U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41106348

Date: FEB. 10, 2026

Appeal of Service Center Operations Decision

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

The Petitioner, a powerlifting coach, 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 (EB-1) classification makes immigrant visas available to aliens who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their fields through extensive documentation.

Service Center Operations (SCOPS) denied the petition, concluding that although the Petitioner had satisfied at least three of ten initial evidentiary criteria, the record did not establish that he is one of the small percentage who has risen to the very top of his field and has sustained national or international acclaim. The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3. On appeal, the Petitioner contends that SCOPS failed to articulate any rationale as to why his submission does not satisfy the applicable standard of acclaim and recognition, and this failure to provide a cogent or legally supportable justification constitutes arbitrary and capricious decision-making and amounts to an abuse of discretion. The Petitioner also argues that SCOPS has applied an unduly restrictive standard in his case. He maintains that the totality of the record establishes that he has achieved sustained national and international acclaim in the field of powerlifting athletics.

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

Section 203(b)(1) of the Act makes visas available to aliens with extraordinary ability if:

> (i) the alien has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation,

(ii) the alien seeks to enter the United States to continue work in the area of extraordinary ability, and

(iii) the alien's entry into the United States will substantially benefit prospectively the United States.

The term "extraordinary ability" refers only to those individuals in that small percentage who have risen to the very top of the field of endeavor. 8 C.F.R. § 204.5(h)(2). *See also Onaghise v. Dep't of Homeland Sec.*, No. 3:20-CV-03033-X, 2022 WL 4073344, at *2 (N.D. Tex. Sept. 2, 2022) ("EB-1 petitions, nicknamed Einstein visas, are coveted visas reserved for only the most talented noncitizens with extraordinary ability in the sciences, arts, education, business, or athletics"). The implementing regulation at 8 C.F.R. § 204.5(h)(3) sets forth a multi-part analysis. First, a petitioner can demonstrate sustained acclaim and the recognition of the beneficiary's 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 they must provide sufficient qualifying 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). Additionally, if the criteria at 8 C.F.R. § 204.5(h)(3) do not readily apply to the beneficiary's occupation, the petitioner may submit comparable evidence to establish the beneficiary's eligibility. 8 C.F.R. § 204.5(h)(4).

Where a petitioner meets these initial evidence requirements, we then 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 beneficiary is among the small percentage at the very top of the field of endeavor. *See Kazarian v. USCIS*, 596 F.3d 1115 (9th Cir. 2010) (discussing a two-part 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 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).

II. ANALYSIS

The Petitioner is a powerlifting coach and intends to continue to work in the United States as "a professional powerlifting athlete, coach, and mentor" and "open a specialized training center that will serve as a hub for American and international athletes, providing advanced coaching, strength-building programs, and opportunities for the next generation of champions." In 2018, the Petitioner graduated from [redacted] after completing a program for a fire inspector. He previously worked as a powerlifting coach for the [redacted] from 2021 to 2024.

A. Evidentiary Criteria

Because the Petitioner has not indicated or established that he has received a major, internationally recognized award, he must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. §§ 204.5(h)(3)(i)–(x). SCOPS decided that the Petitioner had satisfied five of the six claimed criteria relating to membership in associations, judging, scholarly articles, a leading or critical role, and a high salary at 8 C.F.R. §§ 204.5(h)(3)(ii), (iv),(vi), (viii), and (ix), respectively, but he had not satisfied the criterion relating to published material at 8 C.F.R. § 204.5(h)(3)(iii). Upon consideration of the record,

we conclude that the Petitioner appears to have satisfied only three of the six claimed criteria relating to membership in associations, judging, and scholarly articles at 8 C.F.R. §§ 204.5(h)(3)(ii), (iv), and (vi), respectively.

On appeal, the Petitioner claims that SCOPS improperly discounted the published material criterion. However, because the regulation at 8 C.F.R. § 204.5(h)(3) requires the satisfaction of only three criteria, we need not discuss the other three claimed criteria relating to a leading or critical role, a high salary, and published material and hereby reserve them.[1] As the Petitioner has satisfied the initial evidentiary requirements, we will evaluate the totality of the evidence, including the documentation relating to other criteria he has claimed, in the context of the final merits determination.

B. Final Merits Determination

As the Petitioner has submitted the requisite initial evidence, we will evaluate whether the record demonstrates by a preponderance of the evidence that he has sustained national or international acclaim, he is one of the small percentage at the very top of the field of endeavor, and his 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*, 596 F.3d at 1119-20. In this matter, we determine the Petitioner has not established that he has sustained national or international acclaim for the reasons we will discuss below. While we may not address each piece of evidence individually, we have reviewed and considered each one.

Regarding membership in associations, the Petitioner provided documentation showing that he has been a member of the Kazakhstan National Powerlifting Federation (KNPF) since 2021 and that the KNPF is a voluntary non-profit association in Kazakhstan that organizes sports events, trains athletes, coaches, and other specialists, selects and assigns coaches and other specialists, coordinates the composition of national teams for participating in sports events, provides material support to athletes, coaches, and other specialists, and represents the interests of athletes, coaches, and other specialists in powerlifting and bench press. However, the Petitioner has not sufficiently shown the significance or prestige of his membership with this association to demonstrate that it contributes to a finding of sustained national or international acclaim. *See* section 203(b)(1)(A)(i) of the Act. The statute and regulation require "extensive documentation" and for the petitioner to demonstrate that the beneficiary's national or international acclaim has been sustained. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(3). Here, the documents submitted for 8 C.F.R. § 204.5(h)(3)(ii), considered as part of the record as a whole, are not extensive or commensurate with sustained national or international acclaim. *See* section 203(b)(1)(A)(i) of the Act.

With respect to judging, the Petitioner submitted evidence showing that he participated as a judge in the [redacted] in 2024 and in a powerlifting competition held at the [redacted] in 2024 and received certificates of gratitude for his participation in the competitions as a judge. The record also includes documentation indicating that the [redacted] is an international organization in the

[1] *See INS v. Bagamasbad*, 429 U.S. 24, 25-26 (1976) ("courts and agencies are not required to make findings on issues the decision of which is unnecessary to the results they reach"); *see also Matter of L-A-C-*, 26 I&N Dec. 516, 526 n.7 (BIA 2015) (declining to reach alternative issues on appeal where an applicant is otherwise ineligible).

field of powerlifting, and that the [redacted] promotes healthy lifestyles and the integration of Kyrgyz athletes into the international sports community, and that the powerlifting competition held at the [redacted] was organized to promote a healthy lifestyle among students and the development of mass student sports.

However, the Petitioner did not sufficiently establish that these two occasions contribute to a finding that he has a career of acclaimed work in the field or are indicative of the required sustained national or international acclaim. *See* H.R. Rep. No. 101-723, 59 (Sept. 19, 1990); section 203(b)(1)(A) of the Act. For example, he did not demonstrate the prestigious nature of these competitions, how his experience judging these two competitions compares to others at the very top of the field, or that he has garnered wide attention from the field based on these judging activities. Without evidence that sets him apart from others in his field, such as evidence that he has a consistent history of judging recognized, acclaimed experts in his field, the Petitioner has not shown that his judging experience places him among that upper echelon of his field and that small percentage who has risen to the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2).

With regard to authorship of scholarly articles, the record establishes that the Petitioner published an article on [redacted] in *Science Time*, an international electronic scientific journal, in 2023 and an article [redacted] in *Academic*, an international scientific journal, in 2024. However, the record does not show that any other individual in the field has cited the Petitioner's published articles, indicating an absence of notoriety by virtue of having published these articles. The record does not sufficiently demonstrate how publishing these two articles shows that the Petitioner is among the small percentage at the very top of his field or how he may have sustained whatever acclaim he may have garnered by publishing these articles within two years prior to filing his visa petition in 2025. *See* section 203(b)(1)(A) of the Act; 8 C.F.R. § 204.5(h)(2).

For published material, the record includes three articles covering the Petitioner's coaching work for Kazakhstani athletes from three websites, *toppress.kz*, *delanews.kz*, *inbusiness.kz*, all of which were published in 2024 and an interview article of the Petitioner sharing his story, principles of training champions, and plans for the development of powersports in Kazakhstan from a website, *obk.kz*, which was published in 2023. The Petitioner also provided media kits for two websites and website performance analyses for the four websites from *pro.similarweb.com* showing each website's global, country, and industry rankings and total monthly visits for July 2025. The copies of published material about the Petitioner relating to his work in the field are limited to 2023 and 2024, shortly before he filed the instant visa petition in 2025. The Petitioner did not establish how this limited media reporting of four articles in a two-year span is indicative of a level of success with being among that small percentage who has risen to the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2). Furthermore, according to the website performance analyses, the Petitioner did not demonstrate that the publication of articles on *inbusiness.kz* with a global rank of 42,050 and a country rank of 191, on *delanews.kz* with a global rank of 1,090,348 and a country rank of 9,725, on *toppress.kz* with a global rank of 1,122,208 and a country rank of 134,266, and on *obk.kz* with a global rank of 6,286,297 and a country rank of 47,126 demonstrate sustained national or international acclaim. *See* section 203(b)(1)(A) of the Act.

As to his leading or critical role, the Petitioner asserted that he has performed in a leading or critical role for the [redacted] as a powerlifting coach. The Petitioner provided recommendation letters from the president of the [redacted] and the head coach of the [redacted], confirming the Petitioner's role as a senior coach of the [redacted] from 2021 to 2024. The president of the [redacted] expresses that "[the Petitioner] is responsible, disciplined, able to motivate athletes and creates an atmosphere of trust and mutual respect in the team," "under his leadership, Kazakhstani powerlifters have achieved significant success on the international stage," and the Petitioner's work "strengthened the country's sporting image on the international stage." The head coach of the [redacted] states that "[the Petitioner] plays a key role in the success of the national team: he is responsible for the preparation of experienced team members as well as the development of promising young athletes. Thanks to his efforts, Kazakhstan has consistently improved its results and holds leading positions in the region." The record also includes certificates of honor from the president of the Republic of Kazakhstan and the Ministry of Tourism and Sports of the Republic of Kazakhstan, dated 2024, in recognition "for [the Petitioner's] significant contributions to the development of sports, promotion of a healthy lifestyle, and enhancement of Kazakhstan's prestige on the international stage" and "for active participation in the quality preparation of athletes for international competitions to protect the honor of the country."

The recommendation letters highlight the Petitioner's leadership, professionalism, and coaching achievements, and the certificates of honor acknowledge the Petitioner's significant contributions to the development of Kazakhstan sports as a powerlifting coach of the [redacted]. However, the Petitioner's evidence does not sufficiently indicate that he received recognition on a national or international scale, consistent with being among that small percentage at the very top of the field. *See* 8 C.F.R. § 204.5(h)(2). The Petitioner did not establish how his role within the [redacted] as a powerlifting coach resulted in widespread acclaim from his field, that he drew significant attention from the greater field, or that the overall field considers him to be at the very top, garnering with sustained national or international acclaim. *See* section 203(b)(1)(A) of the Act and 8 C.F.R. § 204.5(h)(2).

Finally, regarding a high salary, the Petitioner documented that he earned a total of 23,510,000 Kazakhstan tenge (KZT) in 2024 from the [redacted] as a powerlifting coach. He provided the average annual salary of a head coach in [redacted], Kazakhstan, for 2025 from *worldsalaries.com*, which is around KZT 7,246,500. While the Petitioner established that his 2024 annual income was higher than the average annual salary of a head coach in [redacted], Kazakhstan, for 2025, he did not sufficiently demonstrate that he has commanded earnings commensurate with sustained national or international acclaim in his field. *See* section 203(b)(1)(A) of the Act. The Petitioner did not show that his wages were tantamount to an individual who is among that small percentage at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2). He did not demonstrate, for example, how his salary compared to others at the very top of his field or that he received notoriety or attention based on his earnings separating himself from others in the field or placing him in the upper echelon.

The record as a whole, including the evidence discussed above, does not adequately establish the Petitioner's eligibility for the benefit sought. The record contains a limited amount of probative evidence relating to the Petitioner's first few years of work experience as a powerlifting coach for the [redacted] from 2021 to 2024. These materials do not sufficiently demonstrate that he has sustained any

acclaim that he may have earned during his career as a powerlifting coach. 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. U.S. Citizenship and Immigration Services 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). Here, the Petitioner has not shown the significance of his work is indicative of the required sustained national or international acclaim or that it is consistent with a "career of acclaimed work in the field" as contemplated by Congress. H.R. Rep. No. 101-723, at 59; *see also* section 203(b)(1)(A) of the Act. Moreover, the record does not otherwise demonstrate that the Petitioner has garnered national or international acclaim in the field and that he is one of the small percentage who has risen to the very top of the field of endeavor. *See* section 203(b)(1)(A) of the Act; 8 C.F.R. § 204.5(h)(2).

The Petitioner argues that SCOPS failed to articulate any rationale as to why his submission does not satisfy the applicable standard of acclaim and recognition and applied an unduly restrictive standard in his case. However, SCOPS clearly acknowledged and analyzed various documents on record and concluded overall that the quality of the evidence lacked probative value in supporting the Petitioner's eligibility for the EB-1 visa classification. Under the preponderance standard, we consider not only the quantity, but also the quality of the evidence, including its relevance, probative value, and credibility. *Matter of Chawathe*, 25 I&N Dec. at 376; *see also Matter of E-M-*, 20 I&N Dec. 77, 79-80 (Comm'r 1989). Furthermore, when USCIS provides a reasoned consideration to the petition and has made adequate findings, it will not be required to specifically address each claim the petitioner makes, nor is it necessary for it to address every piece of evidence the petitioner presents. *Guaman-Loja v. Holder*, 707 F.3d 119, 123 (1st Cir. 2013) (citing *Martinez v. INS*, 970 F.2d 973, 976 (1st Cir. 1992); *see also Kazemzadeh v. U.S. Atty. Gen.*, 577 F.3d 1341, 1351 (11th Cir. 2009); *Casalena v. U.S. INS*, 984 F.2d 105, 107 (4th Cir. 1993). Here, the record reflects that SCOPS considered all evidence in the totality, provided a reasoned consideration to the petition, made adequate findings, and articulated the specific reasons as to why SCOPS concluded that the Petitioner has not demonstrated by a preponderance that he has extraordinary ability. *See generally* 6 *USCIS Policy Manual* F.2(B)(2), https://www.uscis.gov/policy-manual.

III. CONCLUSION

For the reasons we have discussed above, the Petitioner has not demonstrated 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.

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.