U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 39757442

Date: NOV. 5, 2025

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, a karate coach, seeks 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), 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, concluding that the Petitioner did not meet any of the category's ten evidentiary requirements – three less than needed for a final merits determination. *See* 8 C.F.R. § 204.5(h)(3). On appeal, we found that he met two of the evidentiary requirements but affirmed the petition's denial. *See In Re: 37736000* (AAO Apr. 24, 2025). About three months later, we reopened the matter on our own motion, and allowed the Petitioner to submit additional evidence. *See* 8 C.F.R. § 103.5(a)(5). In response to the reopening, he contends that we "erred in not considering the substantial evidence in the record to qualify him for at least one other criterion."

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 again conclude that he has not met a requisite third evidentiary requirement. We further find that, even if he satisfied the required number of evidentiary criteria, he would not have established himself among the small percentage at his field's very top in a final merits analysis. 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 lesser evidentiary criteria. 8 C.F.R. § 204.5(h)(3).[1]

If a petitioner meets either evidentiary standard and the requirements at section 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 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 Kazarian v. USCIS*, 596 F.3d 1115, 1119-20 (9th Cir. 2010) (implementing a two-step extraordinary ability analysis); *see generally* 6 *USCIS Policy Manual* F.2(B), www.uscis.gov/policy-manual.

II. ANALYSIS

A. The Petitioner

The record identifies the Petitioner as a former karate athlete in his home country of Armenia. Before becoming a karate coach, he successfully defended his national championship 12 times. In 1998, he founded a [redacted] foundation in Armenia. From 2002 to 2024, he served as head coach of his country's national karate team.

Now in the United States, the Petitioner seeks to continue coaching karate in this country. He stated that he wants to open karate schools here.

B. The Evidentiary Criteria

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

In our prior decision, we found that the Petitioner successfully submitted evidence of his participation as a judge of others' work in an allied field and his performance in a leading role for an organization with a distinguished reputation. *See* 8 C.F.R. § 204.5(h)(3)(iv), (viii). In response to our motion to reopen, he maintains that he also satisfied the following seven evidentiary criteria:

- Receipt of lesser nationally or internationally recognized awards for excellence in his field;
- Membership in associations in the field requiring outstanding achievements of their members;
- Appearances in published material about him and his work in the field;
- Original contributions of major significance in the field;
- Display of his work at artistic exhibitions or showcases;

[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).

- Commandment of a high salary or significantly high remuneration relative to others in the field; and
- Commercial successes in performing arts.

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

To meet evidentiary requirements, the Petitioner's proof must objectively satisfy the parameters of the applicable regulatory descriptions. *See generally* 6 *USCIS Policy Manual* F.2(B). "[N]either USCIS nor [the] AAO [Administrative Appeals Office] may unilaterally impose novel substantive or evidentiary requirements beyond those set forth in 8 C.F.R. § 204.5." *Kazarian*, 596 F.3d at 1121.

1. Lesser Nationally or Internationally Recognized Awards for Excellence

This criterion requires "[d]ocumentation of the alien's receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor." 8 C.F.R. § 204.5(h)(3)(i).

The Petitioner contends that we erred in finding that his award from a 2015 [redacted] championship falls short of this criterion. He states: "This was an award for excellence in judging at the 2015 championship. He was chosen amongst the best coaches in the world to judge this event." The Petitioner states that a letter from the president of [redacted] confirms his claim. The letter states: "For his judging work [the Petitioner] was given a medal of honor. At this competition [he] was representing [the] Armenian nation as the head coach of our national team where our national team member ... won the bronze medal." The Petitioner also contends that "objective photographs and documents" corroborate his receipt of the award.

Contrary to the Petitioner's argument, the photographs and documents of record do not sufficiently corroborate his claimed receipt of the judging award. The record includes a copy of a photo of a medal stating the name and location of the 2015 championship. But the medal states nothing further. It does not indicate its issuance to the Petitioner or for karate judging. Other photos show him standing on a stage with a group of about 35 other men, whom he identifies as fellow judges at the competition, and with five competitors he said he coached at the event. The Petitioner also submitted a copy of a certificate from the championship, recognizing the participation of one of the competitors that the Petitioner coached. None of these materials, however, document his claimed receipt of a judging award at the championship. *See Guida v. Miller*, No. 20-CV-01471-LB, 2021 WL 568850, at *8 (N.D. Cal. Feb. 16, 2021) (upholding USCIS' finding that "there was no 'primary' evidence of the [claimed] awards (and only letters describing receipt of awards)").

The Petitioner also has not demonstrated the 2015 award's purported issuance for excellence. He continues to indicate that the award recognizes his mere participation as a judge. On appeal, he described the medal as "for his *participation* as one of the judges." (emphasis added). In the motion response, he again states the medal's issuance to him "for his *participation* as one of the jury panel." (emphasis added). Thus, the record does not establish the medal's purported issuance for excellence. *See Krasniqi v. Dibbins*, 558 F. Supp. 3d 168, 182-83 (D.N.J. 2021) ("[I]t is reasonable for the [immigration] Service to require evidence that the award is merit-based.")

The Petitioner also asserts that certificates from the [redacted] and its sub-organizations meet this evidentiary requirement. The documentation includes 2004 and 2005 certificates to the Petitioner's [redacted] "for actively participating in the Children's and Youth Open Championship of [redacted] and an undated certificate to the Petitioner "for the best participation in the organization of the [redacted]

The regulation requires documentation of an alien's receipt of an award. *See* 8 C.F.R. § 204.5(h)(3)(i). In our prior decision, we declined to treat the certificates to the Petitioner's federation as awards to him personally. He continues to argue that the certificates, although bearing his federation's name, are "inherently" to him. He states that his [redacted] "gave the highest trained athletes to the national team" and "has always been recognized as the vital sponsor in providing the most competitive athletes for internation[al] competitions." He states: "Hence when these awards are given to his federation, they are inherently given to him for his extraordinary work in organizing the championships and training the best athletes." He further states: "[T]he awards and certificates given to [his] Federation [are] in fact an award given to [him], who is the sole Head Coach of the ... Federation. Being the only coach of the team, he is the sole person responsible in producing the best [redacted] champions for the whole [redacted]

USCIS' first step in analyzing evidence under this criterion, however, is to determine whether a petitioner won an award. *See* 8 C.F.R. § 204.5(h)(3)(i) (requiring "[d]ocumentation of *the alien's receipt* of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor") (emphasis added); *see also* 6 *USCIS Policy Manual* F.2(B)(1), Criterion 1 ("The description of this type of evidence in the regulation indicates that the focus should be on the person's receipt of the awards or prizes."). Thus, consistent with applicable regulatory language and USCIS policy, the certificates to the Petitioner's federation do not meet this evidentiary criterion.

The Petitioner also contends that, contrary to our finding, the [redacted] issuance of the certificates demonstrate their national recognition. He states: "The AAO with this conclusion clearly erred that the [redacted] is not a national organization. In fact, the awards are issued only by this organization, being the sole [redacted] [in Armenia]. The AAO's reasoning is arbitrary and capricious."

Issuance by a national organization, alone, however, does not demonstrate an award's national recognition. "[E]vidence solely from the awarding organization itself may be insufficient if it does not show 'how a larger audience viewed [the] awards.'" *Krasniqi*, 558 F. Supp. 3d at 182 (quoting *Visinscaia v. Beers*, 4 F. Supp. 3d 126, 136 (D.D.C. 2013)). Here, the Petitioner has not demonstrated that a national or international audience, beyond the awarding karate federation, recognized the certificates' issuance.

The Petitioner attempts to distinguish his case from *Krasniqi*. He states:

> The case that the AAO cites for this conclusion is based on an EB-1 petition of an artist. In our case we have a Coach whose awards are given not by a simple 'awarding agency' but [by] the only karate governing body [in the country], the [redacted]

But the national status of an awarding organization does not guarantee that the award garnered national recognition. *See Krasniqi*, 558 F. Supp. 3d at 183 ("[A]s reflected in the regulation's plain text, the focus is on the award, not the awarding organization. … The nature of the award must be … proven."); *see also Visinscaia*, 4 F. Supp. 3d at 136 ("Without evidence of how a larger audience viewed Plaintiff's awards, there was no way for the agency to evaluate whether those awards were recognized widely enough to satisfy this criterion."). The Petitioner has not demonstrated that the certificates generated national or international recognition beyond the issuing federation.

The Petitioner notes that USCIS policy does not specifically require a petitioner to explain "how a larger audience viewed the awards." The Agency's policy provides the following examples of qualifying awards:

- Certain awards from well-known national institutions or well-known professional associations;
- Certain doctoral dissertation awards; and
- Certain awards recognizing presentations at nationally or internationally recognized conferences.

6 *USCIS Policy Manual* F.2(B)(1), Criterion 1.

Under USCIS policy, the Petitioner has not demonstrated that the national karate foundation or its sub-organizations are "well-known national institutions or well-known professional associations." Nor has he otherwise established that the certificates have national or international recognition. Further, we find the reasoning in *Krasniqi* and *Visinscaia* persuasive on this point.

The Petitioner again cites the letter from the [redacted] president. The letter states that the Petitioner "has been awarded by the [redacted] as well as the sub karate federations in the nation with certificates because of his activities in organizing national and international competitions in the nation." But the letter does not indicate or explain how the certificates generated national or international recognition beyond the federation.

Further, the Petitioner has not demonstrated the certificates' issuance in his designated field of karate coaching. Rather, the certificates state their issuance for organizing and participating in karate competitions in the nation. The letter from the [redacted] president states:

> Although these certificates do not indicate specifically the word 'coach' or 'for coaching activities' of [the Petitioner], I assure on behalf of the [redacted] that these certificates are given to [him] for … being the most significant and distinguished national coach for the sport of karate, for his development and enhancement of the karate sport culture.

But we find the actual words on an award to be the best evidence of its basis. If the certificates were for excellence in coaching, the Petitioner has not explained why they state their issuance for organizing and participating in competitions. *See Matter of Ho*, 19 I&N Dec. 582, 591 (requiring a petitioner to resolve inconsistencies of record with independent, objective evidence pointing to where the truth lies).

The Petitioner also contends that his award from a Russian city satisfies this criterion. He states: "The award clearly states on its face that it is given to the petitioner for 'his great contribution to the development of karate in the city.' This certificate is issued in 2017, well twelve years in[to] the petitioner's coaching career and there is no question that it was given for the petitioner's excellence in the field of karate coaching."

The certificate, however, "expresses gratitude" to the Petitioner for his contribution to the city. The record does not establish the certificate's issuance for excellence. *See Krasniqi*, 558 F. Supp. 3d at 183 (affirming our finding that a certificate was 'a gratitude award' [that] failed to establish that it was awarded for merit"). Also, the record lacks evidence establishing that the city's issuance of the certificate demonstrates the award's national or international recognition.

The Petitioner asserts that we failed to explain why his fifth Dan grade certificate from the [redacted] does not establish eligibility.[2] In his initial appeal, he raised this eligibility ground as comparable evidence. In our prior decision, we found that he had not established eligibility under 8 C.F.R. § 204.5(h)(4) to submit comparable evidence. We therefore did not discuss the evidence's merits.

The support letters indicate that the Petitioner's Dan grade certificate is for excellence. But he has not demonstrated that the certificate otherwise meets this evidentiary criterion. First, the certificate does not indicate its issuance in his stated field of karate coaching. Also, the Petitioner has not demonstrated that the certificate has national or international recognition. Further, he has not established that such proficiency certificates constitute "prizes or awards" in his field. *See Kinuthia v. Rosenberg*, Civil A No. 17-10255-LTS, 2018 WL 1243955, at *4 (D. Mass. Mar. 8, 2018), *aff'd*, *Kinuthia v. Velarde*, No. 18-1244, 2019 WL 11671989 (1st Cir. July 3, 2019) (upholding our decision that engineering licenses "demonstrate proficiency" but are not "nationally or internationally recognized prizes or awards" in the field).

The Petitioner has not demonstrated his receipt of nationally or internationally recognized awards in his field. We will therefore affirm our prior decision's finding on this evidentiary criterion.

2. Membership in Associations

To meet this evidentiary requirement, a petitioner must submit "[d]ocumentation of [their] 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 field." 8 C.F.R. § 204.5(h)(3)(ii).

The Petitioner contends that, contrary to our finding, evidence of his membership on the [redacted] meets this criterion. He states: "The AAO without a meaningful explanation failed to recognize that being a Coach of [the] [redacted] is a membership and that the petitioner was a member of the [redacted] as the Head Coach for more than 22 years." He states that he "trains these athletes and is a vital part of the national team."

[2] The record indicates that Dan is a system of karate rankings containing ten grades. Each grade signifies a higher level of skill and experience.

Upon de novo review, we find that sufficient evidence establishes his membership on the [redacted] We will therefore withdraw our prior contrary finding. But the Petitioner still has not demonstrated that the [redacted] requires outstanding achievements of its members as judged by recognized national and international experts.

The Petitioner contends that we erred in "not considering" support letters "clearly explaining and setting the criteria of the membership selections for the athletes and the coaches of the [redacted] The Petitioner did not accept the invitation in SCOPS' request for evidence to submit organizational documents, such as by-laws. But a second letter from the [redacted] president states that the national coach "must have national and international championships and accomplishments as a professional athlete in the field of karate, at least becoming national champions several times." The letter also states that "the candidate must have already given a significant and unparallel[ed] contribution in further enhancing and developing the sport to a high level both nationally and internationally." A letter from another coach of the [redacted] also states that the team's senior coach must have won national and international championships and made a "significant contribution in the development and enhancement of the sport culture."

These letters, however, are insufficient to demonstrate that the [redacted] requires outstanding achievements as judged by nationally or internationally recognized experts. The letters lack sufficient detail about the selection process; for example, they do not indicate who chooses the coach or whether the process involves judgments of nationally or internationally recognized experts. Thus, the letters do not establish that the national team requires outstanding achievements of its coach or that nationally or internationally recognized experts judged the Petitioner for the role.

The Petitioner also asserts that we should have followed one of our 2016 decisions. The decision concludes that a judo athlete's membership on a national judo team was "in effect, an association membership that requires outstanding achievements, as judged by national experts in judo."

That decision, however, is a non-precedent one. Thus, we need not follow it in this matter. *See* 8 C.F.R. § 103.10(b) (requiring Department of Homeland Security adjudicators to follow precedent decisions of the Board of Immigration Appeals and the Attorney General in cases involving the same issues). Also, in the 2016 decision, we found that the petitioner submitted evidence "that selection [to the national team] was performed by judo judges at the national level." In contrast, the Petitioner here has not provided evidence that nationally or internationally recognized experts judged him for outstanding achievements when he became [redacted] coach.

The Petitioner also asserts that we "clearly erred" in finding that he was not a member of the [redacted] federation that he founded. He states that "several federation experts in their letters affirmed" his membership.

Our prior decision, however, did not find that the Petitioner lacked membership in the federation. Rather, we found that he did not establish that the federation requires outstanding achievements of its members as the criterion requires.

For the foregoing reasons, the Petitioner has not documented his membership in associations in the field requiring outstanding achievements of their members, as judged by national or international experts.

3. Published Material About the Petitioner

This criterion 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." 8 C.F.R. § 204.5(h)(3)(iii). "Such evidence shall include the title, date, and author of the material, and any necessary translation."

The Petitioner contends that copies of two online articles he submitted meet this criterion because "the articles mention the petitioner in accordance with the team that he coached and as part of his team's overall achievements." He notes that USCIS policy states that "the person and the person's work need not be the only subject of the material." *See* 6 *USCIS Policy Manual* F.2(B)(1), Criterion 3.

The Petitioner, however, quotes USCIS policy out of context. Immediately after stating that "the person and the person's work need not be the only subject of the material," the USCIS Policy Manual completes the paragraph, stating:

> [P]ublished material that covers a broader topic but includes a substantial discussion of the person's work in the field and mentions the person in connection to the work may be considered material about the person relating to the person's work.

6 *USCIS Policy Manua*l F.2(B)(1), Criterion 3. Thus, if the Petitioner or his work is not the specific subject of the articles, they must still include "a substantial discussion of [his] work in the field and mention [him] in connection to the work."

As noted in our prior decision, the articles submitted by the Petitioner lack substantial discussions of his work as a karate coach. One article, [redacted] was published in 2018 and focused on the national team's upcoming competition at a karate championship in Europe. The article listed six team athletes and identified the Petitioner and another man as team coaches. The other article, [redacted] was published in 2008 and discussed Armenian athletes scheduled to compete in the upcoming [redacted] The article's sole reference to the Petitioner in the last sentence states: [redacted] These articles mention the Petitioner in connection with his work as a karate coach. But, contrary to USCIS policy, they lack substantial discussions of his work. Thus, the articles do not meet this criterion. *See also Mussarova v. Garland*, 562 F. Supp. 3d 837, 848 (C.D. Cal. 2022) (finding that an article about an athlete's participation in an event did not meet this criterion because the article mentioned her only once).

Also, the Petitioner has not demonstrated the online articles' appearance in professional or major trade publications or other major media. He provided online information about the applicable publications and their history. But the information does not establish that the articles appeared in qualifying publications. For example, the record does not indicate their intended audiences or viewership relative to other publications in Armenia. *See* 6 *USCIS Policy Manual* F.2(B)(1), Criterion 3 (explaining that

intended audiences are needed to determine whether publications are professional or major trade publications, while relative circulation, readership, or viewership is need to determine whether publications are major trade publications or other major media).

The Petitioner also contends that our prior decision:

> erred in concluding that the petitioner's judging activity in one of the major [redacted] competition videos in 2024 'does not substantially discuss his work.' The video shows the petitioner sitting on a corner of the tournament [mat], holding flags and judging the event.

The Petitioner notes that qualifying evidence under this criterion includes: "Transcripts of professional or major audio or video coverage of the person and the person's work." 6 *USCIS Policy Manual* F.2(B)(1), Criterion 3.

The Petitioner, however, did not submit a transcript of the 2024 video.[3] And, while the video shows the Petitioner judging the 2024 competition, the video does not substantially focus on him or discuss his work. Thus, under USCIS policy, the video does not meet this criterion.

In response to our motion, the Petitioner submits evidence that he judged two additional U.S. karate competitions this year. These events, however, occurred after the petition's September 2024 filing. Thus, they do not establish his eligibility "at the time of filing the benefit request." 8 C.F.R. § 103.2(b)(1).

The Petitioner has not demonstrated his submission of published material about himself in professional or major trade publications or other major media, relating to his work in the field. We therefore affirm our prior finding that he has not meet this evidentiary requirement.

4. Original Contributions of Major Significance

To meet this evidentiary requirement, the Petitioner must submit "[e]vidence of [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).

> Detailed letters from experts in the field explaining the nature and significance of the person's contribution may … provide valuable context for evaluating the claimed original contributions of major significance, particularly when the record includes documentation corroborating the claimed significance.

6 *USCIS Policy Manual* F.2(B)(1), Criterion 5.

The Petitioner contends that, in finding that he did not meet this evidentiary criterion, we disregarded "expert" letters from officials of the [redacted] and some of his former students. He states:

[3] The Petitioner submitted screenshots from the video showing him judging at the 2024 competition.

> These letters clearly state the original contributions of major significance of the petitioner, not only being the lead coach of the nation and leading students becoming international champions, but he is also the only coach of the nation who has introduced a specific style of karate to the nation's karate athletes, called the [redacted] style of karate.
>
> It is true that the petitioner is not the only [redacted] practitioner in the world as the AAO erroneously assumes, but he is the only one who introduced this style of karate to his nation's national federation and national athletes. When the letters are carefully analyzed, they show that his contributions in introducing this specific style to the national team helped the athletes get advantage in their competitions in winning championships for the [redacted]

As indicated in our prior decision, the Petitioner has not sufficiently corroborated the claimed significance of his introduction of [redacted] karate in Armenia. We acknowledge the letters crediting his introduction of the karate style with the national team's successes in international competitions. But the record lacks evidence supporting the Petitioner's assertions about the significance of his contribution. For example, he did not submit evidence that, before integrating [redacted] into its karate style, the team was less successful. *See Krasniqi*, 558 F. Supp. 3d at 188 (citations omitted) (stating that conclusory statements about a contribution's value are insufficient and that we may reasonably ask for corroborating evidence).

The record lacks sufficient evidence of the Petitioner's original contributions of major significance in the karate coaching field.

5. Display of the Petitioner's Work at Artistic Exhibits or Showcases

This criterion requires "[e]vidence of the display of the alien's work in the field at artistic exhibitions or showcases." 8 C.F.R. § 204.5(h)(3)(vii).

The Petitioner contends that proof of his coaching at national and international karate competitions serves as "comparable evidence" to meet this criterion. He states that, at these events, his student athletes use the athletic skills he has taught them and, by winning championships or medals, display those skills to the public.

As previously indicated, a petitioner may submit comparable evidence to meet an evidentiary criterion if the requirement does not "readily apply" to their occupation. 8 C.F.R. § 204.5(h)(3)(4). "When evaluating such comparable evidence, officers must consider whether the regulatory criteria are readily applicable to the person's occupation and, if not, whether the evidence provided is truly comparable to the criteria listed in that regulation." 6 *USCIS Policy Manual* F.2(B)(1), "Comparable evidence."

In agreeing with the Petitioner that this criterion does not "readily apply" to his karate coaching field, our prior decision interpreted the requirement's phrase "artistic exhibitions and showcases" to limit qualifying presentations to visual – as opposed to dance or performance – arts. On reconsideration, we find that we erred in interpreting this criterion to apply only to visual arts. The phrase "artistic exhibitions and showcases" does not expressly limit the exhibitions and showcases to visual art.

Rather, we find that a better interpretation of the phrase's term "artistic" more broadly refers to any variety of art. *See Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 400 (2024) ("In the business of statutory interpretation, if it is not the best, it is not permissible.") We will therefore withdraw our prior interpretation.

Nevertheless, we continue to agree with the Petitioner that karate competitions fall outside the scope of "artistic exhibitions and showcases." In this immigrant visa category, the plain language of the Act indicates that Congress considered arts and athletics to be separate fields. *See* section 203(b)(1)(A)(i) of the Act (requiring an alien to have extraordinary ability "in the sciences, *arts*, education, business, *or athletics*") (emphasis added). Thus, this criterion does not readily apply to the Petitioner's karate coaching field in athletics. *See also* 6 *USCIS Policy Manual* F.2(B)(1), "Criterion 7" ("USCIS only considers non-artistic exhibitions or showcases as part of a properly supported claim of comparable evidence [for this requirement].")[4]

The Petitioner, however, has not demonstrated that his karate coaching evidence closely compares to the criteria listed in the regulation to meet the comparable evidence standard. As our prior decision found, this evidentiary requirement focuses on "the display of the alien's work." The Petitioner's evidence does not establish that karate competitions "display" his coaching work.

The Petitioner disagrees, stating that his:

> unique combination of karate styles is what [his] students display to the public and the audience. It is [his] combination of techniques and skills taught to his students which are displayed by his students. Hence, without [him], his athletes could not perform in the way that the audience could visualize the actual and final performances of the athletes at the competitions.

The Petitioner notes that the ordinary meaning of the word "exhibition" can refer to a public showing of "athletic skill." *See* 6 *USCIS Policy Manual* F.2(B)(1), Criterion 7 (quoting *exhibition*, Merriam-Webster Online Dictionary, www.merriam-webster.com). He states that the evidence shows that his students "are utilizing his 'athletic skills' and showing those skills to the public at large in winning their championships."

The Petitioner, however, has not demonstrated that his karate coaching evidence closely compares to a display of work at artistic exhibitions or showcases. *See* 6 *USCIS Policy Manual* F.2(B)(1), Comparable evidence (requiring officers to consider … "whether the evidence provided is truly comparable to the criteria listed in that regulation").

We agree with the petitioner that the evidentiary criterion at 8 C.F.R. § 204.5(h)(3)(vii) does not readily apply to karate coaching. But he has not demonstrated that his coaching evidence closely compares to the regulation's requirements. We will therefore affirm our finding that the Petitioner has not met this evidentiary requirement.

---

[4] We recognize that karate is often described as a "martial *art*." But, the record shows that, in the Petitioner's karate coaching field, karate is considered to be an athletic sport.

6. Commandment of a High Salary or Significantly High Remuneration

To meet this evidentiary requirement, a petitioner must submit "[e]vidence that the[y] ha[ve] commanded a high salary or other significantly high remuneration for services, in relation to others in the field." 8 C.F.R. § 204.5(h)(3)(ix).

The Petitioner continues to argue that the second letter from the president of the [redacted] demonstrates the Petitioner's frequent receipt of "high awards and remunerations for his outstanding achievements." The letter states that the Petitioner:

> has received substantial compensation and high salary for being the best coach in the nation, and the only coach who has contributed the most champions to our nation, in comparison to other national coaches in the [redacted] He has been awarded high compensation by the [redacted] after winning and bringing home champions on international levels.

The letter states that the Petitioner's salary is high compared to other national karate team coaches. But the record lacks corroborating evidence to support the statement. *See* 6 *USCIS Policy Manual* F.2(B)(3) ("[T]he statements made by the witnesses should be corroborated by documentary evidence in the record.") Also, as indicated in our prior decision, the record lacks sufficient evidence to meaningfully compare his salary to those of other coaches. The letter does not indicate by how much the Petitioner's salary exceeds other karate coaches, and the record lacks evidence of other karate coaches' salaries. *See* 8 C.F.R. § 204.5(h)(3)(ix) (requiring evidence of a high salary or significantly high remuneration "in relation to others in the field").

The Petitioner has not established his claimed commandment of a high salary or significantly high remuneration for his karate coaching services. We will therefore affirm our prior decision's finding on this evidentiary criterion.

7. Commercial Successes in the Performing Arts

This criterion requires "[e]vidence of commercial success in the performing arts, as shown by box office receipts or record, cassette, compact disk, or video sales." 8 C.F.R. § 204.5(h)(3)(x).

The Petitioner continues to argue that evidence of his participation in national and international karate competitions as a national coach qualifies as "comparable evidence" under this criterion. *See* 8 C.F.R. § 204.5(h)(4). He states that, in appreciation of his coaching, some of his students gave him "bonuses and extra remuneration."

We agree with the Petitioner that karate coaches generally do not generate sales or receipts in the performing arts. But he has not demonstrated that his coaching at national and international karate competitions closely compares to commercial successes in the performing arts. The record does not indicate how much the Petitioner received in additional compensation or whether other karate coaches receive such compensation. Without such evidence, we cannot determine whether the Petitioner's additional compensation reflects "commercial success" as he asserts. Also, the Petitioner's additional compensation is part of his remuneration for his karate coaching services and is therefore best

considered under the prior evidentiary criterion regarding commandment of a high salary or significantly high remuneration. *See* 8 C.F.R. § 204.5(h)(3)(ix).

The Petitioner has not demonstrated that his documentation closely compares to evidence of commercial success in the performing arts. We will therefore affirm our prior finding on this evidentiary requirement.

The Petitioner has not satisfied at least three of the ten evidentiary requirements. Thus, we affirm the petition's denial.

C. Final Merits Determination

Our finding that the Petitioner has not met at least three evidentiary requirements resolves this matter. Like SCOPS before us, we need not make a final merits determination. *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). Nevertheless, even if the Petitioner met at least three evidentiary requirements, he would not demonstrate his claimed extraordinary ability in his field.

To merit final approval in this immigrant visa category, 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 the 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 the person has achieved sustained national or international acclaim and recognition in their field of expertise." We review all evidence in the totality and must 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.*

The Petitioner has not demonstrated or documented sufficient acclaim or recognition for his achievements to place him among the small percentage at his field's very top. We recognize that his lengthy tenure as coach of his country's national karate team, coaching of successful national team members, his federation's production of many national team members, his judging of international karate competitions, his students' international successes, and his contributions to the Russian city have generated acclaim. But the Petitioner's evidence heavily relies on letters from [redacted] officials and his former students. The record lacks sufficient evidence to provide context for evaluating his place in the broader karate coaching field. For example, the Petitioner has not shown that having two published articles that reference him in passing are indicative of a person who is one of that small percentage who has risen to the very top of their field of endeavor.

These evidentiary deficiencies prevent the Petitioner from establishing his claimed place among the small percentage at his field's very top. He contends that he submitted sufficient evidence to qualify for the requested immigrant visa category. But the letters and other evidence of record do not compare him to and place him among the top coaches in the field. Congress required aliens with extraordinary ability to demonstrate recognition of their achievements "through extensive documentation." Section 203(b)(1)(A)(i) of the Act.

Congress set a very high benchmark for aliens of extraordinary ability by requiring "sustained national or international acclaim" and "extensive documentation" to show recognition of their achievements in their field. Section 203(b)(1)(A)(i) of the Act. "The regulations regarding this preference classification are extremely restrictive." *Kazarian*, 596 F.3d at 1120 (citation omitted). 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).

Upon review of the entire record, the Petitioner has demonstrated that he is a talented and respected karate coach. But there is insufficient evidence of sustained acclaim and recognition placing him among the top coaches in his field. *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 Amin was not 'extraordinary' but merely very good.")

III. CONCLUSION

The Petitioner has not met the required number of evidentiary criteria. Even if he has, he has not demonstrated enough acclaim or recognition to establish extraordinary ability in the karate coaching field.

ORDER: The appeal is dismissed.

NOTICE: This is the final decision in this matter. A motion's filing would not postpone the decision's effect. 8 C.F.R. § 103.5(a)(1)(iv). Aliens who are unlawfully present, or who are otherwise inadmissible or deportable, may receive Forms I-862, Notices to Appear, placing them in removal proceedings. *See* section 240 of the Act, 8 U.S.C. § 1229a. Removal proceedings may result in an alien's removal from the United States and ineligibility for future U.S. visas or other immigration benefits.