U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 42530894

Date: MAY 4, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner – a vice president/information lead architect in the financial services industry who focuses on data compliance, data governance, and risk management – requests classification under the employment-based, first-preference (EB-1) immigrant visa category as an alien with "extraordinary ability." *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A) of the Act, 8 U.S.C. § 1153(b)(1)(A). Successful petitioners for U.S. permanent residence in this category must demonstrate "sustained national or international acclaim" and extensively document recognition of their achievements in their fields. Section 203(b)(1)(A)(i) of the Act.

Service Center Operations (SCOPS) denied the petition. SCOPS found that the Petitioner met the requested visa category's initial evidentiary requirements. But SCOPS concluded that he did not demonstrate acclaim and recognition sufficient to place him among the small percentage at his field's very top. On appeal, the Petitioner contends that SCOPS' final merits determination lacked analysis.

The Petitioner bears the burden of demonstrating eligibility for the requested benefit by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). Exercising de novo appellate review, *see Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015), we conclude that the record does not establish the Petitioner's claimed extraordinary ability in his field. We will therefore dismiss the appeal.

I. LAW

To qualify for this immigrant visa category, a petitioner must demonstrate that they:

- Have "extraordinary ability" in the sciences, arts, education, business, or athletics;
- Seek to continue work in their field of expertise in the United States; and
- Would substantially benefit the country as a permanent resident.

Section 203(b)(1)(A)(i-iii) of the Act.

The term "extraordinary ability" means expertise commensurate with "one of that small percentage who have risen to the very top of the field of endeavor." 8 C.F.R. § 204.5(h)(2).

Unless a petitioner received "a major, international recognized award," they must satisfy at least three of ten initial evidentiary criteria. 8 C.F.R. § 204.5(h)(3).[1] If a petitioner meets either evidentiary standard and the requirements at sections 203(b)(1)(A)(ii), (iii) of the Act, U.S. Citizenship and Immigration Services (USCIS) must then make a final merits determination. To merit final approval, the record – as a whole – must establish a petitioner's "sustained national or international acclaim" and recognized achievements placing them among the small percentage at their field's very top. *see generally* 6 *USCIS Policy Manual* F.2(B), www.uscis.gov/policy-manual.

II. ANALYSIS

A. The Petitioner and His Field

The record shows that the Petitioner earned a bachelor of technology degree in computer science from a university in his home country of India. He has since gained about 15 years' experience in interpreting and analyzing data to develop business solutions. Since 2017, he has worked in the United States for his current employer, a financial services company. He states that his work has helped the company to effectively monitor transactions for fraud, improve its customer identification process, and automate data validation and reporting. He says that his work has not only improved the company's operational efficiency and data integrity, but has also ensured its adherence to global financial standards and reduced its risk exposure.

The Petitioner states that, in the short term, he seeks to continue working for his U.S. employer, designing and implementing compliance and risk management frameworks driven by artificial intelligence (AI). He says that, in the long term, he intends to work in executive, technical business positions for major U.S. enterprises. He states: "By driving innovation in regulatory technology and risk management, I aim to create a more secure, transparent, and fraud-resistant financial ecosystem."

B. The Evidentiary Criteria

The record does not indicate – nor does the Petitioner claim – his receipt of a major internationally recognized award. He therefore must meet at least three of the ten initial evidentiary criteria at 8 C.F.R. § 204.5(h)(3)(i-x).

The record supports SCOPS' finding that the Petitioner successfully submitted evidence of his:

- Participation as a judge of others' work in his field;
- Authorship of scholarly articles in the field; and
- Commandment of a high salary or significantly high remuneration for his services.

See 8 C.F.R. § 204.5(h)(3)(iv), (vi), (ix).

On appeal, the Petitioner contends that he also met the following five evidentiary requirements:

[1] If an evidentiary criterion does not "readily apply" to a petitioner's occupation, they may submit "comparable evidence" to establish eligibility. 8 C.F.R. § 204.5(h)(4).

- Nationally or internationally recognized awards or prizes for excellence in his field;
- Membership in associations in his field requiring outstanding achievements;
- Published material about him and his work in professional or major trade publications or other major media;
- Original contributions of major significance in his field; and
- Performance in a leading or critical role for organizations with distinguished reputations

8 C.F.R. § 204.5(h)(3)(i), (ii), (iii), (v), (viii).

The Petitioner, however, has already met the requisite minimum amount of three evidentiary criteria. We therefore need not determine whether he has met any others. *See INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) (per curiam) (holding that agencies need not make "purely advisory findings" on issues unnecessary to their ultimate decisions).

We will next proceed to the final merits determination.

C. The Final Merits Determination

To merit final approval as an alien with extraordinary ability, a petitioner must demonstrate – through evidence of sustained national or international acclaim and recognition of their achievements in their field – that they are one of the small percentage who has risen to their field's very top. 6 *USCIS Policy Manual* F.2(B)(2). They "must explain the significance of the submitted evidence, and how it demonstrates that [they have] achieved sustained national or international acclaim and recognition in their field of expertise." *Id.* USCIS must review all evidence in the totality and consider "any potentially relevant evidence in the record, even if such evidence does not fit one of the … regulatory criteria or was not presented as comparable evidence." *Id.*

1. Judge of Others' Work

The record shows that the Petitioner "peer reviewed" research papers of more than 20 others for an international journal and served as a reviewer at a computing and electronics conference. He also submitted evidence that he judged international awards for excellence in artificial intelligence and cybersecurity. On appeal, he contends: "[T]he record shows sustained reliance on [his] expert judgment by independent institutions that curate, screen, and validate technical work and professional achievement."

The record, however, lacks evidence that his judging activities generated qualifying acclaim and recognition. For example, the Petitioner has not shown that the journal for which he reviewed research papers ranks highly compared to others. *See Bhanu v. Garland*, No. 22-103, 2023 WL 6119357, at *9 (E.D. Pa. Sept. 18, 2023) (upholding USCIS' finding that a petitioner did not demonstrate their claimed extraordinary ability when they did not offer evidence, for example, of having "served in editorial positions for distinguished journals or publications").

Also, the Petitioner has not established that the research papers he reviewed for the journal and at the conference were in his stated field of financial data compliance, governance, and risk management. *See* section 203(b)(1)(A)(i) of the Act (requiring acclaim and recognition "in the field"); *cf.* 8 C.F.R.

§ 204.5(h)(3)(iv) (requiring evidence of participation as a judge of others' work "in the same *or an allied field of specification for which classification is sought*") (emphasis added).

Further, the record shows that all the Petitioner's judging activities occurred in 2024 or 2025. Thus, contrary to the Act, these activities would not generate "sustained" acclaim throughout his career. *See* section 203(b)(1)(A)(i) of the Act (requiring "sustained national or international acclaim"); 6 *USCIS Policy Manual* F.2(A)(1) ("In determining whether the beneficiary has enjoyed 'sustained' national or international acclaim, the officer should consider that such acclaim must be maintained."); *see also Jafarov v. USCIS*, No. 23 CIV. 3372 (PAE), 2024 WL 69056, at *10 (S.D.N.Y. Jan. 5, 2024) (finding that a petitioner's 15 peer reviews within three months of the petition's filing did not reflect "a *career* of acclaimed work in the field") (emphasis added).

2. Authorship of Scholarly Articles

The Petitioner submitted evidence of his authorship or co-authorship of five research articles. He argues that his published articles show that his "work product is sufficiently rigorous and original to pass independent review by knowledgeable evaluators" and that he "is contributing to field-wide discourse."

The Petitioner, however, has not demonstrated that all his research articles are in his stated field of financial data compliance, governance, and risk management. Three articles appear to focus on the use of "deep learning" to predict stock market fluctuations, and one concerns chess as a "visualization tool" for corporate leadership. *See* section 203(b)(1)(A)(i) of the Act (requiring acclaim and recognition "in the field").

Also, the Petitioner submitted evidence that, at the time of the petition's filing, researchers had cited his five scholarly articles a total of only one time. *See* 6 *USCIS Policy Manual* F.2(B)(2) (stating that evidence of a high total citation rate relative to others in the field may indicate extraordinary ability).

Further, all the articles indicate their publication in 2024 or 2025. Thus, they would not generate "sustained" national or international acclaim as required by the requested immigrant visa classification. *See* section 203(b)(1)(A)(i) of the Act; *see generally* 6 *USCIS Policy Manual* F.2(A)(1).

3. High Salary

The Petitioner demonstrated that his base annual salary of $165,000 exceeds the average annual salary of $94,082 for data engineers in his geographical area. He argues:

> High remuneration is a highly probative "market validation" factor in EB-1A adjudications because it reflects what sophisticated employers are willing to pay for a beneficiary's expertise relative to available alternatives. In fields like enterprise data governance and financial compliance (where errors can carry regulatory, reputational, and systemic risk), high compensation, more than a function of tenure, reflects the value and scarcity of the skillset.

We do not find, however, that the Petitioner's high salary, alone, establishes his claimed extraordinary ability. *See Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801, at *3 (D.C. Cir. Jan. 31, 2023) (affirming USCIS' finding that "salary evidence alone was insufficient to establish [a petitioner] as a singularly exceptional artist due to the other gaps in his evidence"); *Bodhankar v. USCIS*, No. 119CV706MADCFH, 2020 WL 777211, at *5 (N.D.N.Y. Feb. 18, 2020) ("[W]hile Plaintiff's salary is high, it is not so high as to indicate that he has risen to the very top of his field.")

4. Awards

The record shows the Petitioner's receipt of three international business technology awards. He contends:

> [T]he awards evidence materially strengthens the totality showing of sustained acclaim because it is a form of *external, merit-based recognition* that corroborates [his] standing beyond his employer. The fact that multiple independent awards programs recognized [him] further supports that his achievements are visible and distinguished within the professional ecosystem relevant to his field.

(Emphasis in the original).

The Petitioner's awards indicate recognition from the international organizations that issued them. But he has not shown that, beyond the issuing organizations, the awards generated national or international acclaim. *See Donskoy v. USCIS*, No. 21-CV-04757-CRB, 2021 WL 5240224, at *5 (N.D. Cal. Nov. 11, 2021) ("[W]hat matters for the purpose of the visa classification is whether the award brought [a petitioner] individual acclaim.").

Also, all the awards indicate their issuance in 2025. Thus, they would not demonstrate "sustained" national or international acclaim. *See* section 203(b)(1)(A)(i) of the Act; *see generally* 6 *USCIS Policy Manual* F.2(A)(1).

5. Memberships in Associations

The Petitioner submitted evidence of his membership in four professional computing and technology-related associations, including his senior membership in the Institute of Electrical and Electronics Engineers (IEEE). But he has not demonstrated that these memberships generated national or international acclaim. *See Nagaiah v. Allen*, 784 F. Supp. 3d 798, 820 (E.D. Pa. 2025) (upholding USCIS' finding that a petitioner's IEEE membership did not show extraordinary ability because its eligibility requirements were not stringent enough and IEEE senior membership did not reflect sustained national or international acclaim).

Also, the record indicates that the Petitioner obtained membership in all the groups in 2025. Thus, the memberships would not reflect "sustained" acclaim. *See* section 203(b)(1)(A)(i) of the Act; *see generally* 6 *USCIS Policy Manual* F.2(A)(1).

6. Published Material

The Petitioner submitted copies of two articles published in the United States about him and his work. But he did not demonstrate that the publication of two articles about him over a 15-plus-year career sufficiently reflects an alien of extraordinary ability in his 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.*, *supra* (upholding USCIS' finding that a plaintiff did not show that "his press coverage is indicative of a level of success consistent with being" at the top of his field).

Also, both articles about the Petitioner indicate their publication in 2025. Thus, they would not generate "sustained" acclaim. *See* section 203(b)(1)(A)(i) of the Act; *see generally* 6 *USCIS Policy Manual* F.2(A)(1).

7. Contributions to His Field

As proof of contributions to his field, the Petitioner submitted letters and a copy of an Indian patent application. The materials indicate his invention of an AI framework for identifying abnormal patterns in credit card transactions to prevent financial fraud.[2] Evidence also shows that he developed a platform offering advanced automation of regulatory reporting and real-time understanding of potentially fraudulent financial behavior.

Letters from university professors and executives describe the Petitioner's contributions as significant in his field. For example, an Indian university rector of commerce and management studies stated that results from the pilot deployment of the Petitioner's platform showed that it significantly improved compliance processing times and precision in anomaly detection. The rector claims that "several organizations" in the financial and enterprise data sectors have implemented parts of the Petitioner's platform and that academic researchers have referred to the platform's data governance and explainability modules as "a case study in practical AI deployment." Also, an Indian computer science and engineering professor asserted: "[The Petitioner's] solutions represent first-of-their-kind deployments that are now used as a blueprint across the provision of global, enterprise-scale financial services."

The Petitioner, however, did not corroborate the letters' information. The record lacks documentary evidence that organizations beyond his employer have implemented parts of his platform or that, at the time of the petition's filing, academic researchers had referenced his platform. *See Bodhankar*, 2020 WL 777211, at *5 ("Letters written on Plaintiff's behalf describe Plaintiff's contributions to the field as original and unique, yet they fail to establish that they resulted in significant acclaim."); *see generally* 6 *USCIS Policy Manual* F.2(B)(3) ("[T]he statements made by the witnesses should be corroborated by documentary evidence in the record.") The Petitioner therefore has not demonstrated that these contributions have generated acclaim and recognition sufficient to place among the small percentage at his field's top.

[2] The Petitioner also submitted a copy of a second Indian patent application. The second application, however, involves AI-driven techniques to improve early detection of retinopathy in diabetic patients. Because the Petitioner did not demonstrate that this invention would contribute to his stated field of financial data compliance, governance, and risk management, we will not discuss it.

8. Leading or Critical Role

The Petitioner submitted evidence that he has played a critical role in improving his employer's anti-money laundering and "know your customer" operations. But the record falls short of establishing his claimed place among the small percentage at his field's very top. The record lacks sufficient detail and context to demonstrate his claimed extraordinary ability. *See* 6 *USCIS Policy Manual* F.2(B)(2) ("In all cases, the petitioner must provide sufficient context regarding the above evidence and considerations to demonstrate that the evidence meets the relevant criteria and to establish the person's extraordinary ability in the totality of the circumstances.")

In sum, the Petitioner's evidence of acclaim and recognition is insufficient to demonstrate his claimed place among the small percentage at his field's very top, and the record shows that he received most of his accolades over the past two years, preventing a finding of the requisite "sustained" national or international acclaim. *See* section 203(b)(1)(A)(i) of the Act.

Congress intended to set "a very high standard" for aliens of extraordinary ability. Proposed Rule for Employment-Based Immigrants, 56 Fed. Reg. 30703, 30704 (July 5, 1991). The legislature indicated that this immigrant visa category was meant "for that small percentage of aliens who have risen to the very top of their field of endeavor." *Id.* The Petitioner has met the minimum number of evidentiary criteria and has demonstrated his receipt of some acclaim and recognition in his field. But, considering the evidence as a whole, he has not established his claimed place among the small percentage at his field's very top. *See Amin v. Mayorkas*, 24 F.4th 383, 386 (5th Cir. 2022) ("[G]iven the lofty bar for extraordinary ability classifications, we cannot say that the agency acted arbitrarily when it determined that [a petitioner] was not 'extraordinary' but merely very good."); *Matter of Price*, 20 I&N Dec. at 954 (holding that even athletes performing in their sports' premier leagues do not automatically meet the extraordinary ability standards).

III. CONCLUSION

The Petitioner has not established his claimed place among the small percentage at his field's very top. We will therefore affirm the petition's denial.

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.