U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41977608

Date: JUNE 4, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, a businessperson, 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 the record did not establish that the Petitioner satisfied at least three of the ten initial evidentiary criteria, as required. 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 criteria listed at 8 C.F.R. § 204.5(h)(3)(i) – (x) (including items such as awards, published material in certain media, and scholarly articles).

Where a petitioner meets these initial evidence requirements, we then 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 (9th Cir. 2010) (discussing a two-part review where the documentation is first counted and then, if fulfilling the required number of criteria, considered in the context of a final merits determination); *see also Visinscaia v. Beers*, 4 F. Supp. 3d 126, 131-32 (D.D.C. 2013); *Rijal v. USCIS*, 772 F. Supp. 2d 1339 (W.D. Wash. 2011).

II. ANALYSIS

The Petitioner is the general director of [redacted] (hereinafter [redacted]), a manufacturer and installer of road and traffic safety barriers and devices based in [redacted], Russia. He states that he has worked in the road safety industry for 25 years and that he has previously been appointed to work in several positions in local government administration in the city of [redacted]. The Petitioner possesses the foreign equivalent of a bachelor's degree in engineering. The Petitioner claims that he has extraordinary ability in business and the sciences and that his entry will substantially benefit the United States by providing his expertise in manufacturing, infrastructure, and road safety.

A. Evidentiary Criteria

Because the Petitioner has not claimed or established that he has received a major, internationally recognized award at 8 C.F.R. § 204.5(h)(3), he must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i)-(x). The Petitioner initially claimed to have established eight of these criteria, summarized below:

- (i), lesser nationally or internationally recognized prizes or awards for excellence in the field;
- (ii), membership in associations which require outstanding achievements of their members;
- (iii), published material about the individual in professional or major media;
- (v), original contributions of major significance to the field;
- (vi), authorship of scholarly articles in the field in professional or major trade publications or other major media;
- (vii), display of work in the field at artistic exhibitions or showcases;
- (viii), leading or critical role for distinguished organizations or establishments; and
- (ix) high salary or other significantly high remuneration for services in relation to others.

SCOPS determined that the Petitioner met two of the regulatory criteria, specifically criterion (iii), relating to published material about himself and criterion (vi), relating to authorship of scholarly articles. The Petitioner appeals SCOPS' findings related to five of the regulatory criteria that SCOPS determined were not established. However, the Petitioner does not challenge SCOPS' finding that the record does not establish the criterion related to the display of work at artistic showcases or exhibitions. We therefore consider the Petitioner's claim that he established this evidentiary criterion to be waived. *See Matter of O-R-E-*, 28 I&N Dec. 330, 336, n.5 (BIA 2021) (citing *Matter of R-A-M-*, 25 I&N Dec. 657, 658 n.2 (BIA 2012)).

Upon review of the record, we will not disturb SCOPS' determination regarding published material about the Petitioner in professional or major media or his authorship of scholarly articles. Additionally, contrary to SCOPS' determination, we conclude that the Petitioner provided sufficient evidence to establish that he had a leading role in an organization with a distinguished reputation and that he has commanded a salary high relative to others in field, thereby satisfying the criteria at 8 C.F.R. § 204.5(h)(3)(viii) and (ix). Because the Petitioner has shown that he satisfies the minimum requirements of at least three criteria, we will evaluate the evidence in the context of a final merits determination, discussed below.[1]

B. Final Merits Determination

As indicated above, we will evaluate whether the Petitioner has demonstrated, by a preponderance of the evidence, his sustained national or international acclaim,[2] that he is one of that small percentage at the very top of the field of endeavor, and that his achievements have been recognized in the field through extensive documentation. In a final merits determination, we analyze an individual's accomplishments and weigh the totality of the evidence to determine if his successes are sufficient to demonstrate that he has extraordinary ability in the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3); *see also Kazarian*, 596 F.3d at 1119-20.[3] In this matter, we determine the Petitioner has not shown his eligibility.

On appeal, the Petitioner objects to some of SCOPS' findings regarding the initial evidentiary criteria. Specifically, the Petitioner contends that through his experience as the general director of [redacted] he had a leading or critical role in an organization with a distinguished reputation. Moreover, he claims that through this position he received lesser nationally or internationally recognized prizes or awards for excellence, became a member of associations which require outstanding achievements of their members, made original contributions of major significance to the field, and earned a high salary relative to others in the field. However, the Petitioner does not make specific claims on appeal as to how the evidence demonstrates, in a final merits determination, that the Petitioner has sustained national or international acclaim and that his achievements have been recognized in the field, indicating that he is one of that small percentage who has risen to the very top

[1] *See generally* 6 *USCIS Policy Manual* F.2(B)(2), https://www.uscis.gov/policymanual.

[2] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(A)(1) (stating the definition of sustain is "to support or maintain, especially over a long period of time . . . To persist in making (an effort) over a long period of time").

[3] *See also generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2) (instructing that USCIS officers should consider the petition in its entirety to determine eligibility according to the standard – sustained national or international acclaim and the achievements have been recognized in the field of expertise, indicating that the person is one of that small percentage who has risen to the very top of the field of endeavor).

of the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3); *see also Kazarian*, 596 F.3d at 1119-20.[4]

As discussed further below, the record shows that the Petitioner has had a leading role with [redacted] and received some press coverage and local recognition for this work and has been paid a salary. However, in considering the totality of the evidence, the Petitioner has not demonstrated that his achievements are reflective of a "career of acclaimed work in the field" as contemplated by Congress. 1990 U.S.C.C.A.N. 6710, 6739. Furthermore, the Petitioner has not shown that he has risen to that small percentage at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(3). The commentary for Congress that a very high standard be set for aliens of extraordinary ability is reflected in this regulation by requiring the petitioner to present more extensive documentation than that required for lesser classifications. 56 Fed. Reg. 30703, 30704. For the reasons discussed below, we conclude that the Petitioner has not established that he enjoys a career that meets this very high standard. *See Amin v. Mayorkas*, 24 F.4th 383, 386-87 (5th Cir. 2002) (stating that the narrow definition reflects the stringency of the extraordinary ability standard).

First, regarding the Petitioner's leading or critical role in an organization with a distinguished reputation, the Petitioner claims that the evidence shows that as general director of [redacted] he took the company "from the verge of collapse to a workforce of approximately 800 employees, fourteen branches, and thirteen representative offices, distributing products across over 60 distinct regions of the Russian Federation with a 60% market share in the supply and application of metal barrier systems on Russian roads." The Petitioner also asserts that he had a profound impact on the company and on the industry as a whole through managerial, engineering, and strategic initiatives. In support of the Petitioner's claims, he primarily relies on letters of support, which he states are "further corroborated by other evidence including media publications, awards, participation in exhibitions and other public events, etc."

The Petitioner provided letters of support from other business leaders, politicians, and individuals from government-affiliated organizations responsible for road safety. As one example, the Petitioner submitted a letter from V.L.,[5] the technical director of [redacted] V.L. states that the company was established in 1979 and transformed into a joint stock company (JSC) in 1992 following the end of the Soviet Union. V.L. further states that when the Petitioner became general director in 2000, the company was on the verge of collapse and was transformed under the Petitioner's leadership. V.L. discusses several changes and initiatives that the Petitioner has implemented as general director, for example, utilizing standardized elements in the design and build of their structures to increase efficiency, establishing offices in other regions of Russia, and implementing a new style of production line to increase production and reduce labor. V.L. states that [redacted] Russian manufacturers of traffic and bridge barriers and one of the largest enterprises in the [redacted] region.

[4] *See also generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2) (instructing that USCIS officers should consider the petition in its entirety to determine eligibility according to the standard – sustained national or international acclaim and the achievements have been recognized in the field of expertise, indicating that the person is one of that small percentage who has risen to the very top of the field of endeavor).

[5] We use initials to protect individuals' privacy.

The record also contains a letter from S.M., a current member of the Russian federal assembly and former governor of the [redacted] region. S.M. states that the Petitioner is "one of the most respected Russian industrial leaders." He writes that during his tenure as governor, [redacted] experienced rapid growth and he "personally observed the large-scale transformation carried out under the leadership of [the Petitioner]."

In addition to letters from politicians, other business leaders in the industry, and individuals from government-affiliated organizations responsible for road safety, the Petitioner also provided a consultant report analyzing the metal construction market in Russia which lists [redacted] metal construction manufacturer in Russia from 2013 to 2015. The record also contains evidence of the company's appearance at various professional conferences and exhibitions and news coverage related to the company and its operations.

Although we conclude that the evidence is sufficient to demonstrate that the Petitioner had a leading role at a distinguished organization, we conclude that the Petitioner's claims are not sufficiently supported by extensive documentation to establish his sustained acclaim and recognition in the field. Section 203(b)(1)(A) of the Act. The letters of support describe the Petitioner in a leadership position in a successful business, and the writers attribute the Petitioner's skills in leadership as responsible for much of that success. Nevertheless, the letters do not contain sufficient information and explanation to show that the Petitioner is viewed by the overall field, rather than by a solicited few, to be among the upper echelon or that he has garnered recognition on a national or international scale, consistent with being among the small percentage at the very top of the field of endeavor. *Mishra v. Richardson*, No. 1:20-cv-991 (LMB/TCB), 2021 WL 1566071, at *3 (E.D. Va. Apr. 20, 2021) (finding that none of the plaintiff's letters point to evidence of extensive documentation of his accomplishments to show sustained national or international acclaim). Although the letters highlight the Petitioner's work, they do not reflect a career of acclaimed work in the field, garnering the required sustained national or international acclaim. *See Bodhankar v. USCIS*, No. 1:19-CV-706 (MAD/CFH), 2020 WL 777211, at *5 (N.D.N.Y. Feb. 18, 2020) (finding the submitted letters failed to establish the plaintiff's contributions resulted in significant acclaim).

Second, regarding the Petitioner's receipt of prizes or awards for excellence, the Petitioner provides evidence of numerous certificates and local awards awarded either to [redacted] or that he received on behalf of the company as general director. For example, the Petitioner submitted "certificates of merit" from a local administration district in the city of [redacted] for various occasions and events, such as a 2015 certificate for "civil defense work," a 2022 certificate for "conscientious work, high professionalism, and active participation in public life," and an undated certificate for "great contribution to the social and economic development of the district." The Petitioner also submitted numerous letters of thanks in recognition for the company's community participation, such as assistance in a cinema and concert hall renovation project at [redacted], and for support in the improvement of a monument in the village of [redacted] Finally, the Petitioner submitted evidence of an "Honorary Badge For Excellence in Quality" from the [redacted] competition, and information from the organization's website regarding this competition.

However, the Petitioner did not demonstrate that these local awards, certificates, and letters of appreciation are nationally or internationally recognized. Additionally, although the Petitioner

submitted website information from the organization granting the "Honorary Badge For Excellence in Quality," this information appears to be promotional, and the record does not contain objective, documentary evidence to demonstrate whether this competition is nationally or internationally recognized. SCOPS identified this deficiency in the decision and concluded that the Petitioner did not establish this criterion because the evidence does not establish that any of the Petitioner's prizes or awards have national or international recognition, and also that the Petitioner did not submit sufficient objective, documentary evidence establishing that the prizes or awards are related to excellence in the field.

On appeal, the Petitioner repeats the claims, previously presented to SCOPS, that the evidence establishes that the Petitioner has received "numerous awards and honors that underscore his professional excellence, the Company's industry leadership, and its significant contributions," and that the awards are a "powerful validation of [the Petitioner's] strategic vision and the company's operational excellence." But the Petitioner does not address or overcome SCOPS' findings regarding the specific deficiencies in the evidence—that the record does not demonstrate that the awards are nationally or internationally recognized nor that they were awarded for excellence in the field of endeavor.

Additionally, even if the awards show local recognition of and appreciation for the Petitioner's company, the Petitioner did not demonstrate how this recognition indicates sustained national or international acclaim, particularly because the certificates are mostly issued by the local government. The Petitioner did not establish that he received awards indicative of the upper echelon of the field. Here, the Petitioner did not show the significance of the awards and how they place him among that small percentage at the very top of the field. *See Hamal v. U.S. Dep't of Homeland Sec.*, No. CV 19-2534 (RC), 2021 WL 2338316, at *4 (D.D.C. June 8, 2021), *aff'd sub nom. Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801 (D.C. Cir. Jan. 31, 2023) (upholding that the plaintiff did not contextualize his awards throughout his career to show sustained national or international acclaim).

Furthermore, the Petitioner provided evidence of memberships in organizations such as the "Association for the Development of Steel Construction," the "Intergovernmental Council of Road Workers," the "Association of Manufacturers of Products for Road Infrastructure," and the "Regional Employers Association Union of Industrialists and Entrepreneurs of the [redacted] Region." On appeal, the Petitioner claims that these memberships "serve as compelling evidence of his outstanding achievements," and "exemplify [the Petitioner] as a visionary who values external validation and global standards," and demonstrate that "he is viewed as a governmental-level expert and decision-maker."

However, the record does not support these claims. The record demonstrates that the company, [redacted] has been admitted as a member organization of these associations, not the Petitioner himself. Additionally, the Petitioner did not show that the company's acceptance as a member of these associations resulted in sustained national or international acclaim for the Petitioner. *See Donskoy v. USCIS*, No. 21-CV-04757-CRB, 2021 WL 5240224, at *5 (N.D. Cal. Nov. 11, 2021) (upholding that the petitioner's membership did not demonstrate the requisite level of achievement or sustained acclaim to establish extraordinary ability). Moreover, the Petitioner did not demonstrate how the company's acceptance as a member organization into these associations reflects that he is

among that small percentage who has risen to the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2).

For example, for the Association for the Development of Steel Construction, the Petitioner submitted an amended charter for the organization that states only that new members are admitted based on written application and that the decision to admit or deny a new member is made by the board of directors. The charter does not establish that the decision is based on sustained national or international acclaim, nor that the Petitioner has distinguished himself from others in the field based on the company's membership, gaining national or international attention or placing him among the upper echelon of his field.

Regarding media coverage, the Petitioner provided evidence of television news segments in Russian media related to the company, such as its installation of traffic safety devices, and media coverage from [redacted] regarding the company's operations in the region. The Petitioner also provided articles relating to awards the Petitioner received on behalf of the company, such as coverage in "Business Review" of the [redacted] region's 2017 entrepreneur awards in which the Petitioner received the award of "Best Exporter" on behalf of [redacted]

Although the articles and news coverage relate to the company, some of the coverage is not clearly about the Petitioner. For example, the record contains several transcripts of television interviews for which the Petitioner claims he was interviewed, but the evidence does not identify the Petitioner by name or clearly show that he was the subject of the interview. The published material indicates attention to [redacted], and the Petitioner as its general director, primarily in local news media in the [redacted] region, with some attention outside of the region. However, the Petitioner did not establish that such reporting is consistent with a level of success among that small percentage who have risen to the very top of the field of endeavor, has achieved sustained national or international acclaim, or has a career of acclaimed work. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3). The Petitioner, for instance, did not show how the amount of his media coverage compares to others in the field who are among the very top. Additionally, the Petitioner did not explain how this press coverage, which primarily focuses on the company, rather than the Petitioner's specific work within the company and any acclaim that it has received, reflects a career of acclaimed work in the field. *See Bodhankar v. USCIS*, No. 1:19-CV-706 (MAD/CFH), 2020 WL 777211, at *5 (finding the lack of press about the plaintiff was not consistent with national or international acclaim). *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3).

Regarding the Petitioner's contributions to the field, the Petitioner claims that he has made several business and engineering-related contributions that he states are of major significance to the field of road safety, infrastructure, and construction. The Petitioner describes several contributions, for example, he claims that he implemented operational strategies related to modernizing a production line and implemented crash testing within the company to demonstrate the safety and quality of road barriers. The Petitioner also states that he patented a [redacted] for installation of road infrastructure and that he is "credited with several significant innovations" related to road barriers and guardrail posts.

To document the originality and significance of these contributions, the Petitioner submitted evidence of a utility patent for the [redacted] and its technical specifications, a copy of the company's

product guide, and a contract for product safety crash testing. The Petitioner also provided evidence such as various certifications for the conformity of products following product testing, certifications related to safety and quality standards, licenses for [redacted] to carry hazardous goods and for the use of explosive or hazardous materials, and information from various conferences and exhibitions where [redacted] presented or exhibited information.

We agree with SCOPS that the record does not establish that the Petitioner has made original contributions of major significance to the field, and moreover we conclude that the Petitioner's contributions, in a final merits determination, do not demonstrate sustained national or international acclaim. Section 203(b)(1)(A) of the Act. While we acknowledge that the patent demonstrates originality of [redacted] and that this patent was issued for the Petitioner, the remaining evidence relates to [redacted] as a company and is not sufficient to demonstrate the Petitioner's specific contributions and whether they resulted in national or international acclaim or are reflective of a career of acclaimed work. Additionally, the evidence does not demonstrate that the Petitioner's patented [redacted] has been significant to the field. For example, the Petitioner did not submit evidence to demonstrate widespread adoption of the patented device in the field. *See Amin v. Mayorkas*, 24 F.4th at 394 (upholding that the evidence was insufficient "because it did not show widespread replication of [the applicant's invention]"); *see also Agrawal v. Miller*, No. 4:24-CV-3143, 2025 WL 2879217, at *20 (D. Neb. Sept. 12, 2025) (upholding that it must be objectively demonstrated that the field considers the work to be majorly significant).

The evidence of various certifications and licenses owned by the company is more indicative of the company's authority to operate and to do business in the manufacturing and installation of traffic safety equipment, than it is of the Petitioner's sustained national or international acclaim. Even were we to accept the Petitioner's claim that this evidence shows the company has been successful under his leadership, the evidence does not show that he is one of that small percentage who has risen to the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2).

Likewise, the evidence related to the Petitioner's scholarly work does not demonstrate that he has risen to the very top of the field. The Petitioner submitted evidence of authoring an article in a publication titled [redacted] in December 2009. The Petitioner did not provide evidence that this article has been cited by others in the field and did not provide information about the journal itself, such as evidence related to its impact factor or prestige in the field. The evidence therefore does not show that the Petitioner received acclaim based upon this work. The Petitioner also provided evidence of authoring an article from what appears to be a promotional publication from [redacted] However, the Petitioner did not provide background evidence about publication. The evidence is therefore not demonstrative of possessing a career of acclaimed work, sustaining national or international acclaim, or being among the small percentage at the very top of the field. The Petitioner, for instance, did not show how this publication record compares to others who are viewed to be at the very top of the field. *See Bhanu v. Garland*, No. 22-103, 2023 WL 6119357, at *9 (E.D. Pa. Sept. 18, 2023) (upholding the Petitioner did not show the significance of authorships reflect that he is among the small percentage at the very top of the field).

Regarding salary, although the Petitioner documented his income from 2009 to 2024 and, as stated above, we conclude the evidence is sufficient to meet the initial regulatory criterion, the Petitioner did not establish that he commanded earnings commensurate with sustained national or international

acclaim. The Petitioner provided his "certificates of income of an individual" for 2009 through 2024 and evidence of comparative salary data. The income statements show income that ranged widely from year to year, from approximately $42,000 USD to approximately $6.1 million USD. In 8 of these 16 years, the Petitioner's income statements show $1 million USD or more in income. The comparative salary data shows that the position of "director" in Russia earns an average salary of approximately $27,000 USD and the highest annual average salary was approximately $41,000 USD. The data provided also states that the top 25% in this occupation earns more than $30,000 USD, and a general director with 20 plus years of experience earns on average $39,000 USD.

Although we conclude that this information and evidence is sufficient to establish, by a preponderance of the evidence, that the Petitioner has commanded a high salary in relation to others in the field, the salary data provided did lack some detail. For example, the data provided did not include a breakdown of salary ranges by company size or industry. Additionally, although the data shows salary comparisons for several cities, the Petitioner's city was not included in this list. However, the average salaries did not vary widely by city, and the city with the highest average salary, Moscow, had an average salary of approximately $33,000 USD.

Therefore, although the evidence is sufficient to establish the regulatory criteria, the Petitioner did not show that his wages are tantamount to an individual who is among that small percentage at the very top of the field of endeavor. He did not demonstrate, for example, how his earnings compare to others at the very top of the field, or others who are renowned as CEOs or general directors in the manufacturing industry, or other business leaders at the very top of the field. The Petitioner also did not show that he received notoriety or attention based on his wages, separating himself from others in the field or placing himself in the upper echelon. *See Bodhankar v. USCIS*, No. 1:19-CV-706 (MAD/CFH), 2020 WL 777211, at *5 (finding that the plaintiff's high salary was not so high as to indicate that he has risen to the very top of the field).

Finally, as noted above, the Petitioner did not appeal SCOPS' finding that he did not demonstrate his display of work in the field at artistic exhibitions or showcases, and we therefore conclude that he has waived his claim that the evidence meets this initial regulatory criterion. *See Matter of O-R-E-*, 28 I&N Dec. at 336, n.5. Additionally, we conclude that the evidence the Petitioner submitted in support of the display of his work does not demonstrate sustained national or international acclaim. The Petitioner claimed that the products developed by [redacted] and the conferences and business development activities of the company constituted displays of the Petitioner's work. We have considered the evidence related to the Petitioner's leading role as the general director of [redacted] and his contributions to the field in that role, as discussed in detail above, and for those reasons discussed above, we conclude that the record does not demonstrate that he has sustained national or international acclaim based upon this work.

The record as a whole, including the evidence discussed above, does not establish the Petitioner's eligibility for the benefit sought.[6] Here, 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. 953, 954 (Assoc. Comm'r 1994) (concluding that even

[6] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2) (providing that some evidence weighs more favorably on its own, while other evidence is more persuasive when viewed with other evidence).

major league level athletes do not automatically meet the statutory standards for classification as an individual of "extraordinary ability,"); *Amin v. Mayorkas*, 24 F.4th at 394 (stating that extraordinary ability is such an elite level of accomplishment); *Lapteva v. Schuurmans*, No. 8:24-CV-83, 2025 WL 815087, at *1 (D. Neb. Mar. 10, 2025) (stating that EB-1 visas are intended to be available to only an exceedingly small amount of individuals with extraordinary ability). In this case, the Petitioner has not shown that the significance of his work is indicative of the required sustained national or international acclaim or that it is consistent with a career of acclaimed work in the field. *See* Section 203(b)(1)(A) of the Act. While the Petitioner need not establish that there is no one more accomplished to qualify for the classification sought, the record is insufficient to demonstrate that he is among the small percentage at the top of his field. *See* 8 C.F.R. § 204.5(h)(2).

We have reviewed the entirety of the record, including those items of evidence which are not specifically analyzed in this decision. When USCIS provides a reasoned consideration to the petition, and has made adequate findings, it will not be required to specifically address each claim the Petitioner makes, nor is it necessary for it to address every piece of evidence the Petitioner presents. *Guaman-Loja v. Holder*, 707 F.3d 119, 123 (1st Cir. 2013) (citing *Martinez v. INS*, 970 F.2d 973, 976 (1st Cir.1992); *see also Kazemzadeh v. U.S. Atty. Gen.*, 577 F.3d 1341, 1351 (11th Cir. 2009); *Casalena v. U.S. INS*, 984 F.2d 105, 107 (4th Cir. 1993).

III. CONCLUSION

For the reasons discussed above, the Petitioner has not demonstrated his eligibility as an individual of extraordinary ability. The appeal will be dismissed for the above stated reasons.

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.