U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF A-A- LLC

DATE: JULY 13, 2017

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, a cloud software company, seeks to temporarily employ the Beneficiary as a [redacted] DevOps Engineer" under the L-1B nonimmigrant classification for intracompany transferees. *See* Immigration and Nationality Act (the Act) section 101(a)(15)(L), 8 U.S.C. § 1101(a)(15)(L). The L-1B classification allows a corporation or other legal entity (including its affiliate or subsidiary) to transfer a qualifying foreign employee with "specialized knowledge" to work temporarily in the United States.

The Director of the California Service Center denied the petition, concluding that the record did not establish, as required, that the Beneficiary possesses specialized knowledge and has been employed abroad, and will be employed in the United States, in a specialized knowledge capacity. The Director also determined that the Petitioner had not established the Beneficiary's eligibility for L-1B employment at an unaffiliated employer's worksite.

On appeal, the Petitioner asserts that the Director did not adjudicate the petition using the preponderance of evidence standard and did not follow the guidance set out in a U.S. Citizenship and Immigration Services' (USCIS) L-1B adjudications policy memorandum.[1] The Petitioner contends that the Director did not examine all the documentation submitted and thus her decision was based on erroneous conclusions of fact.

Upon *de novo* review, we will dismiss the appeal.

I. LEGAL FRAMEWORK

To establish eligibility for the L-1 nonimmigrant visa classification, a qualifying organization must have employed the Beneficiary in a managerial or executive capacity, or in a specialized knowledge capacity, for one continuous year within three years preceding the Beneficiary's application for admission into the United States. Section 101(a)(15)(L) of the Act. In addition, the Beneficiary must seek to enter the

[1] The Petitioner is referring to USCIS Policy Memorandum PM-602-0111, *L-1B Adjudications Policy* (Aug. 17, 2015), https://www.uscis.gov/laws/policy-memoranda.

United States temporarily to continue rendering his or her services to the same employer or a subsidiary or affiliate thereof in a managerial, executive, or specialized knowledge capacity. *Id.*

The relevant statute defines specialized knowledge as a special knowledge of the company product and its application in international markets or an advanced level of knowledge of processes and procedures of the company. Section 214(c)(2)(B) of the Act, 8 U.S.C. § 1184(c)(2)(B). Our regulations further define specialized knowledge as:

> [S]pecial knowledge possessed by an individual of the petitioning organization's product, service, research, equipment, techniques, management or other interests and its application in international markets, or an advanced level of knowledge or expertise in the organization's processes and procedures.

8 C.F.R. § 214.2(l)(1)(ii)(D).

An individual L-1B petition must be accompanied by evidence that: the beneficiary has been employed abroad in a position that was managerial, executive, or involved specialized knowledge for at least one continuous year in the three years preceding the filing of the petition; evidence that the beneficiary's prior education, training, and employment qualifies him or her to perform the intended services in the United States; and a detailed description of the services to be performed in a specialized knowledge capacity in the United States. 8 C.F.R. § 214.2(l)(3).

II. SPECIALIZED KNOWLEDGE

In the denial decision, the Director determined that the Petitioner did not establish that the Beneficiary has knowledge that is special or advanced compared to other similarly experienced workers in the computer and technology fields, or that the Beneficiary's foreign position and proposed U.S. position require such special or advanced knowledge.

As a threshold issue, we must determine whether the Petitioner established that the Beneficiary possesses specialized knowledge. If the evidence is insufficient to establish that he possesses specialized knowledge, then we cannot conclude that he has been employed abroad and would be employed in the United States in a specialized knowledge capacity.

A petitioner may establish eligibility for an L-1B visa by submitting evidence that the beneficiary and the proffered position satisfy either prong of the statutory definition. Under the statute, a beneficiary is deemed to have specialized knowledge if he or she has: (1) a "special" knowledge of the company product and its application in international markets; or (2) an "advanced" level of knowledge of the processes and procedures of the company. Section 214(c) (2)(B) of the Act.

As both "special" and "advanced" are relative terms, determining whether a given beneficiary's knowledge is "special" or "advanced" inherently requires a comparison of the beneficiary's knowledge against that of others. With respect to either special or advanced knowledge, the

petitioner ordinarily must demonstrate that the beneficiary's knowledge is not commonly held throughout the particular industry and cannot be easily imparted from one person to another. The ultimate question is whether the petitioner has met its burden of demonstrating by a preponderance of the evidence that the beneficiary's knowledge or expertise is special or advanced, and that the beneficiary's position requires such knowledge.[2]

Once a petitioner articulates the nature of the claimed specialized knowledge, it is the weight and type of evidence which establishes whether or not the beneficiary actually possesses specialized knowledge. We cannot make a factual determination regarding a beneficiary's specialized knowledge if the petitioner does not, at a minimum, articulate with specificity the nature of its products and services or processes and procedures, the nature of the specific industry or field involved, and the nature of the beneficiary's knowledge. The petitioner should also describe how such knowledge is typically gained within the organization, and explain how and when the beneficiary gained such knowledge.

The Petitioner states that it specializes in a multi-component, distributed software system designed to optimize the work and increase the productivity of software engineers building cloud applications.[3] The Petitioner claims that it has accumulated an advanced level of knowledge of Open Source (with ' in the and that it is "a member of the working group of 12 experts undertaking preparation of a certification program for engineers and DevOps engineers."[4] The Petitioner also notes that its team has participated in meetups and workshops, claims that it was the first company to launch interactive training, and states that it has entered into joint projects and partnerships with and other companies.

The Petitioner states that it "has been working with and its ecosystem of products to create infrastructure for software development similar to industrial assembly lines. The Petitioner asserts that "Open Source ' is complex and unique and that "knowledge of this product should be classified as advanced and special." The Petitioner notes that is rapidly growing, continuously evolving and includes large-scale components, and requires complicated tools that allow it to be integrated with the underlying cloud-native infrastructure, storage systems, databases, continuous integration tools, and other third-party services. The

[2] Although some aspects of the "special" and "advanced" knowledge definitions may overlap, we will address each element individually.

[3] The Petitioner further describes as a Platform-as-a-Service (PaaS) system deployed on top of lower-level cloud software (Infrastructure-as-a-Service (IaaS). The Petitioner adds that this platform introduces the concept of developing, running, and managing cloud applications using infrastructure with pre-configured settings which addresses productivity, scalability, security, high availability, and other production requirements.

[4] The record includes a letter from the indicating the Petitioner had been a member since 2015, and had provided speakers for conferences. The letter refers to another individual. The Petitioner does not include evidence that this Beneficiary contributed to the certification and standards.

Petitioner indicates that it currently uses the commercial distribution of [redacted] and is actively working with four such distributions.

We recognize that the Petitioner specializes in a relatively new technology; however, the Petitioner must still establish that specialization in this technology requires the Beneficiary, as a [redacted] DevOps Engineer, to possess knowledge that is not generally known in the industry and cannot be easily transferred to other engineers who are familiar with cloud technologies; or, that it has created specific tools, methodologies, and processes, that are distinctly different than the tools, methodologies, processes used by other companies in relation to [redacted] The Petitioner has not done so here.

Regarding the Beneficiary, the Petitioner asserts that he possesses both special and advanced knowledge, explaining that he is one of the very few software developers worldwide possessing:

> i) advanced knowledge of Open Source [redacted] the internal interaction, patterns and connections between the components of Open Source [redacted] ii) advanced knowledge of security in Open Source [redacted] and containers used by Open Source [redacted], iii) competencies sufficient to provide commercial training in Open Source [redacted] deployment and operation for DevOps Engineers.

The record includes numerous documents, some of which the Petitioner has submitted or referenced multiple times. Although we will not mention each document in our analysis, we have reviewed each one.

A. Special Knowledge

Special knowledge concerns knowledge of the petitioning organization's products or services and its application in international markets. To establish that a beneficiary has special knowledge, the petitioner may meet its burden through evidence that the beneficiary has knowledge that is distinct or uncommon in comparison to the knowledge of other similarly employed workers in the particular industry.

To demonstrate that the Beneficiary's knowledge is distinct and uncommon, the Petitioner indicated that the Beneficiary had 2.5 years of continuous experience with Open Source [redacted] and asserted that this experience places him among the top 100 to 200 Open Source [redacted] experts in the world. The Petitioner also asserted that the commercial distribution of [redacted] and the design and deployment of Open Source [redacted] are distinguishable and that although there are several thousand engineers who understand the [redacted] technology, only 700 software engineers worldwide have experience in Open Source [redacted] The Petitioner added that the Beneficiary "is one of fewer than [redacted] experts worldwide that provide commercial training in Open Source [redacted] deployment and operation for DevOps Engineers." The Petitioner also claimed that the Beneficiary participated in building and configuring one of the

world's largest production [redacted] deployments, but does not further identify the specific deployment.[5]

The Petitioner further claimed that the Beneficiary "took part in creating an alternative" to [redacted] an automation software used to deploy [redacted] and noted that he published a paper in the field of automating Open Source [redacted] and integrating it with third-party products, among other papers. Although the Petitioner references the Beneficiary's participation in the creation of this alternative software, [redacted] the Beneficiary's job duties as described in the record do not reference the use of the [redacted] software in his position with either the U.S. or foreign entity.

The Petitioner's estimate of the number of experts in the [redacted] field is not supported with probative evidence. The [redacted] lists a number of members, at the platinum and gold level [redacted] in total), as well as at the [redacted] the Petitioner's membership level. *See* [redacted] The Petitioner also notes that Open Source [redacted] is the [redacted] open source product in terms of innovation and release velocity. This appears to undermine the Petitioner's claim that there are only ten companies with a considerable pool of [redacted] experts. The Petitioner does not provide its research or any other objective standards it used to reach its conclusions. Although the Petitioner repeatedly states that there are a limited number of software engineers with knowledge of Open Source [redacted] repetition of a claim, without probative evidence to support the claim, is insufficient.

The Petitioner derives its estimate that there are only [redacted] specialists who provide commercial training in [redacted] by initially noting that "[a]ccording to [its] assessment, there are fewer than ten professional services companies globally that have managed to build considerable pools of [redacted] experts." And then adding, in response to the Director's request for evidence (RFE), that fewer than half of these companies advertise training courses, and most employ fewer than 20 software developers working on [redacted] and that only four or five consultants at each company have sufficient knowledge to provide training in Open Source [redacted] deployment and operation.[6] The Petitioner also indicated that it had launched an interactive [redacted] training platform, that the Beneficiary had developed approximately 45 percent of the training courses for the platform, and that he supervises the process of developing new ones. However, the Beneficiary's résumé does not reference his contributions to creating training materials.

The record is deficient in evidence substantiating the Petitioner's claim regarding the number of training courses available on the [redacted] product and does not include probative evidence establishing that there are a limited number of individuals who can provide training on Open Source

[5] The record includes copies of several agreements between the Petitioner and other companies for the Petitioner's services, including statements of work. These agreements do not include sufficient information to establish that the Beneficiary's work pursuant to these agreements, if any, involved special or advanced knowledge.

[6] The Petitioner also noted in its initial letter in support that the total number of [redacted] specialists, did not exceed 200 and that fewer than [redacted] specialists are able to provide technical training in [redacted] deployment for DevOps engineers.

The Petitioner acknowledges there are a number of companies that participate in the and asserts that this product is the second largest open source product; thus it is reasonable to believe that there are a number of training programs available and trainers that have knowledge similar to the Beneficiary. Even if the Beneficiary contributed to the Petitioner's involvement in commercial training programs, such involvement does not necessarily lead to a conclusion that the Beneficiary possesses special knowledge. Without additional detail regarding the training materials and the Beneficiary's involvement, we cannot conclude that the Beneficiary possesses knowledge that is uncommon or distinct from others.

The Petitioner also stated that the Beneficiary is one of several employees at the foreign entity who had performed multiple standard and custom installations for internal purposes and for enterprise customers and that the Beneficiary "possesses specialized knowledge normally gained only through substantial experience of working with a company deeply specialized in and cloud." The Petitioner noted that the Beneficiary's specific duties include:

> Architecture design – 10 percent
> Proof of Concept deployment of – 20 percent
> Production deployment of – 25 percent
> Adapt IaaS platforms to work with – 5 percent
> Collect initial requirements from clients and conduct a preliminary estimation of the amount of work to be performed at the pre-sale stage – 10 percent
> security – 15 percent
> Training activities – 15 percent

The Petitioner also included a lengthy narrative providing examples of the work the Beneficiary performed or will perform as part of each of the duties above. The Petitioner asserted that it is the Beneficiary's experience performing installations for two years that resulted in knowledge that is uncommon in the industry. To emphasize that the Beneficiary's knowledge of the Petitioner's services is distinct and uncommon, the Petitioner added, in response to the Director's RFE, that the Beneficiary was its first DevOps Engineer and that the "Beneficiary laid the foundation for the company-wide development of knowledge in Open Source with a focus on DevOps operations." The Petitioner also referenced a joint project with and the Beneficiary's role in the project and a joint partnership with and the Beneficiary's participation in three projects with

However, the actual duties described appear to be those of a senior systems/software engineering position. The Petitioner did not sufficiently explain the difference, if any, between the duties of a system/software engineer with experience in and its DevOps engineer with similar experience. The Petitioner also does not sufficiently articulate the specific nature of the knowledge and training required to perform the deployment of Open Source technology using its tools and methodologies. That is, the record demonstrates the Beneficiary's experience in deploying the platform and related software; however, the record does not establish that the knowledge gained while working at the foreign entity includes knowledge that is specific to the

petitioning entity's organization. For example, the Petitioner did not provide sufficient detail regarding its specific services in providing [redacted] installations to demonstrate that its services are substantially different or more complex than the services provided by other companies in relation to the [redacted] product. Although the Petitioner referenced the development of [redacted] software it developed for [redacted] it did not provide sufficient detail to explain how this particular application shortcut differs significantly from, or is more complex than, those created and used by other Open Source [redacted] companies and systems or software engineers who create tools to automate the integration of the [redacted] platform with other infrastructures as a service. The Petitioner's lengthy narrative regarding the Beneficiary's duties at the foreign entity and the U.S. entity also does not reference his use of this software in deploying and integrating [redacted]

We note the Petitioner's assertion that it conducted an online search for a [redacted] DevOps Engineer and engaged a staffing agency to locate applicants for this position. The Petitioner noted that the online search resulted in 305 profiles of these specialists in the United States, but that all of the DevOps engineers had a very basic level of knowledge of Open Source [redacted] and thus did not match the skillset required to work at the Petitioner. However, the Petitioner does not detail their deficiencies or sufficiently explain whether they could be trained or how long it would take to train these specific applicants. Additionally, although the Petitioner asserts that it provided evidence of this search, the record includes a one-page sheet from a job website listing titles of positions but with no information regarding potential applicants. Similarly, the Petitioner indicated that it interviewed 20 candidates provided by a staffing company but that only one individual partly matched their requirements and that his experience was not in DevOps but rather in cloud-native software development. The Petitioner does not explain or otherwise substantiate why this individual or others could not be trained to perform DevOps duties.

The record shows that the Beneficiary was hired as a software engineer and later reassigned to [redacted] services when the Petitioner began working on that platform. The evidence does not support the Petitioner's claims that the Beneficiary acquired his specialized knowledge through his experience with the Petitioner's products, but rather that his work experience developed his knowledge of this third party product. The Petitioner claimed that it would take "between 5 to 7 years to teach an outsider to perform the job duties [the Beneficiary] performs today," and that "it can take anywhere between 8 to 10 months to acquire the specialized knowledge and skills necessary to work with Open Source [redacted] alone." However, the Petitioner does not offer a cogent explanation of how it arrived at these numbers. For example, the Petitioner does not qualify what it means by "outsider" and whether this includes someone with no systems/software engineering knowledge. Any company performing work with the [redacted] technology would reasonably require its employees to have certain system or software engineering skills, including knowledge of cloud technology.

The Petitioner also does not distinguish its services or methodologies from those of other companies within this industry. The Petitioner does not identify what is specific to its methodology or process that is distinct or uncommon in comparison to that found within this industry and thus would require

lengthy training at the petitioning organization. The record does not include probative evidence that it would take between 8 to 10 months to acquire the knowledge and skills to specifically work with the Open Source platform as claimed by the Petitioner.

We note, for example, that among the several different Open Source training programs currently available in the United States, the website offers training for beginners which requires about 20-30 hours of training for an individual with a background in software engineering and an additional 40-50 hours for developers. *See* (last visited July 12, 2017). Thus, it appears that work in the Open Source domain does not require specialized knowledge of the Petitioner's services or tools but can be acquired by a similarly experienced systems/software engineer within a reasonable amount of time.

We observe further that the Petitioner initially stated that it would require only two months to train a U.S. software engineer in Belarus to obtain the initial knowledge of this platform for U.S. employment with the Petitioner. This undermines its claim that it would take between 8 to 10 months to acquire knowledge and skills to work on its Open Source services. The record does not support the Petitioner's claim that there are a limited number of systems/software engineers who perform deployment, integration, and maintenance of Open Source technology or that the use of the Petitioner's methodologies, if any, requires extensive training to deploy in international markets.

A petitioner's statements may provide persuasive evidence of specialized knowledge if they are detailed, specific, and credible. Here, the Petitioner asks us to put great weight on its statements regarding the Beneficiary's knowledge of a specific product. However, the record lacks probative evidence demonstrating that extensive training is required to perform the duties it claims are different from that of other engineers, either within or outside of the organization. While there likely are no employees with the exact same knowledge the Beneficiary possesses, the record does not demonstrate that the Beneficiary's knowledge is in fact significantly different from that generally held by professionals in the Petitioner's industry, or that it would require up to a full year or longer to acquire the knowledge needed for the position.

A petitioner must establish that it meets each eligibility requirement of the benefit sought by a preponderance of the evidence. *Matter of Chawathe*, 25 I& N Dec. 369, 375-76 (AAO 2010). In other words, a petitioner must show that what it claims is "more likely than not" or "probably" true. To determine whether a petitioner has met its burden under the preponderance standard, we consider not only the quantity, but also the quality (including relevance, probative value, and credibility) of the evidence. *Id.* at 376; *Matter of E-M-*, 20 I&N Dec. 77, 79-80 (Comm'r 1989). For the foregoing reasons, the record does not establish that the Beneficiary, more likely than not, possesses special knowledge of the company's services and their application in international markets.

B. Advanced Knowledge

The Petitioner also asserts that the Beneficiary's knowledge is advanced when compared with its other employees, both at the foreign entity and in the United States. Because "advanced knowledge" concerns knowledge of an organization's processes and procedures, the Petitioner may meet its burden through evidence that the Beneficiary has knowledge of or an expertise in the organization's processes and procedures that is greatly developed or further along in progress, complexity, and understanding in comparison to other workers in the employer's operations. Such advanced knowledge must be supported by evidence setting that knowledge apart from the elementary or basic knowledge possessed by others.

To differentiate the Beneficiary's knowledge from other employees within the petitioning organization we must review the duties of those employees in similar positions. The Petitioner submitted the foreign entity's organizational chart depicting the Beneficiary's position in the research and development department. The Beneficiary is one of ten employees designated as DevOps Engineers. The department includes an additional three employees identified as Engineers. The record also includes a list of the employees in this department identifying their education and salary. A separate list identifies the duties of the foreign entity's employees in this department. The listed duties generally identify the different technologies, applications, and platforms the employees work with. Neither list indicates when the employees were hired or how long they have been employed within this department.

In response to the Director's RFE, the Petitioner stated that it had developed an advanced level of Open Source knowledge within the company and "the Beneficiary played a key role in developing this knowledge." The Petitioner noted that it participated in frequent meetups and workshops, that the Beneficiary is a frequent speaker at industry-leading conferences, and that he has provided trainings to several major companies. The Petitioner does not submit probative evidence supporting these claims. The Petitioner asserts that the Beneficiary's knowledge was instrumental in obtaining a number of contracts with major companies. However, obtaining contracts based on the qualifications of employees is a practice of most companies.

The Petitioner also listed nine of the foreign entity's DevOps engineers and asserts that only the Beneficiary and one other DevOps engineer possess an "Advanced" level of knowledge of Open Source The Petitioner describes the remaining seven employees as having a "Medium" level of knowledge of Open Source and as deficient in knowledge of security and providing training. The Petitioner does not advise on how it determined the seven employees have only a medium level of knowledge when compared to the Beneficiary. For example, the Petitioner does not compare the length of time these employees have been with the company or otherwise explain why it ascertained their knowledge was at an intermediate level. Likewise, the Petitioner does not explain how the DevOps engineers' knowledge of applications, tools, and technology is distinguishable; rather, all the DevOps engineers appear to participate in work relating to Open Source .

Further, the Petitioner did not explain why the seven employees with "medium" knowledge did not receive or have access to security knowledge and providing training experience. The fact that the petitioning organization delegates limited responsibilities to some of its engineers and assigns more responsibilities to others does not establish that the Beneficiary possesses special or advanced knowledge or that he was employed in a position involving special or advanced knowledge. Although the Petitioner asserts that the Beneficiary's knowledge is greatly developed or further along in progress, complexity, and understanding than that generally found within the Petitioner (or the foreign entity), it does not provide the underlying basis for this claim. The record does not include sufficient evidence to conclude that the Beneficiary's knowledge is more advanced than the foreign entity's other DevOps engineers.

Although we recognize that the other DevOps engineers may focus on different portions of the services, their knowledge of the applications and platforms, as well as the petitioning organization's processes, procedures, tools, and methodologies when configuring, integrating, and maintaining the product would likely be similar. The Petitioner has not submitted probative evidence distinguishing the Beneficiary's experience from other similarly employed engineers. The Petitioner has not sufficiently demonstrated that the Beneficiary's knowledge is more advanced than its employees in similar positions.

The Petitioner notes that Open Source was new when the Beneficiary was assigned to this technology and that there was no Open Source training available. Thus, he acquired his knowledge through practice. However, the Petitioner does not specifically identify when the Beneficiary's "practice" was sufficient to develop into specialized knowledge. Thus, it is not possible to ascertain from the record, when the Petitioner is claiming that the Beneficiary's knowledge of the Petitioner's processes, procedures, tools, and services as they relate to the technology became more advanced than other engineers in general, or other DevOps engineers within its employ. Accordingly, the record is also insufficient in establishing that the Beneficiary's position involved advanced knowledge of the Petitioner's processes, procedures, and services for at least one continuous year in the three years preceding the filing of the petition.

Finally, we acknowledge the Petitioner's claim that the Beneficiary possesses characteristics of a specialized knowledge employee consistent with the USCIS Policy Memorandum PM-602-0111, *L-1B Adjudications Policy* (Aug. 17, 2015), https://www.uscis.gov/laws/policy-memoranda. However, the Petitioner has not submitted sufficient evidence to establish that the Beneficiary possesses knowledge that is either special or advanced. While the Beneficiary may fill a role beneficial to the Petitioner's competitiveness in the marketplace, this characteristic alone is not probative of his specialized knowledge. As noted in the memorandum, the "characteristics" listed by the Petitioner are only "factors that USCIS may consider when determining whether a beneficiary's knowledge is specialized." *Id.* The memorandum emphasizes that "ultimately, it is the weight and type of evidence that establishes whether the beneficiary possesses specialized knowledge." *Id.* at 13. It is clear that the Petitioner considers the Beneficiary a valuable employee who excels at his position. However, the record does not sufficiently distinguish the Beneficiary's knowledge from that of other similarly employed workers within the petitioning organization or within the

Petitioner's industry. For the foregoing reasons, the record the record does not establish that the Beneficiary possesses special or advanced knowledge.

C. Visa Reform Act

Finally, the Director determined that the Beneficiary's proposed off-site assignment at the worksite of an unaffiliated employer was not in compliance with the terms of the L-1 Visa Reform Act of 2004 (Visa Reform Act). The Visa Reform Act requires, among other things, that any prospective L-1B beneficiary who will be primarily located at the worksite of an unaffiliated employer must be: (1) controlled and supervised principally by the petitioning employer or a qualifying organization; and (2) provided in connection with the provision of products or services for which specialized knowledge specific to the petition employer is required. *See* section 214(c)(2)(F) of the Act.

As the record does not establish that the Beneficiary possesses specialized knowledge as required by this visa classification, we do not need to discuss Visa Reform Act issues pursuant to section 214(a)(2)(F) of the Act. Accordingly, we do not reach the question of whether the Beneficiary's work is at an unaffiliated employer's worksite or whether that work requires specialized knowledge.

III. CONCLUSION

The appeal will be dismissed because the Petitioner has not established that the Beneficiary possesses specialized knowledge. As the evidence does not establish that the Beneficiary possesses specialized knowledge, we also cannot conclude that he has been employed abroad and would be employed in the United States in a specialized knowledge capacity.

ORDER: The appeal is dismissed.

Cite as *Matter of A-A- LLC*, ID# 436091 (AAO July 13, 2017)