or show that it reflects a "career of acclaimed work in the field." H.R. Rep. No. 101-723 at 59.

The Petitioner claimed her role as a programme manager at the [redacted] as evidence of her leading and critical role in organizations or establishments with distinguished reputations. But the evidence in support consisted mainly of verification of her employment with the institution and some background information about the institution she was employed with. She also submitted several letters which described her completion of employment objectives in complimentary manner. And the Petitioner provided a line and block chart that described the programme manager functioned at the same level as other administrative positions in the organization. The Petitioner did not adequately identify where his individual role fit in within the organizational structure or hierarchy of the individual entities such that we could identify if that role demonstrated any sustained acclaim in his field.

The submitted documentation does not reflect that the Petitioner has somehow impacted the field through her work demonstrating attention at a level commensurate with those at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2). In addition, the Petitioner's evidence does not distinguish her performance in her role to demonstrate that it reflects a "career of acclaimed work in the field." H.R. Rep. No. 101-723 at 59.

So the record, including the evidence discussed above, does not establish the Petitioner's eligibility for the benefit sought. The Petitioner seeks a highly restrictive visa classification, intended for individuals already at the top of their respective fields, rather than those progressing toward the top. USCIS has long held that even athletes performing at the major league level do not automatically meet the statutory standards for classification as an individual of "extraordinary ability." *Matter of Price*, 20 I&N Dec. at 954. Whilst the Petitioner need not establish that there is no one more accomplished to qualify for the classification sought, we find the record insufficient to demonstrate that she has sustained national or international acclaim and is among the small percentage at the top of her field. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2).[5]

III. CONCLUSION

For the reasons discussed above, the Petitioner has not demonstrated her eligibility as an alien of extraordinary ability. The appeal will be dismissed for the above-stated reasons, with each considered as an independent and alternate basis for the decision.

[5] As the Petitioner has not demonstrated his extraordinary ability under section 203(b)(1)(A)(i) of the Act, we need not consider whether she intends to continue working in the area of extraordinary ability under section 203(b)(1)(A)(ii).

ORDER: The appeal is dismissed.

NOTICE: This constitutes the final decision in this matter. The filing of a motion will not postpone the effect of the decision. 8 C.F.R. § 103.5(a)(1)(iv). Aliens who are not lawfully present, or who are otherwise inadmissible or deportable, may be subject to the commencement of removal proceedings under section 240 of the Act through the issuance of a Form I-862, Notice to Appear. Those proceedings may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.