U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40864835

Date: MAY 19, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, an economist, 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 the record did not establish that the Petitioner met at least three of the ten initial evidentiary criteria for this classification and that he seeks to enter the United States to continue work in his area of extraordinary ability. SCOPS further determined that the Petitioner had willfully misrepresented a material fact by submitting an altered document. We dismissed the Petitioner's appeal but subsequently reopened the matter on service motion under 8 C.F.R. § 103.5(a)(5).[1] Accordingly, the reopened matter is again before us on appeal pursuant to 8 C.F.R. § 103.3(a)(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

To establish eligibility as an alien of extraordinary ability, a petitioner must establish that they: have extraordinary ability in the sciences, arts, education, business, or athletics; seek to enter the United States to continue work in their area of extraordinary ability; and their entry will prospectively substantially benefit the United States. Extraordinary ability must be demonstrated by evidence of the Petitioner's sustained national or international acclaim as well as extensive documentation that their achievements have been recognized in the field. *See* section 203(b)(1)(A) of the Act.

[1] Following the issuance of our decision, we issued a notice of service motion pursuant to 8 C.F.R. § 103.5(a)(5)(ii) and provided the Petitioner the opportunity to provide additional evidence in support of the petition. His response has been incorporated into the record.

The implementing regulation further states that the term "extraordinary ability" refers only to those aliens in "that small percentage who have risen to the very top of the field of endeavor." 8 C.F.R. § 204.5(h)(2). A petitioner can demonstrate that they meet the initial evidence requirements for this immigrant visa classification through evidence of a one-time achievement (that is, a major, internationally recognized award). If such evidence is unavailable, then they must alternatively provide evidence that meets at least three of the ten listed criteria at 8 C.F.R. § 204.5(h)(3)(i)-(x), which call for evidence about lesser awards they may have received, published material about them in the media, and their authorship of scholarly articles, among other types of evidence.

Where a petitioner meets these initial evidence requirements, we then consider the totality of the material provided in a final merits determination, assessing whether the record shows that the alien possesses the acclaim and recognition required for this highly exclusive immigrant visa classification. *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, 394 (5th. Cir. 2022).

II. ANALYSIS

The issues before us on appeal are: (1) whether the record supports SCOPS' determination that the Petitioner willfully misrepresented a material fact; (2) whether the Petitioner met at least three of the ten evidentiary criteria at 8 C.F.R. § 204.5(h)(3)(i)-(x) and established that he is among that small percentage who have risen to the very top of the field of endeavor; and (3) whether he demonstrated that he intends to enter the United States to continue work in his area of extraordinary ability.

A. Willful Misrepresentation of a Material Fact

SCOPS denied the petition, in part, based on a determination that the Petitioner had willfully misrepresented a material fact by falsely claiming authorship of a multi-part research paper published on the website of [redacted] (https://www.[redacted]) in 2021 and 2022. The Petitioner claimed eligibility under the criterion at 8 C.F.R. § 204.5(h)(3)(v), which requires evidence of original contributions of major significance in one's field, based, in part, on this research and its claimed impact in the field of economics.

At the time of filing, the Petitioner provided a partial copy of the first paper in this series. The cover page, dated [redacted], 2021, provides the title "[redacted]" and bears the logos of [redacted]. The title page identifies the Petitioner as the sole author.

The paper was accompanied by a letter from D-K-,[2] director of [redacted] D-K- stated that the Petitioner "published a four-part study titled [redacted]" He provided a summary of each part of the series, along with the dates of publication ([redacted] 2021, [redacted] 2021, [redacted] 2022, and [redacted]

[2] We use initials to protect the privacy of the referenced individuals.

2022). The Petitioner, however, did not provide independent evidence of the study's publication on [redacted] website.

SCOPS issued a notice of intent to deny (NOID). In the NOID, SCOPS acknowledged D-K-'s statement naming the Petitioner as the author or publisher of the four-part series for [redacted] SCOPS informed the Petitioner that it had reviewed [redacted] website and located the published research study. However, SCOPS advised that the version published on [redacted] website did not identify the Petitioner as the author but rather states it was '[redacted]'" for [redacted] SCOPS further noted that the published version does not mention the Petitioner and has a different title page. SCOPS therefore determined that the title page on the version of the paper submitted to USCIS had been altered to name the Petitioner as the author and provided him with an opportunity to rebut this finding.

The Petitioner's response to the NOID included a new letter from D-K-, who emphasized that he "correctly stated that [the Petitioner] is the sole economist who authored the four-part paper titled '[redacted]'" He acknowledged SCOPS' "confusion" arising from the fact that the version of the paper published on the [redacted] website differs from the version in the Petitioner's possession. D-K- explained that [redacted] "sets its own internal publication policies for affiliated websites such as [redacted] org" and does not credit individual authors "for papers completed through intermediary organizations, such as [redacted] in this case." D-K- stated that [redacted] nevertheless includes authors' names on all documents it produces, and that the Petitioner's name was removed by [redacted] when it published the series of papers on [redacted] website. He further explained that any differences in the formatting of the cover page are due to [redacted] adherence to [redacted] formatting guidelines. D-K- emphasized "there is no doubt that [the Petitioner] is the sole economist and author" of the paper, noting that [redacted] contracted him to write it and compensated him for his services.

The NOID response included a Service Agreement between the Petitioner and [redacted] dated October 25, 2021, indicating the Petitioner, as contractor, agreed to "participate in the writing of documentation defined by the project: '*Measurement and elimination of possible negative impacts caused by agricultural subsidies*.'" The agreement's "Service Provision Terms" indicate that the Petitioner was expected to complete five specific assignments within a set timeframe.[3] The Petitioner provided records from the Georgia Revenue Service Tax Administration Information System, which show that he received payments for services from [redacted] in December 2021 and July 2022.

The Petitioner also submitted a "Terms of Reference" document (labeled as "Annex 1") which provides background information on [redacted] and its work in Georgia, as well as the objectives and timeline for the specific project to be carried out by "the consulting company." The Terms of Reference indicated that the consulting company's team was to include, at a minimum, a team leader, an environmental data analyst, a botanist, a zoologist, and an economist, who were to provide electronic versions of their deliverables to the [redacted] A document, labeled "Annex II" includes a

[3] SCOPS observed that some of the due dates listed preceded the date of the contract and questioned why the Petitioner would sign a contract after most work had already been completed. Reviewing the document in context with other evidence in the record, it appears more likely than not that the dates contained typographical errors, and the final three tasks were scheduled to be completed in 2022.

chart titled "Responsibilities of Personnel." It names the Petitioner as one of six individuals assigned to the project team and summarizes the functions to be performed by each person.

Finally, in response to SCOPS' observation that the research study published on [redacted] website included only three parts, and not four as indicated in D-K-'s letter, the Petitioner submitted a November 2022 e-mail exchange indicating that he and several other individuals were working to finalize a "fourth report" for [redacted].[4]

SCOPS concluded that the Petitioner's response to the NOID did not overcome its initial finding that he had willfully misrepresented his authorship of the [redacted] research study. SCOPS acknowledged the documents labeled "Annex I" and "Annex II," noting they appear be from [redacted] but found that this evidence, at most, identifies the Petitioner as one of the participants in the project, and thus did not support the Petitioner's representation to USCIS that he was the sole author of the published research.

On appeal, the Petitioner asserts that SCOPS did not adequately address his response to the NOID and maintains that he provided "overwhelming objective evidence" to prove that [redacted] hired him "to perform the task of writing the research."

We disagree. We acknowledge evidence showing that [redacted] contracted [redacted] and [redacted] as consultants, evidence that they assembled a project team to carry out the multipart research study in question, and evidence that the Petitioner was one of at least six contractors hired to contribute to this collaborative project. The Petitioner has also provided an explanation as to why these entities were named as the "preparers" of the study published on [redacted] website in lieu of identifying the individual authors of the paper.

However, the Petitioner submitted to USCIS a version of the research study which attributes sole authorship and responsibility for this project to him personally. The NOID response provided ample evidence demonstrating that he was not, in fact, hired to prepare and write the entire published study as claimed. Even if we accept the explanation as to why the final work product [redacted] and [redacted] submitted to [redacted] had a different title page than the published version, the record does not support a finding that the Petitioner would have been named as the sole author on any true and correct version of this study. Therefore, we agree that the cover page accompanying the November 15, 2021 article, submitted as initial evidence in this matter, misrepresents the Petitioner as the sole author of the [redacted] study. Reference letters submitted to support the Petitioner's claim that the [redacted] research study was an original contribution of major significance similarly credit the study solely to the Petitioner.

The Petitioner's contention that he provided "independent, objective evidence" that he authored the research for [redacted] and [redacted] is not persuasive. The evidence he references is an online article published by [redacted] titled "[redacted]" in which the author states that the Petitioner was "a contract economist for [redacted] authoring the study '[redacted]'" The article, an interview with the Petitioner, mentions the study in an introduction that highlights his background as an economist and researcher. However, the record does not support

[4] The individuals named in the email correspondence included the persons identified in "Annex 2" as the botanist and team lead assigned to the [redacted] project.

the author's statement that the Petitioner was contracted by the [redacted] to author the study. Further, there is no indication that the author of the article would have any firsthand knowledge of the Petitioner's contribution to the above-mentioned [redacted] research study, which the Petitioner concedes was published without crediting him as an author.

Section 212(a)(6)(C) of the Act, 8 U.S.C. § 1182(a)(6)(C), provides:

> Misrepresentation – (i) In general – Any alien who, by fraud or willfully misrepresenting a material fact, seeks to procure (or has sought to procure or has procured) a visa, other documentation, or admission into the United States or other benefit provided under this Act is inadmissible.

To establish willful misrepresentation, an officer must find: 1) the alien procured or sought to procure an immigration benefit through 2) the presentation of a false oral or written statement to an official of the United States Government 3) that was willfully made and 4) material to the alien's eligibility for the requested immigration benefit. *See* section 212(a)(6)(C)(i) of the Act, 8 U.S.C. § 1182(a)(6)(C)(i); see also *Matter of Texperts, Inc.*, 29 I&N Dec. 491, 496 (AAO 2026) (collecting cases).

A misrepresentation may be found to be willful if it is "deliberately made with knowledge of [its] falsity." *Matter of Mensah*, 28 I&N Dec. 288, 293 (BIA 2021) (citing cases). For example, a signature on an official immigration form, by itself, establishes a strong, rebuttable presumption that the signor knows of and has assented to the false contents of a benefit request. *Matter of A.J. Valdez and Z. Valdez*, 27 I&N Dec. 496, 498-99 (BIA 2018).

Further, information is "material" when it has a "natural tendency to affect the official decision" of an adjudicator or "tends to shut off a line of inquiry . . . that would predictably have disclosed other [relevant] facts." *Matter of Mensah*, 28 I&N Dec. at 293-294 (quoting *Kungys v. United States*, 485 U.S. 759, 771 (1988) and *Matter of D-R-*, 27 I&N Dec. 105, 113 (BIA 2017) (cleaned up)).

Here, the record shows that the Petitioner submitted a title page and excerpt from the [redacted] publication that was not a true and correct version of that document in support of his immigrant visa petition, which amounts to making a false representation to a U.S. government official.

Second, the Petitioner willfully made the false representations. *See Matter of Mensah*, 28 I&N Dec. at 293-94 (Misrepresentations are willful if they are "deliberately made with knowledge of their falsity.") Rather than submitting the published version of the [redacted] research study in support of his petition, the Petitioner created a version of the paper that falsely attributes sole authorship of the entire study to him and continued to claim sole authorship despite providing evidence that the paper was prepared by a multidisciplinary team assembled by [redacted] and [redacted] He also obtained and submitted reference letters based on the false proposition that he solely authored the research, in support of his claim that he had made original contributions of major significance in his field.

The Form I-140 contains the following certification: "I certify, under penalty of perjury, that I have reviewed this petition, I understand all of the information contained in, and submitted with, my petition, and all of this information is complete, true and correct." Based on the Petitioner's affirmation, made under penalty of perjury, we conclude that he willfully and knowingly submitted a

version of the [redacted] research study that incorrectly identifies him as its sole author. *See* 8 C.F.R. § 103.2(a)(2) (providing that by signing the benefit request, the petitioner certifies under penalty of perjury that the benefit request, and all evidence submitted with it, either at the time of filing or thereafter, is true and correct); *Matter of Valdez*, 27 I&N Dec. at 499-500 (The presence of the Petitioner's signature on the certification in the petition creates a strong presumption that she knew the petition's contents and assented to it.)

Third, the Petitioner's misrepresentation was material. The Petitioner sought to procure an immigrant visa as an alien of extraordinary ability pursuant to section 203(b)(1)(A) of the Act. He claimed that he met at least three of the ten initial evidentiary requirements to satisfy the first step of the *Kazarian* analysis, including the criterion at 8 C.F.R. § 204.5(h)(3)(v). *See Kazarian v. USCIS*, 596 F.3d at 1121. The criterion requires him to demonstrate his original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field. 8 C.F.R. § 204.5(h)(3)(v). He submitted to USCIS a version of the [redacted] publication that was not true and correct in support of this criterion and provided testimonial evidence suggesting he was directly selected by [redacted] to execute the entire project, contrary to other evidence in the record. For example, a letter from C-L- states that the Petitioner "is Georgia's most brilliant mind in economics evidenced by the fact that [redacted] entrusted him with extremely important research on biodiversity and its economic impact." The brief submitted in support of the petition and several reference letters highlight the relevance of the study published by [redacted], stating that the Petitioner "has transformed the field" through this research and "has altered the trajectory of modern economic analysis in Georgia." Evidence related to the Petitioner's authorship of the research study is therefore material. *See generally* 8 *USCIS Policy Manual, supra,* at J.3(E) (providing, as guidance, a "material" misrepresentation is a false representation concerning a fact that is relevant to the alien's eligibility for an immigration benefit.)

For the reasons discussed, the Petitioner's response to the NOID and submission on appeal do not sufficiently cure the issues in the record, which shows that he submitted a document he knew to be untrue and inaccurate to USCIS in support of his immigrant visa petition. Consequently, the facts and evidence presented warrant a finding of willful misrepresentation of a material fact against the Petitioner. The appeal is dismissible solely on this basis. *See Matter of Ho*, 19 I&N Dec. 582, 590 (BIA 1988) (providing that if a petition includes serious errors and discrepancies, and the petitioner does not resolve those errors and discrepancies when given the opportunity to rebut or explain, then the inconsistencies will lead USCIS to conclude that the claims stated in the petition are not true); USCIS Form I-140, Instructions for Petition for Alien Worker (rev. 06/07/24) ("If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-140, we will deny your petition . . . ."); *see also* 8 C.F.R. § 103.2(a)(1) (the form instructions carry the weight of regulations).

B. Extraordinary Ability

The remaining issue we will address is whether the Petitioner established his eligibility for classification as an alien of extraordinary ability under section 203(b)(1)(A) of the Act.

1. Evidentiary Criteria

Because the Petitioner has not shown that he has 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 claimed to meet six of the initial evidentiary criteria relating to membership in associations that require outstanding achievements, published material in major media, judging the work of others in his field, original contributions, authorship of scholarly articles, and performance in a leading or critical role for organizations with a distinguished reputation. *See* 8 C.F.R. § 204.5(h)(3)(ii), (iii), (iv), (v), (vi), and (viii). The Petitioner also claimed that the criterion relating to artistic display at 8 C.F.R. § 204.5(h)(3)(vii) did not apply to his occupation and requested that SCOPS consider comparable evidence. *See* 8 C.F.R. § 204.5(h)(4).

SCOPS determined the Petitioner did not meet any of the claimed criteria. Upon review of the record, including the Petitioner's response to the service motion to reopen, we conclude the Petitioner has not demonstrated his eligibility for the classification sought.

a. Membership in Associations

The regulation at 8 C.F.R. § 204.5(h)(3)(ii) requires "documentation of the alien's membership in associations in the field for which classification is sought, which require outstanding achievements of their members, as judged by recognized national or international experts in their disciplines or fields."

The Petitioner claims to meet this criterion based on his honorary membership in the [redacted] [5] The Petitioner submitted a copy of his membership card issued in 2022 which identifies him as an honorary member, and a letter from the association's president, who states that the board unanimously decided to admit the Petitioner to honorary membership "due to his outstanding contributions to the field of economics."

The record also includes the minutes of a July 2022 board meeting indicating that the seven members of the association's Honorary Membership Board voted unanimously to invite him as an honorary member. The Petitioner submitted the association's bylaws, which state that honorary membership is awarded only to economists who have "special professional achievements by working in both the public and private sectors, who [have] published studies of national importance and influence, and who [are] considered to be [] professional economist[s] of the highest stature in the field." Finally, the Petitioner provided the published biographies of several board members to support its claim that they are recognized national experts in economics in Georgia.

SCOPS concluded the submitted bylaws did not establish that the [redacted] requires outstanding achievement of its members as judged by recognized national or international experts in their disciplines or fields. SCOPS appears to have disregarded the portion of the bylaws addressing the requirements for honorary membership. The bylaws, the President's letter, and the

[5] In our notice of service motion, we requested that the Petitioner provide additional evidence to demonstrate the existence of the [redacted] after our attempts to verify the information provided in support of the petition were unsuccessful. Specifically, we were unable to verify that the association maintains a public website and that the address provided in the letter from the association's president is valid. The Petitioner provided additional evidence and explanation in his response to our notice and has adequately addressed these issues.

board member biographies show, by a preponderance of the evidence, that honorary membership is granted based on outstanding achievements in economics as judged by recognized national experts in that field. Accordingly, the Petitioner meets this criterion.

b. Published Material in Major Media

The regulation at 8 C.F.R. § 204.5(h)(3)(iii) requires "[p]ublished material about the alien in professional or major trade publications or other major media, relating to the alien's work in the field for which classification is sought." Professional publications are assessed by their intended audience, and major media and major trade publications are assessed by their relative circulation, readership, or viewership. *See generally* 6 *USCIS Policy Manual*, *supra* at F.2(B)(1).

The record includes evidence of four articles published in two online news publications between 2019 and 2024, four interviews with the Petitioner broadcast on three television stations in 2016 and 2022, and three interviews with the Petitioner broadcast on a business news channel in 2023 and 2024. SCOPS' conclusion that the Petitioner did not satisfy this criterion was based solely on a determination that the television interviews did not include "substantial discussion" regarding his work as an economist and therefore did not qualify as published materials "about him."

However, SCOPS did not acknowledge the Petitioner's submission of published materials in the online news outlets [redacted] and [redacted] The articles from these publications are about the Petitioner and his work as an economist. In addition, the Petitioner submitted probative evidence to establish that these publications are highly ranked among similar publications in Georgia based on their relative readership, and that they more likely than not qualify as major media. Accordingly, the Petitioner has established that he meets this criterion.

c. Judging the Work of Others

The regulation at 8 C.F.R. § 204.5(h)(3)(iv) requires "[e]vidence of the alien's participation, either individually or on a panel, as a judge of the work of others in the same or an allied field of specification for which classification is sought."

The Petitioner submitted letters from representatives of [redacted] and [redacted] stating he had served as a judge and evaluator for master's and bachelor's theses for economics students. Additional supporting evidence included copies of master's thesis presentation forms the Petitioner completed at [redacted], and student thesis assessments he recorded in an online system at Ilia State University.

SCOPS determined the Petitioner's evaluation of bachelor's and master's theses was part of his job duties and consequently did not constitute judging the work of others in his field. However, the fact that judging the work of others in one's field may be part of one's job responsibilities does not preclude the judging from meeting this criterion, which requires only "participation . . . as a judge of the work of others . . . ." 8 C.F.R. § 204.5(h)(3)(iv). In fact, "serving as a member of a Ph.D. dissertation committee" is listed in the *USCIS Policy Manual* as an example of the type of activity that may meet the plain language of this regulation. The record shows the Petitioner served as a judge of the work of others in economics and therefore we conclude that he meets this criterion.

d. Remaining Criteria

The Petitioner has established on appeal that he meets three of the initial evidentiary criteria. As such, he has satisfied the first part of the *Kazarian* analysis and we need not address and will reserve determination of the Petitioner's eligibility under the remaining claimed criteria relating to original contributions, authorship, leading or critical role, and comparable evidence of artistic display. *See INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) (per curiam) (holding that agencies are not required to make "purely advisory findings" on issues that are unnecessary to the ultimate decision). We consider the evidence relevant to those criteria in the following final merits determination.

2. Final Merits Determination

The Petitioner has established that he meets the evidentiary criteria relating to membership, published materials, and judging at 8 C.F.R. § 204.5(h)(3)(ii), (iii), and (iv). As the Petitioner submitted the requisite initial evidence, we will evaluate whether he has demonstrated, by a preponderance of the evidence, his sustained national or international acclaim, that he is among the small percentage at the very top of his field of endeavor, and that his achievements have been recognized in the field through extensive documentation. In a final merits determination, we analyze a petitioners' accomplishments and weigh the totality of the evidence to determine if their successes are sufficient to demonstrate that they have 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.

Under the preponderance standard, we consider not only the quantity, but also the quality of the evidence, including its relevance, probative value, and credibility. *Matter of Chawathe*, 25 I&N Dec. at 376; *see also Matter of E-M-*, 20 I&N Dec. 77, 79-80 (Comm'r 1989). We also note that it is the Petitioner's burden to submit evidence that sufficiently corroborates his claims. Statements made without supporting documentation are of limited probative value and are insufficient to satisfy the Petitioner's burden of proof. *Matter of Soffici*, 22 I&N Dec. 158, 165 (Comm'r 1998).

The Petitioner provided evidence that he completed a bachelor's degree in business administration at [redacted] in 2011 and a Master of Soviet Studies at [redacted] in 2019. The record shows that the Petitioner has been admitted as a member of the [redacted] has been featured in the media, and has served on panels responsible for judging and evaluating the work of undergraduate and master's degree students in economics. We have also considered the Petitioner's reference letters, along with his claims that he has made original contributions that impacted his field, authored articles published in major media, received invitations to public speaking engagements, and held critical roles with organizations that enjoy a distinguished reputation. While the Petitioner has demonstrated that he is a successful and well-regarded economist in Georgia, the evidence as a whole does not establish that he has risen to the level of the small percentage at the very top of the field or that he enjoys the sustained national or international acclaim required for this classification.

The Petitioner has documented his admission as an honorary member of the [redacted] and shown by a preponderance of the evidence that this level of membership generally requires outstanding achievements in the field as judged by a committee of Georgian experts in

economics. This membership shows recognition for his achievements as an economist; however, the submitted evidence does not indicate that the association limits honorary membership to those who have sustained national or international acclaim as economists, nor does it show that the Petitioner has received any external recognition based on his admission as a member. He did not provide, for example, evidence that the [redacted] which according to a letter from its president had only 42 regular members[6] and 11 honorary members more than two decades after its establishment, is a widely recognized body in the field or provide any other evidence regarding the association, and its reputation. There is also no indication that awareness of the association's membership decisions and its activities extend beyond the members of the association itself, such that we could conclude that the Petitioner's membership has contributed to his sustained acclaim in his field.

Similarly, the Petitioner has not shown how his judging experience reflects his possession of the level of expertise and recognition required for classification as an individual of extraordinary ability. The Petitioner provided evidence indicating that he served on masters' thesis judging panels at three [redacted] universities. We acknowledge that performing these activities requires a certain level of expertise. He provided reference letters from [redacted] and [redacted] indicating that the persons they select for thesis judging panels are "among the highest achieving professionals" in their fields, but the record lacks independent evidence to support this claim. Further, the record does not support these letters' claims that the Petitioner, who was enrolled in a master's degree program himself between 2014 and 2019, was "widely recognized as one of Georgia's most distinguished economists" when he was invited to evaluate student theses beginning in 2015 or 2016. In fact, the record contains little evidence of the Petitioner's activities in the field prior to that time, beyond documenting that he received his bachelor's degree in 2011 at the age of 21. Overall, the record does not substantiate how the Petitioner's participation in thesis evaluation panels contributed to or is indicative of his sustained national acclaim as an economist or his stature at the very top of his field.

While the Petitioner does not specifically highlight the significance of his judging activities on appeal, he emphasizes that "has been invited by Georgia's three . . . top universities to teach because he is at the top of his field." We acknowledge that employment or research experience with leading institutions in one's field can be a positive factor towards demonstrating that the person is among the small percentage at the very top of the field. *See generally*, 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2). Here, however, neither the reputation of these universities nor the significance of the Petitioner's university-based employment is adequately documented in the record.

A letter from [redacted] confirms the Petitioner was an invited lecturer at that institution in the 2021-2022 academic year. Further, the record includes evidence of the Petitioner's employment income from the Georgia Revenue Service's Tax Administration Information System. This evidence shows that he received salary payments from: (1) [redacted] from January 2016 to September 2019); (2) [redacted] LLC in November and December 2016; (3) [redacted] LLC, from September 2016 to September 2019; and (4) [redacted] from November 2020 to December 2022. However, the Petitioner has not offered additional evidence regarding his positions at these universities, or the reputation of the universities,

[6] According to the association's by-laws, a regular member "can be any citizen of Georgia who has appropriate education and experience in economics."

beyond providing a letter from [redacted] indicating that he was hired as a visiting lecturer.[7] As a result, the record offers inadequate support for his claim that he was invited to teach at Georgia's "most distinguished universities" because "he is at the top of his field."

Beyond his university-based employment, the Petitioner claims that he has performed in leading or critical roles with the [redacted] (through his work with [redacted], the [redacted] and [redacted] He maintains that his work with these entities demonstrates recognition of his expertise and achievements by both national and international organizations. As noted, employment or experience with leading institutions in one's field can be a positive factor in our assessment of whether an individual has demonstrated that they have extraordinary ability, but such experience must be well documented in the record. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2). Here, the Petitioner has not submitted evidence to document his employment with each of these entities, nor is the significance of his claimed critical roles adequately documented. Further, the Petitioner's suggestion that employment with an organization that enjoys a national or international reputation is automatically indicative of his own national or international acclaim is not persuasive.

As discussed above, the evidence establishes that the Petitioner contributed as part of a team to one collaborative research project conducted by two third parties ([redacted] and [redacted]) and published by [redacted] through the [redacted] website. The record does not corroborate his claim that he was directly hired by [redacted] for the project based on his expertise and thus does not corroborate his assertion that he was employed by [redacted] in any capacity, much less in a critical role. While several reference letters in the record attribute the [redacted] research project to the Petitioner and claim that both he and the project received wide recognition, the record does not show that he was the project's sole author or that he was credited on the final project at all. As such, the record does not support a determination that his contributions to the [redacted] project were recognized by the broader field in a way that contributed to his own national or international acclaim.

With respect to his claimed critical role with the [redacted], the Petitioner provided an employee identification card and along with tax records confirming that he received monthly salary payments from this entity between May 2017 and November 2020. The Petitioner provided a letter from Z-T-, who states the Petitioner served as his economic advisor during Z-T-'s tenure as a member of the [redacted] between 2016 and 2020. Z-T- briefly notes that the Petitioner's job was "to study and examine draft legislation affecting the economic and tax policy of Georgia," and to educate members on the possible impacts of proposed legislation, thus earning him "recognition in [redacted] committees." While the letter praises the Petitioner's economic and policy expertise, along with his analytical and communication skills, the record does not sufficiently explain and document that his claimed role as an internal economic advisor to a [redacted] earned him recognition that contributed to his national or international acclaim in the field, that his position was critical to the [redacted] as a whole, or that his attainment of the position was an achievement that places him among the small percentage at the very top of his field.

The record includes a reference letter from M-K-, a manager at [redacted] who states that the Petitioner co-authored "a comprehensive study on the fiscal policy of tobacco and nicotine-

[7] The letters from [redacted] LLC and [redacted] discuss his appointment as a judge on thesis evaluation panels, but do not indicate that he was hired a lecturer, instructor or professor at these schools.

containing products conducted through the intermediary organization [redacted] in partnership with [redacted]." She claims that the Petitioner was selected by [redacted] to conduct the study based on his "advanced analytical skills" and his status as "one of Georgia's foremost economic experts." M-K- states that the Petitioner developed the study, which culminated in a stakeholder presentation in July 2023 that was "attended by representatives from civil society organizations, economic think-tanks and the leading media outlets." While MK's letter provides a detailed description of the study and its goals, it does not support the Petitioner's claim that he performed a critical role for [redacted] or even corroborate that he worked for that company.

The record includes a brief excerpt of the study referenced by M-K-, entitled "[redacted]" She does not indicate that the study was published. The record does not contain evidence corroborating the study's presentation at the referenced stakeholder event, evidence substantiating the claimed media coverage of the event, or evidence documenting that the Petitioner presented the work or was otherwise publicly credited with completing the research. While we acknowledge M-K-'s claim that [redacted] hired the Petitioner based on his reputation and expertise in his field, the record does not include a corroborating statement from [redacted] confirming how they selected the Petitioner for the project. Moreover, absent evidence regarding the presentation of the work, the record does not show whether or to what extent the Petitioner received recognition for this work that extended beyond [redacted] and [redacted].

Finally, we acknowledge the Petitioner's claim that he has served in a leading role with [redacted] Independent Research Institute that supports his claimed leading stature in his field as an economist. The Petitioner submitted evidence intended to show that he authored three papers as a researcher at [redacted]. The Petitioner states on appeal that "the national professional media has reported that [he] holds a leading researcher role at [redacted]" and asserts that "[redacted] has enjoyed widespread media coverage and has an outstanding reputation as a research institution." However, uncorroborated media reports and unsupported statements are not sufficient to meet his burden. The Petitioner did not provide objective evidence of his position, such as a letter from the organization corroborating his claimed employment in a leading role, evidence of the organization's "widespread media coverage" or other evidence or explanation of how his claimed work with this organization provides evidence of his sustained acclaim.

The record includes evidence that the Petitioner has published three online opinion pieces on the website of [redacted] between 2015 and 2018, and a November 2024 article on the website of [redacted] the news outlet of the [redacted]. He maintains that there is "particular prestige or acclaim associated with publication" because he was the sole author of these articles and because [redacted] is a leading business publication. Even if we agreed with the Petitioner that some or all of these materials qualify as scholarly articles published in professional publications or major media, the Petitioner has not shown how his publication of four articles over the course of a period of ten years places him among the small percentage at the very top of his field and garnered him the sustained national or international acclaim necessary for this highly restrictive classification. He has not claimed, for example, that [redacted] only accepts opinion pieces from nationally recognized economists, or shown that his published work has been cited by others or otherwise been widely recognized or discussed in his field. The Petitioner has not provided evidence

to demonstrate that his record of publication, or the reaction to it by other experts in his field, places him at or near the very top of the field or is indicative of sustained national or international acclaim.

On appeal, the Petitioner emphasizes that he "has been routinely invited to speak at various conferences about economics and has accrued hundreds of hours of interviews with major TV stations in Georgia about his profession and various economic topics," to the extent that "[h]e is considered to be one of the 'go-to' experts" in his country." However, the record does not demonstrate that he has received the claimed level of recognition through his speaking engagements and television appearances.

We acknowledge that unsolicited invitations to speak or present research at nationally or internationally recognized conferences may, depending on the evidence submitted, be indicative of a person's high standing or achievements in a field. *See generally* 6 *USCIS Policy Manual*, *supra* at F.2(B)(2). The Petitioner provided promotional materials indicating that he participated as a speaker or panelist at several events in Georgia sponsored by [redacted] but did not include any supporting documentation regarding the events, the event sponsor, or the sponsor's reputation, nor did he provide the dates for three of the four events. The record also contains evidence that the Petitioner held a public lecture addressing "common economic myths in Georgia," at the [redacted] in April 2015, but the record does not include evidence demonstrating that this, or any of the Petitioner's other speaking engagements were connected to nationally or internationally recognized conferences. The Petitioner has not otherwise established the significance of his speaking engagements or explained how his appearance at these five events over the course of his career demonstrates his sustained national or international acclaim and recognition in his field of expertise.

In support of his claim that he has accrued "hundreds of hours of interviews with major TV stations," the Petitioner provided evidence that he appeared in a total of eight televised interview segments on news or business programs aired by Georgian television stations [redacted] and [redacted] Specifically, he documented three television appearances in 2016, two in 2022, two in 2023 and one in 2024. We acknowledge that some reference letters in the record specifically comment on these television appearances. For example, a letter from Z-J-, a member of the [redacted] states that the Petitioner has "the most recognizable face in the profession" and is "usually one of the first people who receive calls from national or professional media representatives."

However, under the statute, extraordinary ability should be established through "extensive documentation" showing that a petitioner's achievements have been recognized in the field. *See* section 203(b)(1)(A) of the Act. Here, the Petitioner relies on eight documented television appearances and insufficiently corroborated reference letters to support his claim that he has been interviewed on television hundreds of times. The limited evidence provided shows that the Petitioner has received recognition for his expertise as an economist based on his television appearances in 2016 and in the three years preceding the filing of the petition. For example, in his print and television interviews, he was introduced to the reader or audience as a "distinguished economist and lecturer," "a distinguished researcher in economics," and as a "financial expert" but these statements do not adequately support his assertion that he is recognized as one of the top economic experts in his country based on extensive evidence of his achievements in the field, or that he has the sustained national acclaim required for classification as an alien of extraordinary ability.

On appeal, the Petitioner's claim that his achievements and contributions have been recognized in his field at a level that establishes his extraordinary ability is based, in significant part, on reference letters. He emphasizes that these letters from experts in the field refer to him as "Georgia's most brilliant mind in economics," "the most distinguished economist in Georgia," "Georgia's top research economist," and "Georgia's most exceptional and influential economic researcher." We acknowledge that the reference letters in the record are universal in their praise for the Petitioner.[8] However, letters of support, although not without weight, cannot form the cornerstone of a successful claim for this classification and instead should be corroborated by documentary evidence. Further, letters that make general and expansive statements regarding the Petitioner and his accomplishments are generally not persuasive. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(3).

For example, the letter from Z-T- states that the Petitioner is "Georgia's top research economist," and bases his conclusion on the fact that the Petitioner has "held critical positions in the public sector and private sector," made "unparallelled contributions," and has "has been equally successful in academia, authorizing [sic] a few dozen articles, studies and publications that have reshaped the landscape of Georgian economics." A letter from Z-J-, a Georgian political party leader and former member of the [redacted] highlights that the Petitioner has made a "consequential mark" on both the public and private sectors, worked with "countless international organizations" and established himself as "the most important expert" on a variety of topics in economics. However, as discussed above the record provides no definitive employment history for the Petitioner detailing his roles in the public and private sector and thus does not sufficiently document the Petitioner's "critical positions" and "consequential mark" he is claimed to have left. Further, the record does not corroborate his work with "countless international organizations" or his authorship of dozens of academic articles, and does not show how he has been recognized for "unparalleled contributions" that have had a far-reaching influence or impact on his field.

The letters in the record are not sufficient to establish that the Petitioner's work in his field has resulted in sustained national or international acclaim or extends beyond the circle of colleagues and contacts he encountered during his career. The letters, which discuss claimed achievements and work that are not adequately corroborated by other evidence in the record, do not demonstrate that the Petitioner has attracted a level of recognition placing him at the very top of his field. In addition, the letters do not contain sufficient information and explanation to show that he is viewed by the overall field, rather than by a solicited few, among the upper echelon or that he has consistently garnered recognition on a national or international scale, consistent with being among the small percentage at the very top of the field of endeavor. Although the letters highlight the Petitioner's talents, they are not sufficiently corroborated by evidence reflecting a career of acclaimed work in the field, garnering the required sustained national or international acclaim. *See Mishra v. Richardson*, No. 120CV991LMBTCB, 2021 WL 1566071, at *3 (E.D. Va. Apr. 20, 2021) (finding the plaintiff submitted letters only from people within his circle of professional acquaintances, and none of the letters point to evidence of extensive documentation of his accomplishments to show sustained national or international acclaim).

When considered in the aggregate, the evidence shows the Petitioner is a respected economist who has earned recognition for his expertise through his admission to the [redacted] holding at least one university-level teaching position, participating as a judge of the

[8] While we do not discuss each letter here, we have reviewed and considered each one.

academic work of students, attaining a position within the [redacted], obtaining invitations to speak about economic issues at several conferences and on television, and participating in collaborative research projects as a consultant. However, his claim that he has achieved sustained national or international acclaim and is currently among the small percentage of economists at the very top of his field is not adequately supported by the evidence in the record, which does not sufficiently corroborate all the achievements on which his extraordinary ability claim is based.

Therefore, the record, including the evidence discussed above, does not establish the Petitioner's eligibility for the benefit sought. 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 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. 8:24CV83, 2025 WL 815087, at *1 (D. Neb. Mar. 10, 2025) (stating that EB-1 visa are intended to be available to only an exceedingly small amount of individuals with extraordinary ability). In this case, the Petitioner has not shown the significance of his work is indicative of the required sustained national or international acclaim or 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).

3. Continued Work in the Area of Extraordinary Ability

Because the Petitioner is ineligible for the requested classification, we need not reach, and therefore reserve, discussion of whether he established that he seeks to enter the United States to continue work in the area of extraordinary ability, as required by section 203(b)(1)(A)(ii) of the Act. *See INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) (per curiam).

III. CONCLUSION

For the reasons discussed above, the Petitioner has not demonstrated his eligibility as an individual of extraordinary ability and the appeal is dismissed on this ground. Further, by submitting documents in support of the petition that were not true and accurate, the Petitioner has sought to procure an immigration benefit through willful misrepresentation of material facts. This finding of willful material misrepresentation shall be considered in any future proceeding where the Petitioner's admissibility is an issue. *See* section 212(a)(6)(C) of the Act.

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.