U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 39878086

Date: FEB. 4, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner is a business systems analyst who seeks classification as an alien of extraordinary ability. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

SCOPS denied the Form I-140, Immigrant Petition for Alien Workers (petition), concluding the record did not establish that the Petitioner had a major, internationally recognized award, and although she demonstrated that she met at least three of the ten regulatory criteria, her case did not warrant a favorable finding when considering the totality of the evidence in a final merits determination. The matter is now before us on appeal under 8 C.F.R. § 103.3. The Petitioner bears the burden of proof to demonstrate eligibility to U.S. Citizenship and Immigration Services (USCIS) by a preponderance of the evidence. Section 291 of the Act; *Matter of Chawathe*, 25 I&N Dec. 369, 375 (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 under this immigrant classification, the statute requires the filing party demonstrate:

- The alien enjoys extraordinary ability in the sciences, arts, education, business, or athletics;
- They seek to enter the country to continue working in the area of extraordinary ability; and
- The alien's entry into the United States will substantially benefit the country in the future.

Section 203(b)(1)(A)(i)–(iii) of the Act. The term "extraordinary ability" refers only to those in "that small percentage who have risen to the very top of the field of endeavor." 8 C.F.R. § 204.5(h)(2).

The implementing regulation at 8 C.F.R. § 204.5(h)(3) sets forth a multi-step analysis. In the first step, a petitioner can demonstrate international recognition of his or her achievements in the field through 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 sufficient qualifying documentation that

meets at least three of the ten criteria 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).

Where a petitioner meets these initial evidence requirements, we then move to the second step to consider the totality of the material provided in a final merits determination and assess whether the record shows sustained national or international acclaim and demonstrates that the individual is among the small percentage at the very top of the field of endeavor. *See Kazarian v. USCIS*, 596 F.3d 1115, 1121 (9th Cir. 2010) (discussing a two-step review where the documentation is first counted and then, if fulfilling the required number of criteria, considered in the context of a final merits determination); *see also Amin v. Mayorkas*, 24 F.4th 383, 394 (5th Cir. 2022).

II. ANALYSIS

The Petitioner describes herself as a highly accomplished professional with over 18 years of experience in data engineering, business analytics, and digital transformation, and having worked with industry leaders. She is a Senior Member of the Institute of Electrical and Electronics Engineers (IEEE), and lists notable achievements to include leading transformative projects such as [redacted] implementations for major enterprises. She claims her expertise is further illustrated through awards, her cited research, and a commitment to leveraging advanced technologies to drive innovation and strengthen the United States' global technological leadership.

A. Evidentiary Criteria

Because the Petitioner has not indicated or established that she has received a major, internationally recognized award, she must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i)–(x). Before SCOPS, the Petitioner claimed she met eight of the regulatory criteria. SCOPS decided that the Petitioner satisfied at least three of the criteria, but that the record did not demonstrate her sustained national or international acclaim and that she was 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.

We begin with the Petitioner's appellate claim that the denial decision did not identify every document she wished to be addressed under the individual criteria in step one of the adjudicative process. But SCOPS determined she satisfied at least three of the criteria, so even if we agreed with her, the Petitioner would not achieve anything different in the end. Once she has met at least three criteria, further discussion of her eligibility for other criteria would serve no purpose. As a result, we dispose of those claims, and we move to her claims relating to a final merits determination.

B. Final Merits Determination

As the Petitioner has submitted the requisite initial evidence we will evaluate whether she has demonstrated, by a preponderance of the evidence, her sustained national or international acclaim and 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. In a final merits determination, we analyze the Petitioner's accomplishments and weigh the totality of the evidence to

determine if her successes are sufficient to demonstrate that she has extraordinary ability in the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3); *see also Kazarian*, 596 F.3d at 1119–20). *See generally* 6 *USCIS Policy Manual* F.2(B)(2), https://www.uscis.gov/policymanual (stating that USCIS officers should then evaluate the evidence together when considering the petition in its entirety to determine if the petitioner has established by a preponderance of the evidence the required high level of expertise of the immigrant classification).

The two-step adjudication process is an interpretive rule that does not violate the Administrative Procedures Act, nor is it a legislative rule. *Agrawal v. Miller*, No. 4:24CV3143, 2025 WL 2879217, at *12 (D. Neb. Sept. 12, 2025); *Etsy, Inc. v. Jaddou*, No. 4:22CV3022, 2023 WL 3689555, at *23 (D. Neb. May 25, 2023) (citing *Perez v. Mortg. Bankers Ass'n*, 575 U.S. 92, 96 (2015); *Bharathm Ram Nagaiah, v. USCIS*, No. CV 23-2077-KSM, 2025 WL 1508028, at *14 (E.D. Pa. May 27, 2025).

SCOPS evaluated the totality of the evidence and concluded that the Petitioner did not demonstrate her achievements and accolades were indicative of the required sustained national or international acclaim or that it was consistent with a career of acclaimed work in the field as contemplated by Congress. H.R. Rep. No. 101-723, 59 (Sept. 19, 1990). After reviewing the Petitioner's appellate claims and the remaining record, we agree with SCOPS that she has not shown she is eligible for this immigration benefit.

The Petitioner begins her appellate claims relating to the final merits determination making reference to a passage from the USCIS Policy Manual that provides:

> The following are examples of situations where evidence in the record may help officers evaluate the quality of the initial or comparable evidence and determine whether in a totality analysis that considers all of the evidence, the person is among the small percentage at the top of the field and has sustained national or international acclaim:[]
>
> . . . .
>
> The petitioner documents the person's employment or research experience with leading institutions in the field (such as U.S. universities that have been recognized as having high or very high research activity by the Carnegie Classification of Institutions of Higher Education,[] foreign universities with comparably high research activity, or a university that is highly regarded according to a widely recognized metric such as the QS World University Rankings[]). Such employment or experience can be a positive factor toward demonstrating that the person is among the small percentage at the top of the field[.]

See generally 6 USCIS Policy Manual, *supra*, at F.2(B)(2). From that final paragraph in which the agency focused on highly esteemed and world-class status based on objective, quantifiable measures rather than quality judgments, the Petitioner removes the portion relating to the stature of leading international universities in an effort to apply the excerpt to her situation working for [redacted]. In doing so, she repurposes the quotation to the following:

> The petitioner documents the person's employment . . . with leading institutions in the field. Such employment or experience can be a positive factor toward demonstrating that the person is among the small percentage at the top of the field.

But her removal of an essential element of the paragraph to apply it to business does not carry the same weight as the Policy Manual's original commentary. Her reduction of the guidance—eliminating the stature features—could be construed as representative of how her achievements fail to measure up to the necessary portions of this highly restrictive immigration benefit she seeks in this petition. If the Petitioner cannot demonstrate she is among those at the top of the field, the standards cannot be lowered. To do so would produce the jarring echo of square pegs being hammered into round holes. *See Palucki v. Sears, Roebuck & Co.*, 879 F.2d 1568, 1571 (7th Cir. 1989) (rejecting the effort of an individual to rewrite the standards deviating from the legally established authority); *see also Arizona v. Navajo Nation*, 599 U.S. 555, 594 (2023) (Gorsuch, J. dissenting) (rejecting the effort to analyze a claim under the wrong legal framework or the incorrect standard and characterizing it as an attempt to fit a square peg in a round hole). The same applies to the Petitioner. She cannot force the square-peg level of her accomplishments into the round hole of the extraordinary ability requirements or simply dispose of the established standards when her peg doesn't fit. *Id.*

SCOPS surmised that the Petitioner's overall track record did not measure up to leading figures in the field. The Petitioner discusses her achievements through awards and similar recognition varying from her time with [redacted] to include the MVP award and quarterly honor awards, to her time with [redacted] where she received "commendations." And finally, she notes she received the [redacted] award. Her claims and evidence were insufficient to persuade SCOPS that the awards enjoyed national or international recognition for excellence in the field of information systems analysts.

But within the appeal, she has not explained why company-oriented awards are the type that represent her sustained acclaim on a national or international scale and are widely recognized in her field as being among the field's top awards. And for the [redacted] award, the award itself reflects the award was issued "[i]n Recognition of Outstanding Professional Achievement & Contribution towards Nation Building," and it was not for excellence in her field of endeavor. As the Petitioner' notes, she was included on the website for the entity that issues the award, but simple presentation on a website does not inherently illustrate one has received national or international recognition. *Krasniqi v. Dibbins*, 558 F. Supp. 3d 168, 182 (D.N.J. 2021) (finding the regulation requires that the petitioner provide evidence of national or international recognition); *see also Visinscaia v. Beers*, 4 F. Supp. 3d 126, 136 (D.D.C. 2013); *Guida v. Miller*, No. 20-CV-01471-LB, 2021 WL 568850, at *8-9 (N.D. Cal. Feb. 16, 2021); *Hristov v. Roark*, No. 09-CV-2731, 2011 WL 4711885, at *8 (E.D.N.Y. Sept. 30, 2011). The Petitioner has not explained how receiving this generalized award places her among the top participants of her field. *Donskoy v. United States Citizenship & Immigr. Servs.*, No. 21-CV-04757-CRB, 2021 WL 5240224, at *5 (N.D. Cal. Nov. 11, 2021) (finding the petitioner did not submit any evidence showing how he stands out among the numerous of recipients of the award each year).

Memberships in associations that do not meet the plain language requirements of the regulation in step one are not indicative of acclaim on a national or international level. While senior membership with IEEE is of note within the Petitioner's work community, it is significantly below the stature associated with those who are among that small percentage who have risen to the very top of their field of

endeavor. And her International Organization for Academic and Scientific Development fellow designation, that merely requires ten years of academic or research experience or a Ph.D., also does not rise to the level of acclaim this classification requires.

About the Petitioner's accolades relating to published material about her and her work, all of the petitioner's submissions were deficient in that they lacked any indication that the publications in which the published material appeared were the type whose scope or reach was at least at the national level. Without such a broad reach, none of the publications constitute a form of major media. Acclaim in this diminished form is not representative of national or international acclaim nor does it demonstrate the petitioner enjoys the status as one of that small percentage who have risen to the very top of their field of endeavor.

The Petitioner also points to the published material about her in media outlets. Articles that appear to be sponsored content designed for positive publicity, suggesting it is paid marketing content rather than independent reporting, does not illustrate the Petitioner's achievements have been recognized in the field through extensive documentation and it misses the mark here. While we agree with the Petitioner's appellate statement that some of this material reflects she has attracted media attention, we do not agree that each of the examples she provided for the record are "a sign of being at the top of one's field."

We issued a notice of intent to dismiss (NOID) the appeal touching on this and several other issues. In the NOID, we noted the articles in question appear to exhibit characteristics often associated with sponsored content, differentiating it from independent reporting. We also observed a repetition of similar talking points across the articles that repeated many of the same themes and claims about expertise in digital transformation, analytics, enterprise integration, and leadership. This type of content duplication across different outlets is characteristic of a public relations or marketing campaign distributing the same narrative to multiple sites and can be a reliable indicator that the Petitioner may have facilitated its publication. Within the NOID, we informed the Petitioner that she should provide evidence from each publication and from each article author that corroborates the statements she presented to SCOPS when they raised similar questions. For instance, her claim that "the articles and profiles featuring my work were not promotional in nature."

In her NOID response the Petitioner only submitted material from one of the authors, but she did not offer evidence from the remaining authors to corroborate her claims nor did she make mention of the other published media despite USCIS putting her on notice of this issue twice now. As SCOPS noted in their decision, the Petitioner did not produce adequate evidence to even meet the plain language requirements of the criterion. Without a showing that the offered material is a form of major media, it is unclear how she has demonstrated this is consistent with being among the small fraction of those at the top of her field.

When they evaluated her peer review service, SCOPS indicated that she did not show the nature of her peer review for particular journals, or the reputation of the journals themselves. SCOPS found that this did not demonstrate acclaim beyond that one might receive performing typical peer review duties. Absent is a sustained level of acclaim on the national or international scale that the Petitioner's judging performances have engendered.

When discussing her contributions to the field, SCOPS concluded she did not establish that her achievements had an unusual influence or high impact. They noted the support letters did not provide sufficient information and that the record did not include adequate corroborating evidence to show that she is viewed by the overall field as being among that small percentage at the very top of the field of endeavor. And she offers no rebuttal to SCOPS' conclusion that material relating to her contributions to the field lacked an indication of influence or high impact. Instead, she mentions testimonials from clients, peers, and other figures in passing without explaining in what way they shed light on how her contributions have significantly moved her field forward.

The only specific testimonial letter she identifies on appeal is correspondence allegedly from [redacted] The letter the Petitioner provided alleges he is the editor-in-chief of the Australian Journal of Machine Learning Research & Applications. The letter's header bears this same journal name. USCIS contacted [redacted] in an attempt to verify he authored and signed the detailed letter. However, he responded stating "[t]his letter is a faked letter. Even the journal could be [a] faked journal." In the NOID, we noted the contentions contained in the professor's letter highlighting that the Petitioner presented the professor's letter claiming it "[a]ttests that my scholarly and industry work merges advanced AI/ML [artificial intelligence/machine learning] research with enterprise-level solutions, showcasing extraordinary originality." She further provided [redacted] editorial board listing as it "[d]emonstrates the standing of an academic recommender who specifically recognizes my AI/ML research accomplishments," and his professional profile as it "[s]hows he is a globally respected AI authority, underscoring the credibility of his praise and reinforcing my final merits claim."

We explained in the NOID that [redacted] was not the letter's author, nor did he authorize its issuance. We offered the Petitioner the opportunity to rebut this information that appeared to implicate her in misrepresenting a material fact to USCIS in an effort to obtain an immigration benefit. But she responded to our NOID with only what appears to be an email from an unspecified member of the journal's editorial board, but nothing from [redacted]. The questionable email from the editorial board indicated [redacted] was their former editor-in-chief and that the editorial office issued the letter "on behalf of Professor [redacted] in his capacity as Editor-in-Chief at that time."

The record lacks any objective evidence to establish [redacted] ever served as the journal's editor-in-chief, much less that he held that position on the date the editorial board claims they drafted and signed the letter that is not from him on March 14, 2025.

We observe other issues with the editorial board email. After describing how the letter came to exist, the email the Petitioner claims is from the editorial board states: "We take this opportunity to provide the necessary clarification and confirm that the letter is genuine and was prepared in accordance with standard practices followed by international academic journals." Within that and other statements in the email, the editorial board asserts that it is "well-established" and "standard practices" for editorial offices of international academic journals to prepare, sign, and issue highly specific and detailed support letters on behalf of editors-in-chief as "[t]his avoids placing an undue burden on individual professors and protects their privacy by not disclosing personal contact details."

First, neither the Petitioner nor the editorial board offered any evidence to corroborate this highly suspect process is well-established or a standard practice among reputable journals. So this is an

assertion that carries little to no evidentiary value. *Matter of G-C-I-*, 29 I&N Dec. 176, 178 (BIA 2025) (finding that unsupported assertions are not facts or evidence and will not carry a filing party's burden of proof). Second, even if this was an accepted practice, and even if it was designed to reduce the burden on editors-in-chief, the editorial board's statement that this process "protects their privacy by not disclosing personal contact details" is highly questionable as the professor's direct phone number and email are listed on his biographical page.[1] Third, the journal's last publication was in August of 2024[2]—several months before the Petitioner filed her petition and approximately a year-and-a-half from the time we are issuing this decision—which appears highly irregular for any credible international academic journal.

Additionally, this unsigned email fails to address under what authority their office applied a signature to the letter purporting to be the professor's signature in which they created the appearance that he had knowledge of and consented to its contents. This email also only indicated the letter's content "was based solely on [the Petitioner's] verified publication record with [the journal] and was sent directly from our official channels." It appears the Petitioner has only published one scholarly work in the journal in 2021. It was allegedly from that single publication that the letter alleging to be from [redacted] crafted a glowing review of her career. And even though the letter discusses five of the Petitioner's scholarly works, not one of them was the 2021 article published in the journal that was purported to be the sole basis for the letter's content. The letter characterized the Petitioner's work as "positioning her at the pinnacle of technological innovation within enterprise integration solutions," with "pioneering approaches" that "stand out distinctly," and that in one "recent groundbreaking article . . . [she] introduced a sophisticated AI-based anomaly detection system that autonomously identifies and rectifies data inconsistencies in real-time, a substantial advancement over traditional manual or semi-automated data governance methods."

The letter continued, noting her "rare blend of practical and theoretical mastery makes her work not only innovative but also profoundly impactful, positioning her clearly at the forefront of her field." The letter concluded indicating her "blend of deep industry expertise and profound academic knowledge positions her uniquely at the top echelon of professionals in her field," and its author stated that they "wholeheartedly endorse [the Petitioner] for the EB1A classification, as her exceptional contributions represent the very pinnacle of expertise and innovation in her field." It seems too much of a stretch to accept that this fulsome account of the Petitioner's work emanated from one, or even a few, of her published works with this journal. And the Petitioner's claims in the NOID response that the editorial board drafted and issued the professor's letter using an official template is belied by the detail in the correspondence that is highly oriented to her specific work. In fact, the email from the editorial board did not state that they drafted her email from a template; it only vaguely referenced their common practice of "handl[ing] such matters using official journal templates and channels."

And neither the Petitioner nor the editorial board address the fact that when [redacted] was presented with the letter on the journal's letterhead, he disavowed the letter and expressed his belief that the journal itself "could be [a] faked journal." This raises significant doubt that the professor was

[1] *See* Enclosure 1 *Organisation and Governance*, [redacted] 2026), https://www [redacted]

[2] *See* Enclosure 2 About the Journal, Australian Journal of Machine Learning Research & Applications [redacted] 2026), https:/ [redacted] /index.

ever the journal's editor-in-chief. And [redacted] biography the Petitioner submitted in her RFE response did not list him as the journal's editor-in-chief meaning she could have conceivably known that he did not hold that position with the journal. And a review of his publicly available biography makes no mention that he ever served as the journal's editor-in-chief.[3] We also note that the Petitioner did not submit any documentation from her, to the journal, reflecting what her original request consisted of meaning she has not established that she requested a valid letter from the professor rather than a generalized support letter.

As a result, questions remain regarding the viability as well as the academic credibility of the Australian Journal of Machine Learning Research & Applications journal, as well as the reliability of the unsigned email from the journal bearing no person's name. These abnormalities and a lack of probative evidence to the contrary lead us to ascribe the email purportedly from the editorial board with significantly diminished evidentiary value. *See Matter of Ho*, 19 I&N Dec. 582, 591–92 (BIA 1988). And based on [redacted] response to USCIS, we will not consider any of the content within the letter bearing his name.

So, the Petitioner's vague reference in the appeal brief to [redacted] written support "highlighting the significance of my applied research contributions" now appears to fall flat. And she has not explained how any other correspondence in the record illustrates that she has sustained national or international acclaim or that she is already one of the small percentage at the very top of her field of endeavor. Her supporting material comments on the series of her works without adequately explaining how they represent an individual whose achievements have been recognized in the field through extensive documentation. *See* 56 Fed. Reg. at 30704. While the Petitioner claims in her NOID response that the professor's "support letter is authentic and remains valid evidence of [her] accomplishments," we conclude that she has not met her burden.

SCOPS noted that the Petitioner provided evidence that she authored eighteen peer reviewed articles that appeared in professional journals between 2021 and 2024. But the Petitioner's overall citation record and her record for each published work decreased significantly from 231 when she filed the petition to 45 when we accessed her Google Scholar profile during our appellate review. We note that not only did the citation rate for all of her published works decrease, but also some of the published works themselves were removed. For instance, the Petitioner's second most cited work from 2021 reflected 27 cites when she filed the petition, but that scholarly work doesn't even appear on her Google Scholar profile any longer. Her fourth most cited article also disappeared from her Google Scholar profile.

As the Petitioner did not address this decrease, we raised it in the NOID. Responding to our NOID, the Petitioner provides an email from The Science Brigade which she describes as a publisher of scholarly journals and analytics. The email from an executive at The Science Brigade explains how Google Scholar's citation statistics can fluctuate based on their indexing visibility due to the following:

- Technical glitches and database updates;

[3] *See* Enclosure 1 *Organisation and Governance*, [redacted] 2026), https://www [redacted]

- Re-evaluation of sources and removal of duplicates or inaccessible documents;
- Indexing updates or access restrictions;
- Errors in reference strings or incomplete indexing;
- Seasonal or version switches; or
- Partial indexing of content.

Although the email's author clearly indicates any changes in the Petitioner's Google Scholar profile citation rate was not of her making, they did not offer the specific reason that her papers experienced a significant decrease of more than 80 percent. The absence of this information is notable in this case as 70 percent of her work that currently appears on her Google Scholar profile is listed in a journal that The Science Brigade's operational portfolio listed on its website.[4] Exercising that level of control over the Petitioner's content, The Science Brigade representative should be able to offer greater detail of why so many of her articles either disappeared or experienced significant reductions in their citation statistics rather than offering a list of possible reasons. While we do not allege any nefarious activity on the Petitioner's part relating to her scholarly works, it is clear that her record is not representative of someone among the top of her field.

Another note about The Science Brigade. We find it noteworthy that The Science Brigade in which the Petitioner has published appears it may lack some of the hallmarks of reputable publisher as journals the organization publishes are not indexed in the Clarivate Analytics Web of Science Core Collection, they don't have a Journal Citation Reports impact factor or recognized field-specific metrics, and they appear to allow up to ten percent of plagiarism in some journals.[5]

In the appeal, the Petitioner points to evidence relating to her leading or critical role claims, but she does not explain how they illustrate she has experienced sustained national or international acclaim or how her achievements and ability developed to the extent that it is commensurate with those who are part of the small fraction of individuals at the very top of her field of endeavor. When evaluating the Petitioner's evidence, SCOPS determined that her roles were not adequate. For [redacted], the Petitioner played a role in internal operations relating to the company's financial infrastructure for three projects. Her efforts were described as helping the division ensure the company maintained financial accuracy, compliance, and transparency. She performed in similar positions for [redacted] on multiple projects helping shape best practices for complex analytics transformations that help the company maintain an industry leading position. It appears for someone who works in the type of position the Petitioner does, her internal performance has been notable for these organizations. This appears to be the lone area in which the Petitioner has excelled.

SCOPS also discussed her salary covering the three years of data she presented, finding it was not representative of a career of acclaimed work in the field. But we would also add that the Petitioner did not show that her accomplishments in this sphere were significantly high in relation to others because the evidence she presented to compare with her own material only presented salaries while the material she offered for herself included salaries and various other forms of remuneration. And presenting data on only three years of her earnings does not illustrate that she has a career of sustained

[4] *Compare* the Petitioner's Google Scholar profile she offered in response to our NOID with Enclosure 3 listing the journals The Science Brigade publishes.
[5] *See* Enclosure 3.

acclaim in this area. 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 the failure to show consistent high wage earnings did not reflect sustained national or international acclaim and a single year, or even a few years', worth of salary data unlikely to satisfy this requirement).

Next, the Petitioner discusses her overall sustained acclaim under the rubric of recognition through awards, other commendations, media attention, and memberships spanning from 2009 to 2024. But being recognized by her employers as being "technically proficient," or employers issuing awards for high performance falls far short of illustrating she has sustained acclaim on a national or international level. She has not demonstrated a long-running receipt of acclaim typically associated with high-level achievements. As possible representative examples: the Globee Awards for Technology, the International Business Awards, or as part of a group receiving an International Institute of Business Analysis (IIBA) Corporate Leadership Excellence in Business Analysis Advocacy Award. So, it's less that SCOPS "did not engage with the continuity or duration of [her] acclaim," and it's more that much of what she considers as acclaim does not rise to the level required by this restrictive immigrant classification.

Finally, she further discusses her career progression or a rise in "trajectory," but simply increasing your standing in the field from a neophyte to one who is fully competent or accomplished will not serve to establish their sustained national or international acclaim or that she has attained the status as one of that small percentage who have risen to the very top of their field of endeavor.

In summary, the Petitioner seeks a highly restrictive visa classification, intended for individuals already at the top of their respective fields, rather than for those progressing toward that goal. USCIS has long held that even athletes performing at the major league level do not automatically meet the "extraordinary ability" standard. *Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994). Considering the full measure of the Petitioner's ability and achievements, the level of her national or international acclaim and the extent to which her achievements have been recognized in the field are not indicative of a record of sustained acclaim. Also, she has not submitted extensive documentation exhibiting she has attained a level of expertise placing her among that small percentage that has risen to the very top of the field of endeavor.

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. In visa petition proceedings, it is a petitioner's burden to establish eligibility for the immigration benefit sought. The Petitioner has not met that burden here.

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.

Enclosures:
1. [redacted] Biography
2. About the Journal, Australian Journal of Machine Learning Research & Applications
3. The Science Brigade Publishers