U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41810333

Date: JUN. 15, 2026

Appeal of Service Center Operations (SCOPS) Decision

Form I-140, Immigrant Petition for Alien Workers (National Interest Waiver)

The Petitioner is a senior software engineer who seeks classification as an alien of extraordinary ability. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

Service Center Operations (SCOPS) denied the petition, concluding that although the Petitioner satisfied three initial evidentiary criteria for this classification, he did not show in an analysis of the final merits, as required, his sustained national or international acclaim and demonstrate 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 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 achievements in the field through a one-time achievement (that is, a major, internationally recognized award) or 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).

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 Amin v. Mayorkas*, 24 F.4th 383 (5th Cir. 2022); *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 indicates he is "an artificial intelligence and cloud computing expert with a distinguished history in the field." The Petitioner explains that he earned a bachelor's degree in engineering in 1998 and a post graduate degree in 2000, both in India. The Petitioner states he has worked in various information technology positions since 2004. The Petitioner indicates that he worked from 2014 to the present as a senior software engineer with [redacted] a large financial institution, where he created "complex frameworks and platforms instilling a greater sense of resilience, readiness against unexpected disruptions, and uninterrupted services and operational excellence." He further states that he previously worked as a senior quality assurance analyst for [redacted] leading several flagship projects for [redacted] a large insurance company, and [redacted] a prominent financial institution. The Petitioner explained that in this position with [redacted] he "developed a scalable and reusable automation framework enabling easy integration of new testing frameworks." The Petitioner further provided articles about his career highlighting his leading work in "fintech," or financial technology, namely the integration of software and digital platforms to automate and enhance financial services.

A. Evidentiary Criteria

Because the Petitioner has not indicated or established that he received a major, internationally recognized award, he must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i)–(x). The Petitioner initially claimed seven criteria. SCOPS decided that the Petitioner satisfied at least three of the criteria, specifically that he had material published about him in professional or major trade publications or other major media pursuant to 8 C.F.R. § 204.5(h)(3)(iii); he participated as a judge of the work of others in his field consistent with 8 C.F.R. § 204.5(h)(3)(iv); and that he authored scholarly articles in his field in professional or major trade publications or other major media as reflected in 8 C.F.R. § 204.5(h)(3)(vi).

However, SCOPS also determined that the Petitioner did not satisfy other asserted criteria, including that he did not demonstrate he received lesser nationally or internationally recognized prizes or awards

consistent with 8 C.F.R. § 204.5(h)(3)(i); that he was not a member in an association in his field requiring outstanding achievements as judged by recognized national or international experts pursuant to 8 C.F.R. § 204.5(h)(3)(ii); had not shown original, scholarly, artistic, athletic, or business-related contributions of major significance in the field per 8 C.F.R. § 204.5(h)(3)(v); or had not performed in a leading or critical role for organizations or establishments with a distinguished reputation provided by 8 C.F.R. § 204.5(h)(3)(viii). Further, SCOPS concluded, after conducting a final merits determination, that the Petitioner did not demonstrate his sustained national or international acclaim and that he was one of the small percentage at the very top of the field of endeavor. Because SCOPS granted at least three initial criteria and proceeded to a final merits determination, we have generally considered the evidence underlying his other claimed criteria not granted in the context of the final merits determination.

B. Final Merits Determination

Given the structure of the regulations and the two-step analysis described in *Kazarian*, the satisfaction of three evidentiary criteria alone does not automatically or presumptively establish eligibility. In a final merits determination, we evaluate whether a petitioner has demonstrated, by a preponderance of the evidence, their sustained national or international acclaim,[1] that they are among the small percentage at the very top of his field of endeavor, and that their achievements have been recognized in the field through extensive documentation. Therefore, we analyze an individual's accomplishments and weigh the totality of the evidence to determine if their 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*, 596 F.3d at 1119-20.[2]

The Petitioner asserted that he is an extraordinary professional who has attained and sustained national or international acclaim, pointing to his success working for [redacted] and [redacted] on projects "concerning . . . team management, and internal workflow operations making him a critical figure in the artificial intelligence space." The Petitioner stated that he made numerous contributions to artificial intelligence, consisting of original work that significantly advanced and influenced "several verticals and sectors, particularly at the intersection of cybersecurity and data security enterprise applications." He further emphasized the "numerous articles" he published and asserted they were "highly cited," pointing to approximately 350 total citations to his scholarly works in "reputable publications" like *Cineform* and *IRE Journals*.

The Petitioner also indicated that his work in artificial intelligence was of considerable interest to his peers and the broader public as evidenced by the "extensive media coverage" he had received. Likewise, he discussed his membership in the Institute of Electrical Engineers (IEEE) as a senior member, asserting this required outstanding achievement in his field and was reflective of his sustained national and international acclaim. Lastly, the Petitioner discussed his [redacted] and [redacted] that he claimed are straightforward instances of national and international

[1] *See generally* 6 *USCIS Policy Manual* F.2(A)(1), https://www.uscis.gov/policy-manual (stating that 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").

[2] *See generally* 6 *USCIS Policy Manual supra*, at F.2(B)(2) (stating that USCIS officers should evaluate the evidence together when considering the petition in its entirety to determine if a petitioner has established by a preponderance of the evidence, the required high level of expertise required for this immigrant classification).

acclaim. In sum, the Petitioner contended that the provided evidence undoubtedly reflected his sustained national or international acclaim and that his achievements had been recognized in the field of artificial intelligence, specifically in cloud computing and data security.

SCOPS evaluated the totality of the evidence and concluded that the Petitioner did not demonstrate his achievements and accolades were indicative of the required sustained national or international acclaim or that it was consistent with a career of acclaimed work in the field as contemplated by Congress. H.R. Rep. No. 101-723, 59 (Sept. 19, 1990).

On appeal, the Petitioner contends that SCOPS made an improper final merits determination. The Petitioner asserts that SCOPS did not explain why his level of citations, which he claimed were in the highest percentiles in computer science and the hundreds of citations to his work are not reflective of his wide influence in his field. The Petitioner contends that SCOPS did not sufficiently consider his patented multi-cloud monitoring technology commercialized by an independent company and clients as a core tool for managing complex cloud environments. Further, the Petitioner asserted that SCOPS did not give proper weight to his work for a major bank, a leading insurance company, and a global technology company that produced "quantifiable improvements in reliability, efficiency, and revenue." The Petitioner asserts that SCOPS ignored expert testimony from senior executives, academics, and technical leaders attesting to the importance of his work in the broader development of AI driven cloud security and distributed systems. The Petitioner contends that SCOPS ignored the interrelation of this evidence, reflecting a trajectory of technical innovations, scholarly works, and professional leadership demonstrating what the Petitioner claims is his sustained, multi-faceted recognition, high-level contribution, and acknowledgment indicating that he is among the small percentage at the very top of his field of endeavor.

After carefully reviewing the Petitioner's appellate claims and giving full consideration to the remaining record, we agree with SCOPS that the Petitioner has not demonstrated that he has sustained national or international acclaim or that he is eligible for this immigration benefit.

As discussed, the Petitioner places much emphasis on support letters submitted from executives and managers at his employers, asserting that these substantiate his leading role in his field of AI, cloud computing, and data security. The Petitioner provided a letter from Mr. N-S-, Director of Software Engineering at [redacted] and the Petitioner's supervisor, who indicated that the Petitioner's incident RCA (Root Cause Analysis) AI tool acted as "an intelligent assistant automating the review of faults within a system to identify its root cause." Mr. N-S- further stated that the Petitioner's RCA AI tool caused instantaneous improvement to [redacted] response to security threats, specifically by 40%, "halving the amount of time it would have taken previously to address a security matter in our software" and "putting [redacted] well ahead of competitors in terms of securing the sensitive data of our customers." Although Mr. N-S's letter appears to reflect that the Petitioner was a valuable employee for [redacted] this letter does not sufficiently demonstrate that his workplace accomplishments are reflective of an individual who has sustained national or international acclaim, or who is one of the small percentage at the very top of the field of endeavor.[3]

[3] Submitted letters should specifically describe the person's contribution and its significance in the field. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), https://www.uscis.gov/policy-manual.

The Petitioner did not sufficiently demonstrate how his internal contribution to [redacted] and its data security are reflective of an achievement that led to his sustained acclaim within his field. The letter from Mr. N-S- does not provide sufficient context to differentiate the Petitioner's work and substantiate how he is one of the small percentage at the very top of the field of endeavor. Mr. N-S- does not discuss the impact of the Petitioner's work at [redacted] on his field, even if this field was clearly defined, but only its impact on [redacted] internal operations. Without sufficient explanation and context related to the greater field, it is reasonable given the size and importance of financial services and banking, that there are numerous other information technology professionals (and software engineers) working on AI, cloud computing, and data security, including colleagues within [redacted].[4]

Similarly, the Petitioner also highlights his employment with [redacted] In a letter from Mr. J-R-, Technical Manager, he explains the Petitioner's leadership over the company's client relationships with [redacted], a leading insurance company, and [redacted], a prominent financial institution. Mr. J-R- emphasizes the Petitioner's success in supporting these two major clients, including creating a framework for [redacted] that "reduced regression testing time by over 50%" as well as a "30% increase in test coverage." Mr. J-R- asserted that the Petitioner's work with [redacted] translated into an estimated annual cost savings of $750,000 for the client, leading further to a multi-year extension valued at $5 million over three years.[5] Likewise, Mr. J-R- noted that the implementation of the Petitioner's framework improved defect identification by 20% "reducing post-release defects and making [redacted] software safer for customer use."

However, in the very same letter, Mr. J-R- indicates that the company has over 530,000 clients and that over 95% of Fortune 500 companies utilize its services; as such, it is not evident how the Petitioner's leadership on two projects had a significant impact within his field of expertise indicative of being at the very top of his field of endeavor. The Petitioner's employment as a senior quality assurance analyst was also from 2007 to 2012, approximately 13 years prior to the date the petition was filed, leaving question as to whether his intracompany achievements with [redacted] are reflective of *sustained* [emphasis added] acclaim in his field. The letter also does not provide context to show how the Petitioner's internal accomplishments relate to the larger field and how they would demonstrate that he is one of the small percentage at the very top of his field of endeavor.

The Petitioner also submitted letters of support from others in the industry he claims were not sufficiently considered by SCOPS. He states these letters demonstrate "the importance of his work in the broader development of AI driven cloud security and distributed systems." For example, the Petitioner provided a letter from Mr. N-K-K-, Chief AI Officer at E-, who indicated that the Petitioner's "end-to-end predictive maintenance framework" would have "transformative application"

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[4] For instance, the Petitioner's title is senior software engineer, and we are given no indication as to how many other similar employees work for [redacted] a leading financial institution "employing over 50,000 people" within the "highly competitive and saturated" financial services and banking industry. It is also not clear how many other senior software engineers are employed in the greater AI, cloud computing, and data security fields who also have made substantial contributions to their employer and their clients and how the Petitioner's work stands out in comparison to show sustained national or international acclaim.

[5] The Petitioner stated that [redacted] had an average annual revenue of approximately $60 billion and over 280,000 employees in 170 countries in 2022. It is unclear, how the Petitioner's asserted contribution to two clients and millions in revenue, even if sufficiently substantiated, would lead to a substantial impact on [redacted] and its operations, and in turn his entire field, to place him at the very top of his field.

across multiple industries, including "a 25% increase in turbine availability, and a 15% boost in energy production," a 40% reduction in unscheduled maintenance in the transportation sector saving an estimated €50 million annually, and saving over $100 million annually by reducing engine removals in the aerospace industry. The Petitioner made no mention of these major impacts on massive industries elsewhere in the record and there was no indication in any of the supporting documentation that he worked in these industries or that his claimed innovations were commercialized in these sectors. Detailed letters from experts in the field explaining the nature and significance of the person's contribution may also provide valuable context for evaluating the claimed original contributions of major significance, particularly when the record includes documentation corroborating the claimed significance. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1). Here, the record does not contain documentation to corroborate the claims.

The Petitioner further provided a letter from Mr. [redacted], Associate Director of AI/ML Engineering at [redacted], a major telecommunications company, claiming a "significant measurable impact" from the Petitioner's innovations, such as his load balancer leading to a reduction in latency by 40-60% and bandwidth consumption by up to 30%. Yet, it is not clear whether the Petitioner's work has been utilized by this major telecommunications company, or in this industry, or in what compacity it reduced latency and bandwidth consumption. As the Petitioner did not discuss any significant work for, or impacts on, the telecommunications industry elsewhere on the record, the record lacks corroborating evidence related to the claimed significance. Therefore, the Petitioner's support letters from individuals outside of his employers did not support the conclusion that his claimed innovative work in AI, cloud computing, and data security had disseminated in the field and had such an impact to elevate him to the very top of his field. Therefore, in sum, although the Petitioner's employment and support letters appear to reflect that he is likely a successful professional in his field, there is insufficient information from the letters and any corroborating evidence to show that he is an individual who has sustained national or international acclaim, or who is one of the small percentage at the very top of the field of endeavor.

The Petitioner further asserts that SCOPS did not sufficiently consider his citations to his scholarly articles "in the highest percentiles in computer science," including hundreds of overall citations to his work, he claimed are reflective of his wide influence in his field. Evidence establishing that the total rate of citations to a petitioner's body of work is high relative to others, such as a high h-index, is weighed as a positive factor in the final merits determination. *See generally* 6 *USCIS Policy Manual*, *supra* at F.5(B)(2). Depending on a journal's level of recognition, as demonstrated by evidence in the record, there may be an elevated level of prestige or acclaim associated with publication in particularly highly ranked journals. *Id.* Such an analysis at the final merits determination stage is appropriate pursuant to *Kazarian,* 596 F. 3d at 1122.

The Petitioner did not discuss in detail how his citations were reflective of him being one of the small percentage at the very top of his field of endeavor. He only emphasized his publication in "reputable publications" like *Cineform* and *IRE Journals* and the overall number of citations to his work (351 citations). The Petitioner's most cited co-authored article (76 citations) was titled [redacted]' published in 2019 in *Iconic Research and Engineering (IRE)*, while the other he emphasized '[redacted]' was published in *Cineform* in 2023 and cited 43 times. Otherwise, the provided evidence reflected that the

Petitioner published eight other co-authored scholarly works, ranging from 16 to 41 citations from 2020 to 2024. In addition, the Petitioner's publication history from Google Scholar reflects that he was the sole author of seven other scholarly articles, yet none of these articles received any citations.

The Petitioner did not provide sufficient support for his claim that his publication of scholarly works in the listed journals and citation to them is an accomplishment indicative of sustained national or international acclaim. First, the Petitioner did not establish how many of these were self-citations by him or his co-authors. Further, the Petitioner's most cited article was published in *IRE Journals*, a publication described as an "international academic, science and engineering journal" that "covers all subject[s] that fall under the wide variety of science and technology." There is little evidence to support the conclusion that this journal is a leading publication in the Petitioner's field at the intersection of artificial intelligence, cloud computing, and data security and that being published in the journal is indicative of being at the very top of his field. Similarly, the Petitioner provided evidence indicating that *Cineform* disseminates "original research, theoretical insights, empirical studies, methodological advancements, and case analyses in the fields of *interdisciplinary studies* [emphasis added]." The evidence related to *Cineform* provided little indication that being published in this journal is reflective of being at the top of the AI computing field. Beyond these publications, he provided little information or evidence related to the other journals he was published in, including one that included several of his co-authored articles, *Well Testing Journal*.

The Petitioner did not provide proper context to his citations to show how the Petitioner compared to his co-authors and whether he was set apart from his co-authors, to show that he would be deemed at the very top of his field. Likewise, the Petitioner referred to the total number of citations to all his works, rather than establish the qualitative nature of these citations and how they substantially impacted his field. Overall, the Petitioner did not show that the citations to his published research, as claimed, demonstrate recognition at a level consistent with being among that small percentage at the very top of his field. *See* 8 C.F.R. § 204.5(h)(2). The statute demands "extensive documentation" of recognition. The record does not sufficiently demonstrate the relevance and reliability of the metrics submitted and comparative data provided and lacks other persuasive evidence of his sustained acclaim.[6]

The Petitioner also indicated that his work in AI was of considerable interest to his peers and the broader public as evidenced by the "extensive media coverage" he received. The Petitioner submitted a handful of articles published online; however, these are insufficient to demonstrate that he received sustained acclaim and that he is among that small percentage at the very top of his field. For instance, the Petitioner provided an article from [redacted] 2024 published in *Tech & Science* titled [redacted] This article only provided an overview of "fintech," or the combination of financial services and digital technology, and discussed the Petitioner's experience and background, including his experience at C-O-. Similarly, the Petitioner submitted another article published online in *NY Weekly Contributor*, also in [redacted] 2024, titled [redacted] This article also provided information on the Petitioner's background and

[6] *See generally* 6 *USCIS Policy Manual*, *supra* at F.2(B)(2) (stating that "[d]epending on the field and the comparative data the petitioner provides" evidence demonstrating the total rate of citations is high relative to others "*may* indicate a person's high overall standing").

experience but did not discuss his claimed innovations in the field with specificity or discuss how he "set new standards in the field." In addition, the Petitioner provided an article published online in *IB Times UK* in [redacted] 2024 titled '[redacted]' The article reflected the Petitioner contributing to a question-and-answer session and generally discussing his experience and trends facing the "fintech" industry, an industry the article indicated would grow to over $1.152 trillion by 2032. Lastly, another article published online by *TechBullion* in [redacted] 2025 named '[redacted]' provided an overview of his career and how he built himself into a successful professional in the industry.

However, the provided articles do not reflect "extensive media coverage" in professional or major trade publications or other major media indicative of his place at the very top of his field, but they mainly provide biographical overviews of the Petitioner's career and general discussion of important issues facing the fintech industry. The articles only vaguely discuss his innovations and do not provide sufficient detail on their impact on the industry to demonstrate how he is at the very top of his field, including how he 'set new standards in the industry," as asserted in one of the online articles. It is also noteworthy that the provided articles discuss the Petitioner's leading role in fintech, whereas elsewhere on the record he emphasizes him being at the top of several other fields, such as computer science, artificial intelligence, cloud computing, and data security. In total, the Petitioner did not demonstrate how the amount of coverage submitted from 2024 and 2025 was representative of sustained acclaim in his field, even if that field was properly defined.

On appeal, the Petitioner also emphasizes that SCOPS did not sufficiently consider his patented multi-cloud monitoring technology commercialized by "an independent company" reflecting a "trajectory of technical innovations." In support of this assertion, the Petitioner provided a "Certificate of Registration for a UK Design" dated in November 2024 showing the registration of an "an apparatus for Monitoring Managing Data Flows and Migration in the Multi-Cloud Environment." The Petitioner further submitted a "Patent License Agreement" related to this proposed product granting a California corporation the right to sell his patented apparatus.

However, there is little indication as to what impact this asserted patent had on the various industries the Petitioner claims he operates within, including AI, fintech, cloud computing, and data security. The Petitioner did not establish that his claimed patent is considered a major innovation in any field to support that he was at the very top of a field, or that he received sustained acclaim for this asserted innovation. *See generally* 6 *USCIS Policy Manual*, *supra* at F.2(B), "Evidence that the person's work was funded, patented, or published, while potentially demonstrating the work's originality, will not necessarily establish, on its own, that the work is of major significance to the field." The license agreement with a California company only grants this company the right to sell the Petitioner's patent in the future, but there is little evidence to substantiate that it has been widely commercialized, adopted, or even recognized in his field. In sum, the evidence does not demonstrate that the Petitioner has contributed a "trajectory of technical innovations" that have made a substantial impact on his field and that are reflective of him being at the very top of a field.

Although SCOPS concluded that the Petitioner acted as a judge of the work of others in his field of endeavor, the Petitioner did not sufficiently establish how this demonstrated that he was at the very top of his field. For example, the Petitioner indicated that he performed peer review on ten scholarly

articles in his field, acted on the [redacted] editorial board, and functioned as a judge on a panel for the Globee Awards. However, participation in the peer review process itself in the absence of other evidence would not demonstrate that an individual has sustained national or international acclaim and the Petitioner did not show how his peer review of ten scholarly articles met this standard or how it would demonstrate that he had risen to the very top of his field. The evidence in the record does not demonstrate that the Petitioner has received any independent acclaim or recognition for his service as a peer reviewer. Without this or other evidence providing context to his work in the field, the Petitioner has not shown that his level and frequency of peer review contributed to establishing his sustained national or international acclaim or places him among that small percentage at the very top of the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act and 8 C.F.R. § 204.5(h)(2).

The same can be said for him being a member of the editorial board of the [redacted] as the board included nearly 40 members, and the Petitioner did not sufficiently articulate the level of this honor and how it was demonstrative of him being at the very top of his field of endeavor. In addition, the Petitioner did not submit sufficient evidence to establish that acting as a judge for the Globee awards was likewise reflective of sustained acclaim at the very top of his field. Although the Petitioner provided a letter indicating his selection as a judge for this award, there was no indication what type of award he judged or how he was selected. This is particularly noteworthy since he indicated that "the judging panel for the Globee Awards comprises accomplished professionals, seasoned executives, and industry leaders from a wide range of sectors." As such, the Petitioner did not sufficiently demonstrate either that him acting as a judge of the Globee Awards could support his top prevalence in his field.

In addition, the Petitioner states on appeal that professional associations and award bodies have responded to his "record of innovation" by elevating him to a senior member and conferring him awards. With respect to membership, the Petitioner emphasizes his membership in the Institute of Electrical Engineers (IEEE) as a senior member, asserting this level of membership required outstanding achievements in his field. Senior membership in the IEEE reflects a wide array of potential professions, including "engineers, scientists, educators, technical executives, or originators," as well as fields, namely any IEEE-designated field. Senior membership in the IEEE requires that the individual have "experience reflecting professional maturity," "professional practice for at least ten years (with some credit for certain degrees)," and "significant performance over a period of at least five years in professional practice."

The criteria for IEEE senior membership does not suggest sustained acclaim or being at the very top of one's field but appears granted when certain professional milestones are accomplished, such as years worked, certain educational credit, and "significant performance," language which may not necessarily reflect sustained national or international acclaim or extraordinary achievement in a specific field. In fact, the Petitioner indicated that about 10% of the approximately 450,000 IEEE members reach the grade of senior member, a large number not indicative of a small percentage who have reached the very top of their respective fields.

Similarly, the Petitioner's receipt of two awards also did not demonstrate his sustained acclaim or his position at the very top of his field. First, the Petitioner submitted a '[redacted]' he received in 2024, an award from an entity describing itself as "the world's leading business awards

program, celebrating the finest achievements in entrepreneurship, innovation, and corporate responsibility." Again, the Petitioner did not establish that this represented an award recognizing his achievement in his field of endeavor, but only vaguely offered as an award in "international business" from a "nationally or internationally recognized venue for celebrating the remarkable achievements of professionals." The award itself includes no specific details as to how the award was given, or more critically whether it was awarded in the Petitioner's field of endeavor.

The Petitioner also pointed to his receipt of "The Indian Achievers' Award" in [redacted] 2024 given to "individuals in business domains who have demonstrated remarkable accomplishment within their respective fields." In this case, the Petitioner received the award "in recognition of outstanding professional achievement in FinTech industry & contributions towards nation building." The Petitioner provided evidence regarding the Indian Achievers Award showing that it is only awarded to Indian nationals "who come forward to serve the nation in various domains," and this is reflected in the body of the award and its reference to "nation building." In addition, the letter along with the award states that the award was given "based purely on the prima facie vetting of the documents, profile and testimonials submitted by you." This would not represent independent objective identification of the awardees based on recognition as to who was at the very top of their field, but only an assessment of the documentation provided and whether this amounted to "remarkable accomplishment" in their field. The Petitioner submitted no evidence to demonstrate on what basis this determination was made, or whether qualified experts in his field made this determination. As such, the Petitioner has not provided sufficient independent objective evidence to show that the awards are reflective of someone who has received sustained acclaim or an individual who is among the small percentage at the very top of their field of endeavor.

In summary, the Petitioner seeks a highly restrictive visa classification, intended for individuals already at the top of their respective fields, rather than for those progressing toward that goal. USCIS has long held that even athletes performing at the major league level do not automatically meet the "extraordinary ability" standard. *Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994). Considering the full measure of the Petitioner's ability and achievements, the level of his national or international acclaim and the extent to which his achievements have been recognized in the field, the Petitioner has not demonstrated that he has a record of sustained acclaim. Also, he has not submitted extensive documentation exhibiting he has attained a level of expertise placing him among that small percentage that has risen to the very top of the field of endeavor.

III. CONCLUSION

For the reasons discussed above, the Petitioner has not demonstrated his eligibility as an alien of extraordinary ability. The appeal will be dismissed for the above-stated reasons. In visa petition proceedings, it is a petitioner's burden to establish eligibility for the immigration benefit sought. The Petitioner has not met that burden here.

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.