U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 37760446

Date: MAY 9, 2025

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner is a journalist and a media manager 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.

SCOPS denied the Form I-140, Immigrant Petition for Alien Workers (petition), concluding the record did not establish that the Petitioner had a major, internationally recognized award, nor did he demonstrate that he met at least three of the ten regulatory criteria. The matter is now before us on appeal under 8 C.F.R. § 103.3. The Petitioner bears the burden of proof to demonstrate eligibility to U.S. Citizenship and Immigration Services (USCIS) by a preponderance of the evidence. Section 291 of the Act; *Matter of Chawathe*, 25 I&N Dec. 369, 375 (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.

We adopt and affirm SCOPS' ultimate determination. *See Matter of Burbano*, 20 I&N Dec. 872, 874 (BIA 1994); *see also Giday v. INS*, 113 F.3d 230, 234 (D.C. Cir. 1997) (noting that the practice of adopting and affirming the decision below "is not only common practice, but universally accepted").

We offer some additional comments. The Petitioner indicates SCOPS did not consider much of his evidence due to translation certification issues of which he disagrees. Even though SCOPS raised concerns with properly translated evidence, they also evaluated the material to explain why each category did not meet the respective regulatory requirements.

The error the Petitioner identifies under the prizes or awards requirement is that SCOPS included a rationale for finding his evidence inadequate. However, the language the Petitioner alleges SCOPS utilized is not contained in the denial decision. The Petitioner indicates SCOPS stated "the evidence submitted does not demonstrate, for example, that the award winners receive[d] a level of media coverage associated with a nationally or internationally recognized award in the field of Journalism." As SCOPS does not appear to have made such an error, we will not address this allegation any further.

The Petitioner's evidence—and the manner in which he presented it for the record—does not support his assertions that his memberships meet that criterion's requirements. The material is not organized and labeled in a manner that is easy to discern. And the evidence we were able to locate by its title does not corroborate his claims that the association "requires outstanding achievements of their members. For instance, he claims the letter from the [redacted] requires outstanding achievement and that the Beneficiary has outstanding achievements." A review of that letter does not reveal the author expressed any criteria necessary to become a member.

And in closing, we acknowledge that USCIS policy reflects the possibility that serving as a member of a PhD dissertation committee that makes the final judgment as to whether a candidate's body of work satisfies the requirements for a doctoral degree, as evidenced by departmental records could serve as qualifying evidence under the judging criterion. *See generally* 6 *USCIS Policy Manual*, *supra*, F.2(B)(1), https://www.uscis.gov/policymanual. Nevertheless, the Petitioner failed to document for the record that his performance evaluating those pursuing a master's degree is equivalent to serving on a PhD dissertation committee as described in agency policy. He does not explain how the rigor involved in the two processes are adequately similar.

ORDER: The appeal is dismissed.