U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40305288

Date: JAN. 20, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, a business legal consultant, 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 petition, concluding that although the Petitioner satisfied at least three of the ten initial evidentiary criteria, he did not establish his sustained national or international acclaim and that he is among the small percentage at the very top of the field of endeavor. 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

Section 203(b)(1)(A) of the Act makes visas available to immigrants 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). 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 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 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 an evidentiary standard under 8 C.F.R. § 204.5(h)(3)(i)-(x) does not "readily apply" to a petitioner's occupation, the petitioner may submit "comparable evidence" to establish 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 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-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 Amin v. Mayorkas*, 24 F.4th 383, 394 (5th Cir. 2022) (upholding USCIS' two-step review process as "consistent with the governing statute and regulation").

II. ANALYSIS

The Petitioner has not indicated or established that she has received a major, internationally recognized award. She claimed to have met eight criteria, namely:

- lesser nationally or internationally recognized awards or prizes;
- memberships in associations;
- published materials about the individual;
- judge of others' work;
- original contributions of major significance;
- authorship of scholarly articles;
- leading or critical roles; and
- high salary in relation to others.

SCOPS determined that the Petitioner fulfilled four of the claimed criteria but concluded in a final merits determination that she did not establish her sustained national or international acclaim in the field or show that she is one of that small percentage at the very top of that field and denied the petition accordingly.

For the reasons discussed below, we do not agree with SCOPS' findings that the Petitioner met the four criteria, namely membership in associations, published materials about the Petitioner, leading or critical role, and high salary in relation to others. We will review each of those criteria and the additional evidentiary criteria she claims to have met. The Petitioner's evidence must objectively satisfy the parameters of the applicable regulatory description. *See generally* 6 *USCIS Policy Manual* F.2(B), www.uscis.gov/policy-manual.

On appeal, the Petitioner asserts that she meets the eight initial evidentiary criteria claimed in her petition. For the final merits determination, she argues that that SCOPS' decision is contrary to the law and facts because SCOPS diminishes the probative value of the evidence and applies a standard higher than preponderance of the evidence. When considering the totality of the evidence, she contends it clearly supports her being one of the few professionals who have reached the top of her field.

Upon de novo review, the Petitioner has not demonstrated she meets at least three of the initial evidentiary criteria. In addition, she has not demonstrated her sustained national or international acclaim and that she is among the small percentage at the very top of her field.[1]

A. Evidentiary Criteria

The Petitioner claims eligibility for this classification as an individual of extraordinary ability in the business and legal fields. She is a lawyer from Brazil who is registered with the Florida Bar as a foreign legal consultant in Brazilian law. She intends to work in the United States as an international business legal consultant, specifically focused on immigrant entrepreneurs.

1. "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).

For the reasons discussed below, we agree with SCOPS' conclusion that the Petitioner did not meet this criterion.

The Petitioner claims she meets this criterion based on a certificate of recognition from [redacted][2] The certificate states the Petitioner was recognized for her work in tax law. The certificate, however, is dated April 29, 2025, which is after the Petitioner filed this petition in February 2025. Eligibility must be established at the time of filing. 8 C.F.R. §§ 103.2(b)(1), (12); *Matter of Katigbak*, 14 I&N Dec. 45, 49 (Reg'l Comm'r 1971). A petition cannot be approved at a future date after the petitioner becomes eligible under a new set of facts. *Matter of Izummi,* 22 I&N Dec. 169, 175 (Comm'r 1998). That decision, citing *Matter of Bardouille,* 18 I&N Dec. 114 (BIA 1981), further provides that USCIS cannot "consider facts that come into being only subsequent to the filing of a petition." *Id.* at 176. Because the record indicates the Petitioner earned the recognition after filing this petition, she has not established eligibility for this criterion at the time of filing.

Even if we were able to consider the certificate, the record does not demonstrate that the certificate of recognition is nationally or internationally recognized for excellence in her field. The certificate grants the Petitioner with "the title of Academic and Professional Merit in Tax Law, in recognition of her outstanding career in tax advocacy, marked by legal leadership, technical rigor in scientific production, and relevant contributions to the advancement of Tax Law in Brazil." The Petitioner asserts that [redacted] is a nationally recognized academic institution in Brazil, but the record does

[1] While we may not discuss every document submitted, we have reviewed and considered each one.

[2] In her initial petition, the Petitioner submitted evidence relating to two other awards, [redacted] and a Motion of Appreciation. In her request for evidence reply, she indicated that this evidence should not be considered for this criterion, but instead should be considered under the criterion for original contributions under 8 C.F.R. § 204.5(h)(3)(v).

not demonstrate that the recognition she received is a nationally or internationally recognized prize or award. A nationally recognized academic institution's issuance of an award does not alone establish a prize's national recognition. *See Krasniqi v. Dibbins*, 558 F. Supp. 3d 168, 183 (D.N.J. 2021) (noting that "as reflected in the regulation's plain text, the focus is on the award, not the awarding organization.") (emphasis in original). The Petitioner must show how others beyond [redacted] viewed her award. *See Visinscaia v. Beers*, 4 F. Supp. 3d 126, 136 (D.D.C. 2013) (noting that "[w]ithout evidence of how a larger audience viewed Plaintiff's awards, there was no way for the agency to evaluate whether those awards were recognized widely enough to satisfy this criterion."). The record therefore does not establish the award having national or international recognition.

For these reasons, the Petitioner has not demonstrated meeting this criterion.

2. "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).

SCOPS stated that the Petitioner met this criterion without providing an explanation for the determination. Upon de novo review, we conclude that the Petitioner has not met the requirements for this criterion.

To demonstrate that membership in an association meets this criterion, a petitioner must show that the association requires outstanding achievement as an essential condition for admission to membership, and that such achievements are judged by recognized experts in the field. Membership requirements based on employment in a certain occupation, minimum education or experience, or payment of dues or fees do not satisfy this criterion as such requirements do not constitute outstanding achievements. *See generally* 6 *USCIS Policy Manual, supra*, at F.2(B)(2).

To meet the criterion, the Petitioner claims she is a member of the Brazilian Bar Association, the Florida Bar, the [redacted] Lawyers Association, and three committees for the [redacted] Division of the Brazilian Bar Association.

For the Brazilian Bar Association, the Petitioner submitted documentation confirming she is registered as a lawyer with the Brazilian Bar Association. She also provided a statute relating to lawyer registration requirements in Brazil. The Petitioner claims the Brazilian Bar Association requires outstanding achievement of its members, such as passing rigorous testing and ethical standards. The statute sets out requirements for registration as a lawyer with the Brazilian Bar Association, including educational, testing, voter registration, military service compliance, moral integrity, swearing an oath, and not engaging in activity incompatible with legal practice. However, the statute and other evidence in the record do not reflect a requirement of outstanding achievement, as judged by recognized national or international experts in her field in order to register as a lawyer with the Brazilian Bar Association.

Likewise, for the Florida Bar Association, the Petitioner submitted evidence of her registration as a foreign legal consultant in Brazilian law; however, the documentation about requirements for registering as a foreign legal consultant with the Florida Bar does not reflect a requirement of outstanding achievement as judged by recognized experts in the field.

For the [redacted] Lawyers Association, the Petitioner submitted her membership card, an informational summary about the [redacted] Lawyers Association, and English translations of regulatory articles for the Association of Lawyers dated July 2023. The membership card confirms that the Petitioner has been a member since July 4, 2003, and indicates she has a "regular" category of membership. The evidence, however, is not sufficient to demonstrate that the Petitioner's "regular" membership category requires outstanding achievements of its members, as judged by experts in the field. The Petitioner only included the English translation of the regulatory articles for the association, and did not submit the foreign language document corresponding to the English translation. The Petitioner is required to submit a copy of the foreign documents accompanied by a full English language translation. *See* 8 C.F.R. § 103.2(b)(3). English language translations may not be provided in lieu of foreign language documents. Without a copy of the untranslated regulatory articles, we cannot consider the English translation for eligibility under this criterion.

Had the Petitioner submitted the required foreign language regulatory articles for the Association of the [redacted] Lawyers Association, it would nevertheless be insufficient to meet the criterion. Article 4 of the English translation of the regulatory articles states, "There are five categories of members," but does not state that one of the membership categories is the Petitioner's indicated "regular" category. Moreover, the regulatory articles do not indicate that membership in any of the five categories requires outstanding achievement of its members, as judged by experts in the field.

In addition, the Petitioner submitted documentation indicating her membership in three committees for the [redacted] Division of the Brazilian Bar Association, namely the Special Cooperative Committee in 2017, the Cooperative Committee in 2013, and the Special Committee on International Relations in 2024. While she also provided informational material about each of the committees, such material only briefly discusses each committee's main objectives and does not indicate the requirements for membership or that membership requires outstanding achievements of its members as judged by experts in the field.

The Petitioner has not demonstrated that she is a member in an association in her field which requires outstanding achievements of its members, as judged by recognized national or international experts in their disciplines or fields. We withdraw SCOPS' findings to the contrary.

3. "Published material about the alien in professional or major media 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).

SCOPS stated that the Petitioner met this criterion without providing an explanation for its determination. Upon de novo review, we conclude that the Petitioner has not met the requirements for this criterion.

The Petitioner relies on several articles to meet this criterion. Some of the submitted articles, however, are not about the Petitioner and her work in her field. For instance, the article published in [redacted] entitled, [redacted] mainly discusses a lawsuit in which the Petitioner provides a single quote stating when the lawsuit would likely appear in court. Similarly,

the article published in [redacted] entitled, [redacted] discusses a court case with one mention of the Petitioner providing her opinion about the potential outcome of the case. The articles do not report on the Petitioner and her work or otherwise reflect published material about her and her work consistent with this regulatory criterion. *See Nelson v. U.S. Citizenship & Immigr. Servs.*, No. CV 21-10334-LTS, 2022 WL 20583561, at *5 (D. Mass. June 15, 2022) (upholding articles that only cited or quoted the petitioner are not about him); *see also Joseph v. Dir. of Texas Serv. Ctr., United States Citizenship & Immigr. Servs.*, No. 24-40249, 2025 WL 458001, at *3 (5th Cir. Feb. 11, 2025) (upholding USCIS' determination that an article about a house being built did "not make the article about" the petitioner).

Further, some articles are not about the Petitioner but, instead authored or co-authored by the Petitioner. For instance, the article published in [redacted] entitled, [redacted]' states that the Petitioner is the author, rather than the subject of the article.

For two articles, one published in *TAW* and the other published in the booklet, *Caderno Fortalecimento Cooperativista*, they do not include the regulatory required author of the articles. The article published in the booklet *Caderno Fortalecimento Cooperativista* is described as an interview of the Petitioner but does not include the name of the interviewer or the author. Instead, the article only lists the Petitioner's name and employment details at the end of the article. *See Kumar v. Dir. of U.S. Citizenship & Immigr. Servs.*, No. CV RDB-23-2251, 2024 WL 1374794, at *5 (D. Md. Apr. 1, 2024) (upholding plaintiff's evidence did not include the required title, date, or author). Without an author, the articles do not meet the regulatory requirements of the criterion. Moreover, while the Petitioner provided her own summary about the publication *Caderno Fortalecimento Cooperativista*, the record does not include independent evidence corroborating that *Caderno Fortalecimento Cooperativista* is a professional or major media trade publication or other major media.

In addition to articles, the Petitioner provided photographs with her notes indicating they depict her lecturing at a well-recognized legal forum in Brazil. The photographs, however, are not published material about the Petitioner in professional or major media trade publications or other major media and, thus do not meet the plain language of the regulation. Moreover, the photographs do not include a title, date, and author, as required under the regulation.

For the reasons discussed, the Petitioner has not established meeting this criterion. We withdraw SCOPS' findings to the contrary.

4. "Evidence of the alien's participation, either individually or on panel, as a judge of the work of others in the same or an allied field of specification for which classification is sought." 8 C.F.R. § 204.5(h)(3)(iv).

SCOPS determined that the Petitioner did not meet this criterion because she only provided evidence that she was invited to be a judge of the work of others and did not provide evidence that she participated in the judging. The record, however, does include evidence that she participated as a judge of the work of others in her field. The record includes four statements from [redacted] stating that the Petitioner, as a professor, participated as an evaluator on defense panels for the final papers of four students in the law program. In addition, she provided two certificates from [redacted] certifying the Petitioner's participation as a judge or examiner on the evaluation

panel for the final papers of two students in the undergraduate law program. The documents include details of the work judged by the Petitioner.

Based on the record, the Petitioner has met the criterion. We withdraw SCOPS' findings to the contrary.

5. "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).

For the reasons discussed below, we agree with SCOPS' conclusion that the Petitioner did not meet this criterion.

To meet this criterion, a petitioner must first demonstrate making original contributions in the field. In addition, a petitioner must show the original contributions are of major significance to the field. The criterion focuses on whether a petitioner's original work constitutes major, significant contributions to 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. *Visinscaia v. Beers*, 4 F. Supp. 3d at 134-35. Relevant evidence of the significance 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; and
- 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).

On appeal, the Petitioner argues that SCOPS ignored the "jurisprudential and doctrinal impact of [her] work in Brazilian tax law." She maintains that her published opinions and legal scholarship have influenced the interpretation and enforcement of Brazilian tax obligations, judicial rulings, and legal education. She explains that her legal thesis was presented to the Supreme Federal Court of Brazil, becoming the subject of study for legal professionals and the academic community, particularly among the students at [redacted]

As discussed earlier, the Petitioner submitted a Declaration from [redacted] stating that the Petitioner's legal thesis "represents one of the most influential scholarly contributions in the field of Brazilian Tax Law," proposing "an innovative and technically robust legal framework that has had a tangible impact on the legal community, particularly in judicial forums and academia." The Declaration explains that the Petitioner's work is included as reference material for the university's law program and that "[t]his academic adoption reflects both the originality and national relevance of the thesis, which has contributed meaningfully to legal education and professional practice across Brazil. It is a recognized example of how scholarly legal work can produce significant practical outcomes, including influence on Supreme Court deliberations."

While the Petitioner has shown that her legal thesis relating to constitutional and tax law in Brazil is her original scholarly work, she has not demonstrated her work is a contribution of major significance

in her field. The record shows her legal thesis has contributed to the academic community for a Brazil university but does not establish that her legal thesis has contributed beyond the university's academic community to have contributions of major significance in her field.

The Petitioner asserts that her legal thesis has had contributions of major significance on Brazil judicial decisions and legislation. She submitted a document entitled, [redacted]' reflecting it is an Amicus Curiae brief submitted by the Petitioner and another individual for the trial of case filed in 2002. She also submitted a published article she co-authored about the case and other articles reporting on the case. The evidence, however, does not indicate that her brief is an original scholarly or business-related contribution, or that it was of major significance in her field. The record includes two emails dated in 2003, which are addressed to the Petitioner and indicate the authors read her published article and had interest in the tax law and in the case discussed in the article. The emails are brief with a few sentences and show interest in her article and tax reform; however, they do not indicate or suggest that her work is an original contribution or is of major significance in her field. Similarly, the articles written by others show interest in the case, but do not indicate or suggest her brief is an original scholarly article or business-related contributions of major significance in her field.

In addition, the Petitioner submitted portions of a book she contributed to, photographs with her notations that they depict her participating in lectures related to tax law, articles she co-authored, and other work for which she provided legal commentary. There is no indication that the documents comprise the Petitioner's original contributions. For instance, the Petitioner submitted photocopies of portions of the book, which indicate she is one of five contributors to a book authored by two other individuals. She also provided documentation about the book's retailers and sales information, which states that the book was published in 2003 and sold 238 copies. The Petitioner did not provide evidence indicating that her work as a contributor to the book are her original contributions. Moreover, she did not demonstrate how the cumulative number of books sold represents contributions of major significance in the field. We are not persuaded that her being one of five contributors to a book authored by two other individuals which sold 238 copies demonstrates her original contributions, or that her contributions to the book were of major significance in her field.

The Petitioner claims the article published in the booklet *Caderno Fortalecimento Cooperativista* demonstrates her original contributions of major significance in her field. The article discusses the Petitioner's legal work collecting overdue debts for financial cooperatives. As discussed above, the article is an interview of the Petitioner but does not include information about the individual who interviewed the Petitioner, instead lists the Petitioner's name and employment information at the end of the article. Moreover, the Petitioner provided her own informational summary about the booklet, rather than independent evidence to corroborate her claims that her interview in the booklet is of major significance in the legal field. The Petitioner has not established, or even explained, how this booklet documenting an interview of the Petitioner is an original scholarly or business-related contribution of major significance in her field.

Finally, the Petitioner claims that she presented testimonials from her previous employer and clients who attest to her original contributions of major significance in her field. However, none of the letters identifies any specific original contribution by the Petitioner or explains how it is of major significance

in the field. Instead, the letters praise the Petitioner's legal and business skills and indicate that her work has led to successful outcomes for them and their businesses.

For instance, her previous employer, an accounting, auditing and information technology business, highlights some of her previous work from 2003 to 2008, which resulted in successful tax refunds for her employer's clients. Although her previous employer emphasizes the Petitioner's legal thesis being applied to judicial proceedings with successful results for her employer and its clients, they have not articulated how her thesis or legal work have been considered of such importance and how their impact in the field rises to the level of major significance required by this criterion. Her previous employer states, "[h]er know-how has significantly affected the industrial sector of companies in the branch of distribution in what was pertinent to tax planning and reduction of tax liabilities." Her previous employer, however, does not articulate or describe the Petitioner's "know-how" in order to determine whether such is the Petitioner's original scholarly or business-related contributions. Also, while her previous employer names two examples of companies affected by a judicial decision, they do not describe or provide examples of how the Petitioner's original contributions were pertinent to tax planning, reduction of tax liabilities, or her field. Instead, her previous employer states that the Petitioner's contributions being of major significance in her field is supported by articles, photographs, and other materials in the record. *See Guida v. Miller*, No. 20-CV-01471-LB, 2021 WL 568850, at *9 (N.D. Cal. Feb. 16, 2021) (stating "the agency may reject supporting letters that lack 'specific evidence' about how the plaintiff's contribution was a major contribution.").

Further, the Petitioner submitted letters of recommendation and other business documentation from her clients. She submitted a letter from a client who won a [redacted] award for [redacted] claiming her legal and business advice for the award's application process was her original contributions of major significance to her client winning the internationally recognized award. In addition, the Petitioner claims meeting this criterion based on another business client providing her with a Motion of Appreciation, commending her for her legal and business services. The Petitioner, however, has not explained how her performing successful legal and business work for her clients demonstrates original contributions of major significance in her field, rather than for her clients. *See Goncharov v. Allen*, No. 3:21-CV-1372-B, 2022 WL 17327304, at *5 (stating that "[c]ourts have routinely affirmed agency decisions that held § 204.5(h)(3)(v) 'requires substantial influence beyond one's employers, clients, or customers); *see also Amin v. Mayorkas*, 24 F.4th at 394; *Visinscaia v. Beers*, 4 F. Supp. 3d at 134; *Strategati, LLC v. Sessions*, No. 3:18-CV-01200-H-AGS, 2019 WL 2330181, at *6 (S.D. Cal. May 31, 2019).

Similarly, the record includes recommendation letters and business plans from her clients, explaining the Petitioner has provided her services to assist in their establishing businesses in the United States, including a cleaning services business, a chiropractic and well-being center, a production management business for pigments and compounds used to color plastics, and a construction business. The Petitioner does not explain, and the evidence does not suggest that the Petitioner's work for her clients is original contributions in the field, or that her work is of major significance in the field. Based on the letters submitted, the Petitioner has not shown that her work to her clients is original contributions, or that it is of major significance in the field of law and business.

For these reasons, the Petitioner has not demonstrated meeting this criterion.

6. "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).

SCOPS determined that the Petitioner did not meet this criterion because the materials authored by the Petitioner are not "scholarly articles" as required under the regulations. The record, however, does demonstrate the Petitioner authored a scholarly article in her field, in a professional trade publication.

This criterion contains multiple evidentiary elements the Petitioner must satisfy through the submission of evidence. The first element is that the Petitioner is an author of scholarly articles in her field. We consider these articles to fall within two distinct areas. One area is within the academic arena in which 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. 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). The second area lies outside of the academic arena in which a scholarly article should be written for learned persons in that field. *Id.* Learned persons include all persons having profound knowledge of a field. *Id.*

The second evidentiary element of this criterion is that the scholarly articles appear in one of the following: (1) a professional publication, (2) a major trade publication, or (3) in a form of major media. Regarding the medium in which the articles appear, the Petitioner should establish that the publication's circulation statistics are high relative to similar publications and should also establish the publication's intended audience. *Id.*

With her request for evidence reply, the Petitioner submitted an article she co-authored entitled, "[redacted] An [redacted]." The article was published in [redacted] in 2003. The record shows that the article was reproduced for publication on an online website of [redacted] The Petitioner also provided the same article but with a different title, "[redacted]," which was published in [redacted] in 2003. The article relates to tax reform in Brazil and analyzes a judicial decision. The record reflects that the article was written for learned persons in the legal field.

The record also includes an informational summary from *Wikipedia* about [redacted] which reflects [redacted] is a professional publication in the Petitioner's field of law. In addition, the documents submitted about [redacted] and its readership audience and circulation show it is major media.

Based on the evidence submitted, the Petitioner has demonstrated by a preponderance of the evidence that she meets the plain language of the criterion. We withdraw the Director's determination to the contrary.

7. "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).

SCOPS stated the Petitioner met this criterion without providing an explanation for its determination. Upon de novo review, we conclude that the Petitioner has not met the requirements for this criterion.

The Petitioner claims her eligibility based on her leading and critical role as founder and CEO of three business legal consulting companies, namely [redacted] The Petitioner provides evidence documenting her leading role with each of the businesses. However, she has not established that any of the businesses has a distinguished reputation.

This regulatory criterion requires the organization or establishment for which the person holds or held a leading or critical role, to have a distinguished reputation. *See generally* 6 *USCIS Policy Manual, supra*, at F.2(B)(1). *Meriam-Webster's* online dictionary defines "distinguished" as "marked by eminence, distinction, or excellence" or "befitting an eminent person." *Id.* Relevant factors for evaluating whether an organization or establishment has a distinguished reputation include its size and longevity; its customer base; and relevant media coverage. *Id.* For a startup business, we also consider evidence that the business has received significant funding from government entities, venture capital funds, angel investors, or other such funders commensurate with funding rounds generally achieved for that startup's stage and industry, as a positive factor regarding its distinguished reputation. *Id.*

To meet this criterion, the Petitioner submitted letters from her businesses' clients, a portion of a client contract, marketing materials for the businesses, and the businesses' corporate formation documents. For [redacted] the Petitioner submitted a letter from [redacted] her previous employer and current client, stating the Petitioner's business was hired "because of their outstanding performance and distinguished reputation." The letter emphasizes that the Petitioner's law firm is "highly regarded . . . with distinction in international, tax, and corporate law." The letter and other evidence in the record, however, do not provide examples or specific details for its claims of the business' distinguished reputation. Moreover, repeating the language of the statute or regulations does not satisfy the petitioner's burden of proof. *See Fedin Bros. Co., Ltd. v. Sava*, 724 F. Supp. 1103, 1108 (E.D.N.Y. 1989), *aff'd*, 905 F.2d 41 (2d. Cir. 1990); *see also Avyr Assocs., Inc. v. Meissner*, No. 95 CIV. 10729 MBM, 1997 WL 188942 at *5 (S.D.N.Y. Apr. 18, 1997).

In addition, the Petitioner asserts that her law firm, [redacted] has a distinguished reputation based on its longevity of 10 years, submitting its articles of incorporation to show its formation date and details, and the business' marketing materials, including a brochure and screenshots from its website reflecting background information about the business' services. She maintains the documents show a professionally maintained business with active communication channels and organized internal structure. While the record reflects the law firm was incorporated in 2015, the evidence does not include other relevant factors demonstrating its distinguished reputation, such as its size; its customer base; and relevant media coverage. Moreover, the Petitioner did not explain or show how the marketing materials about its services garnered the law firm a distinguished reputation. *See Cuckic v. Jaddou*, No. 21-CV-8395 (JPO), 2023 WL 2586031, at *5 (S.D.N.Y. Mar. 21, 2023) (finding self-promotional material from the organization did not establish a sufficiently high reputation).

The Petitioner emphasizes that although her other two businesses, [redacted] and [redacted] are more recently established, 2022 and 2023 respectively, they are an extension of her foundational business, [redacted] She explains that each of the new businesses is fully structured and has professional operations, including dedicated office space, active websites, accounting support, qualified team, and internal management processes. To support her claims that the new businesses have a distinguished reputation, the Petitioner provided their incorporation documents and screenshots from their websites explaining their services. The Petitioner, however, did not explain or show how those services garnered her businesses a distinguished reputation. *See id.* The Petitioner also submitted letters from clients who generally praise the Petitioner and her businesses' tax, business, and immigration services. The letters, however, do not elaborate on the businesses' reputations to establish either business is a distinguished organization.

Without further evidence, the Petitioner has not met this criterion. We withdraw SCOPS' determination to the contrary.

8. "Evidence 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).

SCOPS stated the Petitioner met this criterion without providing an explanation for its determination. Upon de novo review, we conclude that the Petitioner has not met the requirements for this criterion.

A credible employment contract or job offer may establish that an alien "has commanded" such salary or remuneration, as may evidence of past earnings such as tax returns and pay statements. Comparative wage or remuneration data that is appropriate for the alien's occupation and location should be submitted to establish that their compensation is high relative to others working in the field. *See generally* 6 *USCIS Policy Manual, supra*, at F.2(B).

The Petitioner claims her eligibility for this criterion based on her salary as a lawyer in Brazil and offered 2024 salary statistic data for a lawyer in Brazil. For her salary, the Petitioner submitted a letter from her accountant, her tax returns, banking records for [redacted], and documentation relating to the sale and registration of real property. The Petitioner's accountant indicates they have been the Petitioner's personal accountant since 2014 and the accountant for the company, [redacted], since 2022. Her accountant states that the Petitioner received an annual salary for her responsibilities with [redacted] as follows: R$241,397.36 in 2023 and R$349,313.64 in 2024.

While the Petitioner's accountant indicates the Petitioner is a lawyer, the accountant and other evidence in the record do not describe the Petitioner's responsibilities and work performed for [redacted]. Instead, her accountant indicates that [redacted] "has as its object in the social contract the provision of Global Legal Consulting Services" and that the Petitioner is a lawyer *with responsibility* for the company [redacted] since 2022. The record lacks information and evidence about the Petitioner's responsibilities for [redacted], including details of the company's services and the Petitioner's work performed for the company.

Moreover, the Petitioner did not provide the proper comparable salary information for her particular occupation as a lawyer. As evidence comparing her salary, the Petitioner submitted wage data from the website *indeed.com* stating that the "average base salary" for a lawyer in Brazil was R$46,908 for the year 2024.

The plain language of this criterion requires a comparison against "others in the field." 8 C.F.R. § 204.5(h)(3)(ix). Salary information for those performing work in a related but distinct occupation with different responsibilities is not a proper basis for comparison. The Petitioner must submit details of her work and comparison documentation of the earnings of those in their occupation performing similar work. Additionally, average salary levels are not comparable when evaluating whether a salary was high "in relation to others in the field." *See Kinuthia v. Biden*, 702 F. Supp. 3d 5, 11 (D. Mass. 2023) (finding USCIS reasonably concluded a filing party's evidence comparing average and median salaries was insufficient to establish she commanded a high salary in relation to others in the field). Here, the comparison data provides an average base salary statistic. Average and median salaries are insufficient to establish the Petitioner commanded a high salary in relation to others in the field. *Id.*; *Mussarova v. Garland*, 562 F. Supp. 3d 837, 853 (C.D. Cal. 2022). Proving a salary is "above average" typically doesn't suffice to establish a "high salary" or "significantly high remuneration." More comprehensive wage data is needed to effectively demonstrate high earnings relative to others in her field.

Without further evidence, the Petitioner has not met this criterion. We withdraw SCOPS' determination to the contrary.

B. Final Merits Determination

While we have concluded that the Petitioner has not fulfilled the initial evidentiary requirement of three criteria, and thus need not provide the type of final merits determination referenced in *Kazarian v. USCIS*, 596 F.3d at 1119-20, we will nonetheless consider the issue of the Petitioner's qualification under that standard, as it is the focus of both SCOPS' decision and the appeal. We have reviewed the record in the aggregate and agree with SCOPS that the Petitioner has not established eligibility as a person of extraordinary ability.

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 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 v. USCIS*, 596 F.3d at 1119-20. Because extraordinary ability is an elite level of accomplishment whose recognition necessarily entails a judgement call, it cannot be established through meeting at least three of the evidentiary criteria alone. *See Amin v. Mayorkas*, 24 F.4th at 394-395. The final merits determination is the ultimate statutory inquiry of whether the applicant has extraordinary ability, as demonstrated by a preponderance of the evidence, her sustained national or international acclaim, she is one of the small percentage at the very top of the field of endeavor, and her achievements have been recognized in the field through extensive documentation.

The Petitioner is a business legal consultant, having been registered as a lawyer in Brazil since 2009 and as a foreign legal consultant for Brazilian law in Florida since 2024. The Petitioner provided

evidence that she is the founder and CEO of three business legal consulting companies, two in Brazil and one in the United States. She claims her extraordinary ability is in the legal and business fields.

As mentioned above, the Petitioner judged the work of others in her field and authored scholarly articles. We have also considered evidence related to nationally or internationally recognized awards or prizes; membership in associations; published materials about the Petitioner; original contributions of major significance in the field; leading or critical role of an organization with a distinguished reputation; and high salary or renumeration in relation to others. The record, however, 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 it pertains to her service as a judge of others, an evaluation of the significance of her experience is appropriate to determine if such evidence is indicative of the extraordinary ability required for this highly restrictive classification. *See Kazarian v. USCIS*, 596 F.3d at 1121-22.[3] The Petitioner provided statements of participation showing that, as a professor, she served as an evaluator or judge on panels of final papers for law program students at two universities in Brazil. However, the Petitioner did not establish that her judging experience of the students' final papers places her among the small percentage at the very top of her field. *See* 8 C.F.R. §204.5(h)(2). In addition, the Petitioner did not demonstrate that her judging experience contributes to a finding that she has a "career of acclaimed work in the field" as contemplated by Congress or indicative of the required sustained national or international acclaim. *See* H.R. Rep. No. at 59 and section 203(b)(1)(A) of the Act. The Petitioner did not establish, for instance, that she garnered wide attention from the field based on her work as an evaluator or judge of the university students' law program final papers. The Petitioner did not establish that her work as an evaluator or judge resulted in or reflects her sustained international or national acclaim in the field, was recognized outside of those universities, or places her among that small percentage at the very top of her field. *See* 8 C.F.R. §204.5(h)(2).

Likewise, the publication of articles for learned persons in her field does not automatically place one at the top of the field.[4] Here, although the Petitioner presented evidence showing that she authored an article in 2003 for learned persons in her field about tax reform in Brazil, she has not demonstrated that this publication record is consistent with having a "career of acclaimed work" or qualifies for this "very high standard." *See* H.R. Rep. No. at59 and 56 Fed. Reg. at 30704. In addition, she did not establish that her authorship of the published material is reflective of being among the small percentage at the very top of her fields of business and law. *See* 8 C.F.R. §204.5(h)(2). Further, the Petitioner did not show that she has sustained national or international acclaim as her material was published more than 20 years ago in 2003. *See* section 203(b)(1)(A) of the Act.

Moreover, the citation history or other evidence of the influence of her publications can be an indicator to determine the impact and recognition that her work has had on the field and whether such influence has been sustained. For example, numerous independent citations for an article authored by a

[3] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1) (stating that an individual's participation should be evaluated to determine whether it was indicative of being one of that small percentage who have risen to the very top of the field of endeavor and enjoying sustained national or international acclaim).

[4] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1) (providing that publications should be evaluated to determine whether they were 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).

petitioner may provide solid evidence that his or her work has been recognized and that others have been influenced by the work. Such an analysis at the final merits determination stage is appropriate pursuant to *Kazarian v. USCIS*, 596 F.3d at 1122. On appeal, the Petitioner points out that her article relates to her legal work on tax reform in Brazil, in particular the article discusses tax issues she addressed in her legal brief filed with the Federal Supreme Court in Brazil in 2003 and in her legal thesis.

The Petitioner emphasizes that her tax reform work discussed in the publication, her thesis, and her brief has been recognized and influenced her field, as evidenced in the Declaration from [redacted] The Declaration confirms that the Petitioner's legal thesis in tax law has been included as reference material for the university's law program. However, the Declaration's statements that the Petitioner's tax law work has influenced her field are not corroborated by independent evidence. The Declaration and other evidence in the record do not indicate how the Petitioner's work in tax law and her published article have had an impact beyond the university to impact or influence her field. The Petitioner has not provided independent evidence that her authored work has been used as a reference beyond the one university. Moreover, she has not established that her work has been widely cited or utilized, and, therefore, sufficient to demonstrate a level of interest in her field commensurate with sustained national or international acclaim. *See* section 203(b)(1)(A) of the Act. Further, the Petitioner did not show the application of her written work by the field and that it represents attention at a level consistent with being among small percentage at the very top of her field. *See* 8 C.F.R. § 204.5(h)(2). The Petitioner, for instance, did not compare her authored works to others in her field of endeavor that are recognized as already being at the top in her field.

The Petitioner submitted additional documents to demonstrate she authored scholarly articles, namely an article she authored for the online magazine, [redacted] a legal brief she provided to the Supreme Federal Court in Brazil; and portions of the book entitled, [redacted]" for which she was a contributor. For the article published in the online magazine, [redacted] the Petitioner submitted screenshots from the website stating that [redacted] allows writers to submit their own original articles for publication on the site and "is intended for independent researchers, teachers, undergraduates, masters doctoral students, liberal professionals . . . to disseminate articles, journals, case studies and theoretical-conceptual reflection texts." The article, however, does not reflect original research, experimentation, or philosophical discourse; lacks footnotes, endnotes, or bibliographies; and does not demonstrate its pre-publication review by experts in the legal and business fields. The evidence therefore does not establish the Petitioner's writing as a scholarly article. Moreover, the record does not include independent evidence corroborating that [redacted] is a professional publication for learned persons in the legal and business fields, or otherwise a professional or major trade publication or other major media.

In addition, the Petitioner submitted a document she describes as a memorial, which is a legal brief filed with the Supreme Federal Court in Brazil. However, the Petitioner has not explained or demonstrated how her brief submitted for a judiciary proceeding is a scholarly article for learned persons in her field. Moreover, the Petitioner has not provided evidence that her brief has been in professional or major trade publications or other major media, or otherwise garnered attention at a level consistent with being among small percentage at the very top of her field.

Further, the Petitioner claims her contributions to the book entitled, [redacted]' demonstrate her sustained national or international acclaim in her field. However, the book indicates that two other individuals authored the book and that the Petitioner is one of five contributors to the book. Moreover, the Petitioner submitted documents indicating the book has sold 235 copies on a variety of websites; however, she did not provide evidence that the book is a professional publication, a major trade publication, or a form of major media. The Petitioner does not explain or provide evidence detailing the extent of her contributions to the book, or otherwise show that her being a contributor to the book establishes her sustained national or international acclaim in her field.

Beyond the criteria that the Petitioner satisfied, we consider additional documentation in the record in order to determine whether the totality of the evidence demonstrates eligibility. Here, for the reasons discussed below, we find that the evidence neither fulfills the requirements of any further evidentiary criteria nor contributes to an overall finding that the Petitioner has sustained national or international acclaim and is among the small percentage of the top of her field.

As it relates to awards, the Petitioner initially provided evidence for two awards. While the Petitioner's receipt of a Motion of Appreciation from her client shows her client recognizes and appreciates her legal and business work, the Petitioner did not demonstrate how this recognition of appreciation translates into national or international acclaim in her field. The Petitioner also submitted an award given to another client, the [redacted] award for [redacted]. The Petitioner acknowledges that she is not the direct recipient of this award and that the award is not for excellence in her fields of law and business. The Petitioner, however, emphasizes the award is internationally recognized and that her client's letter states that her legal and business work for the completion and submission of the award application was instrumental to her client earning the international award. The Petitioner, however, did not establish how her recognition for her work from her clients shows she is one of that small percentage who has risen to the very top of the field of endeavor. Moreover, the Petitioner did not demonstrate how her clients' accolades place her among that small percentage at the very top of the field or that she garnered national or international acclaim in the field. 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. 953, 954 (Assoc. Comm'r 1994).

For membership in associations, the Petitioner submitted evidence she is registered as a lawyer with the Brazilian Bar Association and as a foreign legal consultant in Brazilian law with the Florida Bar. In addition, she provided evidence that she is a member of committees for the [redacted] Division of the Brazilian Bar Association. The Petitioner, however, did not show how her registrations with the Brazilian Bar Association and the Florida Bar or her memberships with the committees resulted in sustained national or international acclaim or reflects that small percentage who has risen to the very top of the field of endeavor. The record, for instance, does not contain evidence indicating that she received national or international recognition based on her registration or membership. In addition, the Petitioner did not establish that she has distinguished herself from others in the field based on her registration or membership, gaining national or international attention or placing her among the upper echelon in her field.

Regarding published material about the Petitioner, she submitted several articles. As discussed above, a few articles are not about the Petitioner and her work in the field, but instead discuss a 2002 Brazilian court case with the Petitioner being mentioned one time and providing her opinion as to the case's timing and outcome. The remaining articles do not include the author of the articles. Moreover, some of these articles do not include evidence that they were published in professional or major media trade publications or other major media. The Petitioner also did not show that her overall press coverage is indicative of a level of success consistent with being among that small percentage who has risen to the very top of her field of endeavor. Further, the Petitioner did not establish that the limited media reporting reflects a career of acclaimed work in her field.

For original contributions of major significance in her field, the Petitioner emphasizes that her presentation of her legal brief to the Supreme Federal Court of Brazil in 2003 was her original contributions of major significance in her field. She argues that her legal brief to the Supreme Federal Court of Brazil has national influence by becoming the subject of study for legal professionals and the academic community in Brazil. The Petitioner submitted articles published in 2003 about the court case and a Declaration from [redacted] stating that the Petitioner's legal thesis is included as reference material for the university's law program. The Petitioner, however, has not provided independent evidence corroborating her claims that her legal thesis and her brief to the Supreme Federal Court has resulted in national or international recognition. Further, the Petitioner provided evidence that she was one of five contributors to a book authored by two other individuals. She claims her original contributions to the book were of major significance in tax law in Brazil, particularly given the book sold 238 copies. The Petitioner, however, has not established that she has distinguished herself from others in the field based on her being one of five contributors to a book published in 2003. Other than [redacted] recognizing the Petitioner's tax law work, the Petitioner has not provided evidence establishing that her original contributions in tax law reflect a career of acclaimed work in her field gaining national or international attention or distinguishing herself from others in the field.

Further, the Petitioner provided recommendation letters from her clients and her previous employer. In general, the letters summarize and praise the Petitioner's business legal consulting work for her clients and her previous employer. The letters, however, do not explain how the Petitioner's business legal consulting work has been considered by the field to be of major significance. Moreover, the letters do not contain detailed information showing the unusual influence or high impact her contributions have had on the overall field. While the Petitioner's clients and her previous employer value her business legal consulting skills and attest to her work being successful for them and their clients, they have not articulated how her work has been considered of such importance and how its impact in the field rises to the level of major significance. Her previous employer names two examples of companies affected by her tax law work on a judicial case, but her employer does not describe in detail how the companies were affected or how the Petitioner's work on the judicial case are indicative of a major significant impact in her field, or otherwise establish that she is considered among that small percentage at the very top of her field of endeavor.

For leading or critical role, the record reflects that the Petitioner performed in a leading role for her three business legal consulting companies, namely [redacted] and [redacted]. The Petitioner emphasizes that she founded and has been the CEO of [redacted] for 10 years, thereby demonstrating its distinguished reputation

and her sustained national or international acclaim in her field. However, the Petitioner did not demonstrate the distinguished reputation of any of the companies. Moreover, the Petitioner did not establish that her role with any of the companies is reflective of, or has resulted in, widespread acclaim from her field or that she is considered to be at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2). Apart from client letters attesting to the Petitioner's professional skills and knowledge, the record lacks other independent evidence, such as news articles or other relevant materials, demonstrating that the field has widely recognized the Petitioner's roles or contributions to her companies in a manner that evidences a "career of acclaimed work." The evidence does not show that her roles and achievements at these companies are at a level that places her among "that small percentage who have risen to the very top of the field of endeavor." *See* 8 C.F.R. § 204.5(h)(2).

The Petitioner also claims that her extraordinary ability is reflected in her annual compensation as a lawyer. Her accountant provided a letter stating she received a salary of R$349,313.64 in 2024 and R$246,397 in 2023, for her responsibilities at the company, [redacted]. While the Petitioner's accountant states that [redacted] "has as its object in the social contract the provision of [redacted]" the Petitioner did not explain or provide evidence detailing her work responsibilities for the company. The Petitioner submitted salary data for lawyers in Brazil from the website *indeed.com.*, stating that the average base salary for a lawyer in Brazil in 2024 was R$46,908. She did not provide any comparison data for the year 2023. Moreover, the Petitioner did not provide supporting evidence that would allow a comparison between her remuneration and that of others in occupations performing work similar to her. The evidence does not establish that she receives salary or remuneration that is "significantly high" or that her earnings are comparable to those of individuals at the very top of the field.

The record as a whole, 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. *Matter of Price*, 20 I&N Dec. at 954 (concluding that even major league level athletes do not automatically meet the statutory standards for classification as an individual of "extraordinary ability,"); *Visinscaia v. Beers*, 4 F. Supp. 3d at 131 (internal quotation marks omitted) (finding that the extraordinary ability designation is "extremely restrictive by design"); *Hamal v. Dep't of Homeland Sec. (Hamal II)*, No. 19-cv-2534, 2021 WL 2338316, at *5 (D.D.C. June 8, 2021), *aff'd*, 2023 WL 1156801 (D.C. Cir. Jan. 31, 2023) (determining that EB-1 visas are "reserved for a very small percentage of prospective immigrants"); *see also Hamal v. Dep't of Homeland Sec. (Hamal I)*, No. 19-cv-2534, 2020 WL 2934954, at *1 (D.D.C. June 3, 2020) (citing *Kazarian v. USCIS*, 596 F.3d at 1122 (upholding denial of petition of a published theoretical physicist specializing in non-Einsteinian theories of gravitation) (stating that "[c]ourts have found that even highly accomplished individuals fail to win this designation")); *Lee v. Ziglar*, 237 F. Supp. 2d 914, 918 (N.D. 2002) (finding that "arguably one of the most famous baseball players in Korean history" did not qualify for visa as a baseball coach).

Here, the Petitioner has not shown the significance of her work is indicative of the required sustained national or international acclaim or 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) of the Act. Moreover, the record does not otherwise demonstrate the Petitioner has garnered national

or international acclaim in the field, and she 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 and 8 C.F.R. § 204.5(h)(2). The record does not contain sufficient evidence establishing the Petitioner among the upper echelon in her field.

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.

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.