U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40777979

Date: JAN. 12, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner is a sociologist 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, nor did she demonstrate that she met at least three of the ten regulatory criteria. 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 earned various degrees culminating in a Ph.D. in Sociology in 2023 and she was serving in a notable postdoctoral fellowship when she filed this petition.

A. The Field of Endeavor

The Petitioner claimed that she qualifies for this immigrant classification "by virtue of her cross-functional expertise in the broader field of sociology, specifically focusing on evaluating laws and policies that are targeted towards the well-being of women." She indicated that her "academic and professional scientific record is allied to her involvement to help incorporate her insights into the population of South Asian women immigrants in the US." She further expressed that her professional achievements have resulted in "a significant influence on gender and global development initiatives" and the evidence she offered for the record corroborates "her contributions in her specific area of expertise."

We clarify that for the purposes of this extraordinary ability petition, we consider the Petitioner's field of endeavor to be sociology and not a more narrowly tailored study of agricultural and nutritional issues relating to Bangladeshi women or another similar subset category.[1] While her specialty in the study of Bangladeshi women may be distinct from other sociologists, we will not confine her field to others with her type of training and experience.

It is not the Petitioner's particularized narrow specialty within her field that is the determining factor as to whether she is an alien with extraordinary ability under the Act. Rather, it is whether her evidence demonstrates that she "is 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) and "that the alien has sustained national or international acclaim and that his or her achievements have been recognized in the field of expertise." 8 C.F.R. § 204.5(h)(3). *See Kazarian*, 596 F.3d at 1119–20. Nothing in the statute, the regulation, nor USCIS policy appears to support the position that an alien may restrict their field to a small subset of limited peers as the Petitioner appears to have attempted here.

[1] We specified Bangladeshi rather than South Asian women as that is where she has focused in her research as she identified Bangladesh in the titles of 17 out of her 20 published scholarly works, and those without the country in its title are still about women in Bangladesh.

Concluding otherwise would render the requirement meaningless that the Petitioner establish she is among the small percentage at the very top of her field by allowing her to narrow her field until she ranks among the top of a small group in that so-called field. *See Buletini v. INS,* 860 F. Supp. 1222, 1229 (E.D. Mich. 1994) (finding an alien's area of extraordinary ability was not limited to the specific study of nephrology but rather was within the general field of medical science).

B. 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 three of the regulatory criteria. SCOPS decided that the Petitioner satisfied two of the criteria relating to judging and the authorship of scholarly articles, but that she had not satisfied the criteria associated with original contributions. On appeal, the Petitioner maintains that she meets the original contributions criterion. After reviewing all the evidence in the record, we conclude that she has not met at least three criteria.

1. "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 primary requirements here are that the Petitioner's contributions in their field were original and they rise to the level of major significance in the field, rather than to a project or to an organization. *See Amin*, 24 F.4th at 394 (citing *Visinscaia v. Beers*, 4 F. Supp. 3d 126, 134 (D.D.C. 2013)). The regulatory phrase "major significance" is not superfluous and, thus, it has some meaning. *Nielsen v. Preap*, 586 U.S. 392, 415 (2019) (finding that every word and every provision in a statute is to be given effect and none should needlessly be given an interpretation that causes it to duplicate another provision or to have no consequence). Further, the Petitioner's contributions must have already been realized rather than being potential, future improvements. Contributions of major significance connotes that the Petitioner's work has significantly impacted the field. The Petitioner must submit evidence satisfying all of these elements to meet the plain language requirements of this criterion.

Under this criterion, the Petitioner primarily relied on her citation record and other materials stemming from her work. SCOPS determined that the Petitioner did not meet the requisite standard. On appeal, the Petitioner relies on her published work exerting influence in the field first through her citation statistics, then through impacts in the field as represented in support letters. The errors she identifies on SCOPS' part is they downplayed the importance of her work in the field and they ignored relevant evidence supporting her claims under this criterion.

We begin with the Petitioner's claims relating to her citation statistics in her field of endeavor. It appears the Petitioner's counsel took one element from SCOPS' denial and extrapolated it to conclude:

> [T]he officer is essentially saying here that to prove that our client has made original contributions of major significance, we need to compare this person's article citation history to another person who has been shown to have made original contributions of major significance–essentially, that we need to somehow prove that someone who is not our client has made a contribution of major significance to show that our client has made such a contribution.

First, the Petitioner provided a lengthy quote from SCOPS' denial but she skipped over four paragraphs that discussed support letters, the standard of proof, her Google Scholar profile, and articles citing to her work without explanation. Further review of SCOPS' discussion reveals that much of the skipped content works against her claim in the above blocked quote that she must compare her work to another highly influential person's work in the field to demonstrate eligibility under this criterion. So we do not agree with the Petitioner that this "shows that the officer is requiring a certain type of evidence as proof, which is also not allowed, either by the USCIS policy manual or by the regulations."

Second, the Petitioner notes "the officer also looks at the total number of citations that [the Petitioner] has received for ALL her work to determine that NONE of her work has made a major impact because others in the field have received a TOTAL number of citations higher than hers." Counsel continues "to point out that, in both the original application and the RFE [request for evidence] response, we only discussed citation history in terms of the individual papers and how those individual article metrics showed that particular findings were of major significance . . . ." The appeal brief does not identify the text in SCOPS' decision that it references here, and it is not apparent what portion of it the brief points to. SCOPS stated:

> [A] particular article cannot be considered influential if the evidence does not show that other researchers have relied upon the authors' findings. In addition, while a moderate amount of citations to the beneficiary's work demonstrates awareness of the work and its value, not every researcher who performs moderately valuable research has inherently made an original contribution to the academic field as a whole.

SCOPS was referencing individual scholarly work here. And it appears the remainder of the decision also evaluated individual papers. Returning to the quote the Petitioner took issue with, SCOPS actually stated: "A more appropriate analysis would be to compare the beneficiary's citations to other similarly, highly cited articles that the field views as having been of major significance, as well as factoring in other corroborating evidence." Their point here is that the Petitioner advances the argument that some of her individual scholarly work should demonstrate her eligibility under this criterion because of the individual citation rate, but she offers no baseline to other published work that the field has deemed to be highly influential.

We view a comparison of citations to individual scientific articles to be more relevant for this criterion to establish the overall field's general view of a contribution of major significance. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policymanual (providing that "documentation that [published research] has been highly cited relative to others' work in that field, may be probative of the significance of the person's contributions to the field of endeavor"). Here, "relative to others' work in that field" is the direct comparison that SCOPS sought, but the Petitioner did not provide, nor has she offered such information with the appeal.

Third, we move on to other methods that the Petitioner claims under this criterion stemming from her scholarly work. The Petitioner advances that one of her articles has been ranked as being in the top five percent of all articles that a particular service measures—a service that relies on a set of non-traditional indicators used to measure the immediate online attention and engagement surrounding

research outputs. The Petitioner did not provide probative evidence that this service's measurements result in reliable indicators of research quality or long-term scientific impact. As a result, she has not illustrated that data from this service establishes she has made a contributions of major significance to the field as a whole.

Fourth, the Petitioner notes "[w]e discussed her paper . . . which was published in 'World Development' in 2014," . . . . [and] it should be noted that this journal is very highly ranked. . . . [and] we believe that showing that it was cited significantly higher than other articles also published in such a high level journal is evidence of its major significance." The Petitioner further notes her article was "discussed and cited in over 120 policy documents," and was highlighted by an article published by Inter Press Service," an entity that is considered to be a major media source according to *Wikipedia*. Finally, the Petitioner notes this article was requested to appear in a book.

We dispose of any claims relying on information from *Wikipedia*. Both USCIS and federal courts have long found information originating from that resource to be unreliable. There are no assurances about the reliability of the content from *Wikipedia* as an open, user-edited internet site.[2] *See Matter of L-A-C-*, 26 I&N Dec. 516, 526 (BIA 2015); *United States v. Lawson*, 677 F.3d 629, 650–51 (4th Cir. 2012); *Badasa v. Mukasey*, 540 F.3d 909, 910–11 (8th Cir. 2008); *see also Sibanda v. Holder*, 778 F.3d 676, 680 (7th Cir. 2015); *Campbell ex rel. Campbell v. Sec'y of Health & Hum. Servs.*, 69 Fed. Cl. 775, 781 (2006); *Bing Shun Li v. Holder*, 400 F. App'x 854, 857 (5th Cir. 2010).

Regarding the claim that this article appeared in a highly ranked journal and that it was cited higher than other articles in the journal, this is an achievement albeit one that the Petitioner failed to explain how that fact resulted in any contribution to the greater field that rose to the level of being of major significance. *See Venkatnarayan v. Jaddou*, No. 1:23CV256, 2024 WL 4008312, at *7 (M.D.N.C. Aug. 30, 2024), *report and recommendation adopted sub nom. Venkatnarayan v. Jaddou Dir. of United States Citizenship & Immigr. Servs.*, No. 1:23-CV-256, 2024 WL 4267307 (M.D.N.C. Sept. 23, 2024) (upholding the high-ranking status of a journal did not show an author's influence or impact of the petitioner's research on the field, nor did it establish that every article published in a highly ranked journal automatically indicates a contribution of major significance); *Agrawal v. Miller*, No. 4:24CV3143, 2025 2879217, at *20 (D. Neb. Sept. 12, 2025) (upholding that it cannot be automatically presumed that all articles published by respected journals and organizations are considered majorly significant).

Turning to the Petitioner's claim that her article was "discussed and cited in over 120 policy documents," the appeal brief doesn't offer any additional discussion relating to this claim to explain the extent to which the inclusion in that number of policy documents had in the field. The brief only

[2] Online content from *Wikipedia* is subject to the following general disclaimer, "WIKIPEDIA MAKES NO GUARANTEE OF VALIDITY. *Wikipedia* is an online open-content collaborative encyclopedia, that is, a voluntary association of individuals and groups working to develop a common resource of human knowledge. The structure of the project allows anyone with an Internet connection to alter its content. Please be advised that nothing found here has necessarily been reviewed by people with the expertise required to provide you with complete, accurate or reliable information. . . . *Wikipedia* cannot guarantee the validity of the information found here. The content of any given article may recently have been changed, vandalized or altered by someone whose opinion does not correspond with the state of knowledge in the relevant fields. *Wikipedia: General disclaimer*, Wikipedia (June 16, 2025), http://en.wikipedia.org/wiki/Wikipedia:General_disclaimer.

points to an exhibit included in the initial filing, an exhibit that was not labelled so we are unable to verify what document or set of documents the brief attempts to guide us to. If true, it is noteworthy that 120 policy documents discuss or cite to one of her articles. But even if true, that does not automatically translate into that article resulting in any significant influence in the field as the citations could simply be to nominally support a policy position or for country-specific statistics.

The Petitioner's final claim in this area was that this same article was requested to appear in a book. While this is a notable possible future achievement, the Petitioner did not demonstrate that as of the date she filed the petition, any book had already incorporated her article. Nor does it establish how her work already qualifies as a contribution of major significance in the field, rather than prospective, potential impacts. The significant nature of her work here has yet to be determined or measured. This regulatory criterion requires petitioners to show they have already made a significant impact in their field. A Petitioner must establish the elements for the approval of the petition at the time of filing. 8 C.F.R. § 103.2(b)(1), (12). A petition may not be approved if the Petitioner was not qualified at the priority date, but expects to become eligible at a subsequent time. *See Matter of Katigbak*, 14 I&N Dec. 45, 49 (Reg'l Comm'r 1971). This evidence does not establish that, as of the priority date, the Petitioner contributed to her field in a significant manner as the regulation requires.

When discussing another of her articles, the Petitioner claims it has provoked such widespread use, commentary, and citations that it shows her contributions of major significance to the field as a whole. The highly ranked journal Food Policy published the article in 2018 and the Petitioner claims "[i]t has also been cited in at least 1 news article." The evidence the Petitioner identifies in her RFE response contains information about the Food Policy journal and the named article, but nothing about a news article that made a reference to her paper. We already explained why the Petitioner's arguments about well ranked journals falls short under this criterion. And she has not adequately explained and supported her assertion about other media referencing her work.

She also mentions material that she views as relevant to her claims under this criterion that SCOPS did not directly mention in their decision. However, she only identified the material without explaining how each form of evidence demonstrates she has made a contribution of major significance in the field.

Moving to the support letters, the Petitioner claims SCOPS erred when they discussed the letters because:

> [T]he letters were discussed separate from the other evidence to see if they, individually, showed that [the Petitioner] met the requirements of the category. As the Court in Kazarian has stated, ALL evidence must be looked at together to determine whether the person meets the standard. Here the Court discussed the fact that stating that the evidence presented to show, for example, original contributions of major significance must also show that the person has extraordinary ability was a circular argument because all evidence must be reviewed together for that. Similarly, within a particular category, the evidence must be looked at together, not separately.

But the *Kazarian* court didn't make a ruling conveying the same requirements the Petitioner presents in the blocked quote above. And the Petitioner doesn't offer a quote or a citation within the *Kazarian*

opinion, nor does agency policy state under this criterion that "ALL evidence must be looked at together to determine whether the person meets the standard." It is possible that the Petitioner confuses the process USCIS implements in the final merits determination that only takes place after a petitioner demonstrates at least three of the regulatory criteria have been satisfied. But since she has not met at least three of the regulatory criteria here, she must adhere to this regulatory criterion's plain language requirements.

The first letter the Petitioner refers to in the appeal is from [redacted] who stated:

> This paper has been widely cited and has received attention from policymakers, development organizations, and academics seeking to inform efforts to increase women's empowerment. For example, the second phase of a recently-completed multi-country research project . . . in collaboration with implementors and researchers in Bangladesh, Nepal, Mali, Ghana, Ethiopia, Burkina Faso and Tanzania, have drawn on these findings to examine how agricultural development projects enhance women's agency and empowerment, and to inform the future design of development interventions with women's empowerment objectives.

We acknowledge some level of influence resulted from the Petitioner's work, but the fact that researchers have drawn on her research findings does not translate into a contribution of major significance in the wider field and the Petitioner does not offer information describing how it does. [redacted] does not specifically address how the Petitioner's original work has made an impact in the field at large. Her comments merely tend to indicate that the Petitioner has made incremental progress to the field's general collective knowledge. The Petitioner discusses other letters that she initially submitted that effectively reflect similar claims from [redacted]'s letter, but while those authors also identify the Petitioner's original contributions, they do not describe how those efforts resulted in impacts that were of major significance in the broader field.

Withing the evidence the Petitioner submitted in response to the RFE, she identified the letter from [redacted], an associate professor at the [redacted] at [redacted]. The appeal brief specifically calls out the portion of the letter in which the professor stated the Petitioner was among the top percentile of authors publishing in her field, her research has "informed" the professor's own research, and that her "research on women's empowerment has opened a new avenue of research on efforts to measure domain-specific empowerment (e.g., in agriculture, in fisheries, and in nutrition), which has enabled improved measurement of the impact of development funding."

The professor does not explain how she surmised the Petitioner as being among the top percentile of researchers in the Petitioner's field, nor does she offer greater detail about the extent to which the Petitioner's findings has informed her own work. Lacking is an indication of how the researchers in the broader field have placed a foundational reliance on the Petitioner's work, nor does it seem to showcase the significance of her research to novel findings and progress in the field as the professor asserts. On the issue the professor raises about opening a new avenue of research, this may hold benefits for the field at some future point, but it does not establish that the Petitioner's work has already effected an impact in the field that is of major significance. Further, she described incremental progress within a localized research space, with limited implications for the broader domain. Stated differently, she did not explain the impact on the field as a whole.

She also discusses the support letter from [redacted]. The Petitioner highlights aspects we've disposed of in other letters, such as being among the top percentile of authors publishing in her area and how others have drawn on her research findings. Those are notable building blocks to aid in meeting this criterion's requirements but without an adequate demonstration of how those elements have resulted in contributions in the field that are of major significance the Petitioner has not built a finished structure sufficient to meet her burden here. [redacted] also mentioned the Petitioner's research findings were featured in a panel report in a United Nations summit that used her findings:

> [T]o emphasize the importance of investing in changing gendered norms as a critical pathway to achieving food and nutrition security. The inclusion of [the Petitioner's] work in this expert-led report reinforces the policy relevance of her research within global efforts to create inclusive and resilient food systems, which the U.S. supported at the Summit with a $10 billion commitment.

We acknowledge the implication of such an achievement. However, neither the professor nor the Petitioner explain how that policy accomplishment amounts to a contribution to the field that rises to the level of major significance. For instance, there is no analysis and supporting evidence showing the United States' financial support for the summit was solely or primarily due to her research, and even if it was, an explanation of how that is a contribution to the wider field of sociology rather than a restricted subset of that field. USCIS policy informs us of how support letters can best help a petitioner meet this criterion's requirements:

> Detailed letters from experts in the field explaining the nature and significance of the person's contribution may also provide valuable context for evaluating the claimed original contributions of major significance, particularly when the record includes documentation corroborating the claimed significance.
>
> Submitted letters should specifically describe the person's contribution and its significance to the field . . . .

See generally 6 *USCIS Policy Manual*, *supra*, F.2(B)(1). While the letters explain her contributions to the field and the significance of some of them, the qualitative nature of the significance does not rise to the level this criterion requires. The Petitioner has made original contributions to the field that are notable, yes. And it may ostensibly appear to be more significant than it actually is when viewing it through the lens of a niche subarea of her field. But however notable those above average influences may be within a narrowed area, she has not explained how the broader field has been sufficiently impacted by that work with quantifiable effects demonstrating they are individually—or even collectively—of *major* significance in the field. Contributions of major significance connotes that the Petitioner's work has significantly impacted the broader field. *See* 8 C.F.R. § 204.5(h)(3)(v); *see also Amin*, 24 F.4th at 394 (finding that contributions under this criterion require "specific information relating to the impact [of a petitioner's work] on the field as a whole" and citing *Visinscaia*, 4 F. Supp. 3d at 134.

Here, the Petitioner has not submitted evidence that her contributions have had a sufficiently appreciable impact in the field, and as a result she has not met this criterion's requirements.

III. CONCLUSION

The Petitioner has not submitted the required initial evidence of either a one-time achievement or documents that meet at least three of the ten criteria. As a result, we do not need to provide the type of final merits determination referenced in *Kazarian*, 596 F.3d at 1119–20. Nevertheless, we advise that we have reviewed the record in the aggregate, concluding it does not support a finding that the Petitioner has established the acclaim and recognition required for the classification sought.

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). Here, the Petitioner has not shown the significance of their 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, 59 (Sept. 19, 1990); *see also* section 203(b)(1)(A). Moreover, the record does not otherwise demonstrate that the Petitioner has garnered national or international acclaim in the field, and they are one of the small percentage who has risen to the very top of the field of endeavor. *See* section 203(b)(1)(A) and 8 C.F.R. § 204.5(h)(2).

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 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.