U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 39571303

Date: SEP. 03, 2025

Appeal of Service Center Operations (SCOPS) Decision

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

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

Service Center Operations (SCOPS) denied the petition, concluding that the record did not establish that the Petitioner had satisfied at least three of the ten initial evidentiary criteria for this classification, as required. We dismissed a subsequent appeal but reopened the matter in response to litigation. Following the Petitioner's response to our motion, the matter is again before us on appeal pursuant to 8 C.F.R. § 103.3.

The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

I. LAW

To establish eligibility as an individual of extraordinary ability, a petitioner (or anyone on the petitioner's behalf) 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 that
- Their entry into the United States will prospectively substantially benefit the United States.

Extraordinary ability must be demonstrated by evidence of sustained national or international acclaim as well as extensive documentation that the petitioner's achievements have been recognized in the field. Section 203(b)(1) of the Act.

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." 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, which call for evidence about lesser awards they may have received, published material about them in qualifying media, and their authorship of scholarly articles, among other types of evidence. 8 C.F.R. §§ 204.5(h)(2),(3).

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 record indicates that the Petitioner was previously employed in several positions at [redacted] in Afghanistan, including customer service, human resources, and operations positions. At the time of filing, the record shows that she was employed as a medical transportation specialist in New York, and she states that she planned to further her education by entering a master of business administration program. The Petitioner further indicates that she intends to continue to work as an administrative services manager in the United States and also plans to establish a language learning center.

A. Evidentiary Criteria

Because the Petitioner has not indicated or established that she has received a major, internationally recognized award, she must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i)-(x). SCOPS concluded that the Petitioner did not meet any of the five evidentiary criteria at 8 C.F.R. § 204.5(h)(3)(i)-(x) for which she submitted supporting evidence:

- (i) Documentation of the alien's receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor;
- (ii) 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;
- (iv) Evidence 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 specialization for which classification is sought;
- (v) Evidence of the alien's original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field, and;
- (viii) Evidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation.

On appeal, the Petitioner claims to meet only three of these criteria, pertaining to awards, judging, and leading or critical role.[1] We previously determined that she did not establish that she met the awards or judging criteria, and reserved adjudication of the Petitioner's claim to the leading or critical role criterion. After reviewing all of the evidence in the record, including the Petitioner's response to our motion, we conclude that she does not meet any of these criteria. In addition, the Petitioner has not established that she has sustained national or international acclaim or that she is one of the small percentage at the very top of the field of administrative services.

1. Evidence of Lesser Nationally or Internationally Recognized Prizes or Awards

The regulation at 8 C.F.R. § 204.5(h)(3)(i) calls for "[d]ocumentation of the alien's receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor." We first determine whether the alien is the recipient of prizes or awards, and then whether the award is nationally or internationally recognized and was granted based upon excellence in the alien's field of endeavor. *See generally* 6 *USCIS Policy Manual* F.2(B)(1), www.uscis.gov/policy-manual.

The Petitioner submitted evidence of several certificates she received from three previous employers, all of which are related to her employment at [redacted] from 2007 to 2018. One from each employer is titled "Certificate of Appreciation," and another two from A- Europe state that they were granted for "exceptional performance of duties." As she did on appeal, the Petitioner asserts that these certificates, given to her for her job performance, were granted by "well-known national institutions," citing to USCIS guidance regarding this criterion. *Id.* She relies upon these employers' association with the [redacted] in her effort to establish that these certificates are nationally or internationally recognized prizes or awards. But while an award from a "well-known national institution" is one example of a potentially qualifying award, the focus on the first element of this evidentiary criterion is on the recognition of the award, not the organization which issued the award. *Krasniqi v. Dibbins*, 558 F.Supp.3d 168, 183 (D.N.J. 2021). The record does not include evidence showing that any of these certificates were recognized in the field of administrative services management at the national or international level, beyond the issuing organizations.[2]

The plain language of this evidentiary criterion also requires that prizes or awards be granted "for excellence in the field of endeavor." Factors such as the criteria applied in granting a prize or award and the number of awardees or recipients are relevant to determining whether it has been granted for excellence. *Id.* As we pointed out in our appeal decision, the Petitioner did not provide any information about these certificates which might show that they were given to her for excellence in administrative services management, and she does not address this deficiency in response to our motion. The text of the certificates indicates only that she performed her job duties well, and the many reference letters from the Petitioner's former supervisors and colleagues do not provide additional information regarding her receipt of the certificates.

[1] Any ground of ineligibility that is not raised on appeal is waived. *See Matter of O-R-E-*, 28 I&N Dec. 330, 336 n.5 (BIA 2021) (citing *Matter of R-A-M-*, 25 I&N Dec. 657, 658 n.2 (BIA 2012)). Therefore, we will not consider the Petitioner's previous claims to the membership and contributions criteria.

[2] The USCIS Policy Manual states that "an award available only to persons within a single locality, employer, or school may have little national or international recognition." 6 *USCIS Policy Manual* F.2(B)(1).

As the Petitioner has not demonstrated that the certificates of appreciation she received from her former employers were recognized in her field at the national or international level or were granted based upon excellence in her field of endeavor, she has not established that she meets this criterion.

2. Participation as a Judge of the Work of Others in the Field

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 specialization for which classification is sought." The alien must show that they not only have been invited to participate as a judge of the work of others in their field, but also that they have actually participated in such judging. *See generally* 6 *USCIS Policy Manual* F.2(B)(1).

The Petitioner bases her claim on her work for her employers at Bagram Air Base. In response to our motion, she describes two positions in which she asserts that her duties involved judging the work of others in her field or an allied field. She states that while employed by S-S-S-, she "managed over 275 security personnel" and "confirm[ed] their qualifications" as guards. A reference letter from this employer confirms that she was employed as a human resources administrator for approximately six months. Another reference letter from her former supervisor at this employer provides more detail regarding her duties, which included hiring, vetting, badging, and payroll for the security force. While this evidence shows that she performed duties related to administrative services in this position, it does not indicate that she reviewed the work performance of others in that field or an allied field.

Similarly, the record includes several letters regarding her work with M-E-, in which she states that she "managed the Local National Linguist Program" and evaluated linguists for their "linguistic and operational suitability for mission deployment." She refers to a letter from M-M- who writes that she served as a hiring authority for M-E- and submitted "daily reporting documentation... as part of the vetting requirements" for those employed with M-E-. Another letter, submitted with her appeal, states that the Petitioner was responsible for "hiring and signing on of new linguist[s]" and ensuring that requests for linguists were met "with a well-qualified linguist for the needs of the Mission." As with her duties with S-S-S- discussed above, these letters do not indicate that the Petitioner was responsible for judging the work of others in the administrative services field. Rather, she evaluated the qualifications and suitability of linguists.

In another letter from a former colleague at M-E-, D-C- states that he supervised the Petitioner for four years. He writes that as the supervisor of operations, she had five subordinates and was responsible for maintaining the operations records for over 20,000 personnel. But the letter does not indicate that the Petitioner served as a judge of her subordinates' work or discuss any specific instances when such judging might have occurred.

For the reasons discussed above, the Petitioner has not established that she has met the requirements of this evidentiary criterion.

3. Performed in a Leading or Critical Role for Organizations with a Distinguished Reputation

The regulation at 8 C.F.R. § 204.5(h)(3)(viii) calls for "[e]vidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation." The

role may be shown to be leading or critical for a division or department of an organization or establishment, or for the organization or establishment overall. Evidence of a leading role should show that the alien was a leader for the claimed component, and a job title with matching duties may help to establish that a role was leading. For a critical role, evidence should show that the alien has contributed in a way that is of significant importance to the outcome of the organization or establishment's activities or those of a division or department of the organization or establishment. In determining whether the organization or establishment, or a department or division thereof, has a distinguished reputation, relevant factors include its size, longevity, scale of its customer base, and relevant media coverage. *See generally* 6 *USCIS Policy Manual* F.2(B)(1).

Here, the Petitioner contends that her former roles with A- and M-E- qualify as leading or critical, and that both of those organizations have distinguished reputations. She also asserts that SCOPS erred in not specifically evaluating all of the reference letters pertaining to these roles in its decision. But when USCIS provides a reasoned consideration to the petition, and has made adequate findings, it will not be required to specifically address each claim a petitioner makes, nor is it necessary for it to address every piece of evidence a petitioner presents. *See Amin v. Mayorkas*, 24 F.4th 383, 394 (5th Cir. 2022); *Martinez v. INS*, 970 F.2d 973, 976 (1st Cir. 1992); *aff'd Morales v. INS*, 208 F.3d 323, 328 (1st Cir. 2000); *see also Pakasi v. Holder*, 577 F.3d 44, 48 (1st Cir.2009); and *Kazemzadeh v. U.S. Atty. Gen.*, 577 F.3d 1341, 1351 (11th Cir. 2009). We conclude the record reflects SCOPS' consideration of all evidence submitted in support of this criterion even though it did not address each piece of evidence individually in its decision. Similarly, while we have reviewed and considered all of the reference letters in the record before us, we do not specifically refer to each letter in the analysis below.

Letters of reference from those with personal knowledge of a petitioner's duties or responsibilities in a specific role can be particularly helpful in establishing qualification under this criterion. *See generally* 6 *USCIS Policy Manual* F.2(B)(1). While the Petitioner claims that her role for A- was leading or critical, she did not provide a reference letter from an official of the company regarding her specific role. A "character reference" from S-B-C- states that the writer has been acquainted with the Petitioner since 2007 and mentions her employment by W-U- and A-, but does not state whether S-B-C- was a co-worker or supervisor, and does not provide a detailed description of the Petitioner's responsibilities or accomplishments while employed by A-. And while the certificates of appreciation mentioned above indicate that the Petitioner was employed by A- for several years, they also do not provide sufficient evidence of her duties to establish that she acted in a leading or critical role for this employer. Because the record does not establish that she served in a leading or critical role for A- , we need not consider whether A- has or had a distinguished reputation.

Turning to her role for M-E-, several of the reference letters discuss the Petitioner's work for that company. Letters from M-E- officials confirm her role as a local national linguist operations specialist for the [redacted] program. For example, B-B- states that the Petitioner "served in a critical role ensuring our company provided the best [redacted]" He goes on to state that she had several responsibilities in this position, including recruitment of linguists, employee assignments, human resources support, record keeping, and "overall quality control of the operations office."

.

Another letter about her role with M-E- from D-Z-, who worked with her during her employment with the company, states that she "was a "rock" in her department" because of her work ethic and ability to overcome challenges. In addition, D-Z- writes that the Petitioner "oversaw all functions such as administration, logistics, safety, health and welfare, accountability, and overall operational management the linguist program demanded."

As previously discussed, D-C- supervised the Petitioner for four years and states that as the supervisor of operations, she had five subordinates and was responsible for maintaining the operations records for over 20,000 personnel. He also writes that her work "was crucial to providing the [redacted]"

A fourth letter concerning the Petitioner's role for M-E-, submitted by R-F-, states that he was the project manager for the [redacted] project. He indicates that her successful work on this project "only helps to support [M-E-] keeping additional contract years," and that she was "the driving force in the success of the current Project/Delivery Order." He also writes that the Petitioner "was instrumental in retrograding [redacted] valued at $102,000 helping to ensure [M-E-] was able to meet its closure [redacted] on time."

While the above letters indicate that the Petitioner may have played a critical role for "the operations office" or "her department" (as opposed to the employer as a whole), the record does not include evidence regarding the distinguished reputation of either. And while R-F- suggests that she played a critical role in the [redacted] project, the Petitioner has not shown that this project can be considered to be an "organization" as required under this criterion. We note that with her appeal, the Petitioner submitted pages from M-E-'s website which states that the company "executes prime contracts with numerous [redacted] as well as with the [redacted] and operates in "more than 45 countries and 17 domestic U.S. locations." While this evidence shows the global reach of M-E-'s operations, it is not sufficient to show that the office, department, or project in which the Petitioner worked while employed by M-E- enjoyed a distinguished reputation.

For the reasons discussed above, the Petitioner has not established that she has met the requirements of this evidentiary criterion.

B. Final Merits Determination

Congress set a very high benchmark for aliens of extraordinary ability by requiring the petitioner demonstrate "sustained national or international acclaim" and present "extensive documentation" to show his or her achievements have been recognized in the field. Section 203(b)(1)(A)(i) of the Act. Because the Petitioner has not established that she meets any of the evidentiary criteria under 8 C.F.R. § 204.5(h)(3) and, therefore, has not met the "initial evidence" requirement for the requested classification, we need not conduct a final merits determination. *See Kazarian v. USCIS*, 596 F.3d at 1119-20. Nevertheless, we have reviewed the totality of the evidence in the record and determined that she has not established the requisite level of sustained acclaim and standing within her field to show eligibility for the requested benefit.

In a final merits determination, we analyze an alien's accomplishments and weigh the totality of the evidence to determine if their successes are sufficient to demonstrate extraordinary ability in the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3); *see also Kazarian*, 596 F.3d at 1119-20. Here, the Petitioner asserts that she has extraordinary ability in the field of administrative services management, and has submitted evidence of her education, experience, and achievements whilst working in this field, primarily at the [redacted] from 2007 to 2018. This evidence primarily consists of several reference letters, some of which were resubmitted on appeal with new dates and minor or no changes. Most of the letters are from former employers or colleagues she worked with while employed in Afghanistan.[3] For example, D-J- states in his letter that while employed by S-S-S-, the Petitioner achieved 100% compliance with U.S. [redacted] and "never had a [redacted] violation, a late update or anything that would have placed the contract at risk."

Similarly, R-R-, a [redacted] who observed the Petitioner's work at [redacted] while employed with M-E-, states that he "was impressed with [the Petitioner's] understanding of the specific requirements of each [redacted] seeking linguistic support." He goes on to praise the Petitioner's attention to detail and commitment to her responsibilities and expresses support for her future employment and immigration to the United States.

These reference letters, including those previously discussed, are universal in their praise for the Petitioner's work ethic and performance of her duties. But they are not sufficient to establish that her work in the administrative services field was acclaimed at the national or international level, or even beyond the circle of colleagues, supervisors, and contacts she encountered in the course of fulfilling her duties.

The same is true of the certificates of appreciation the Petitioner received from her employers. As we noted, the record does not include information, beyond the text of the certificates themselves, about why the Petitioner received the certificates, or how many similar certificates were issued by the employers to other workers. The three certificates issued by A-, for example, include very broad language (i.e. "exceptional performance of duties") that is not specific to the Petitioner, and thus do not show that she received acclaim for specific achievements or contributions from that employer, let alone in the broader field of administrative services.

The record also includes evidence of the Petitioner's membership in the American Society of Administrative Professionals (ASAP). This evidence consists of a single page from the organization's website and an invoice showing that the Petitioner joined ASAP as a free member. While it shows that the Petitioner may have some interest in acquiring new skills and networking in order to advance in her career, the evidence provides no information regarding her activities with this organization or how her free membership status demonstrates either acclaim or standing within her field.

[3] We note that two new letters submitted with the Petitioner's response to our motion are from her current and former employer in the United States, and they indicate that she continues be employed and perform well in administrative roles. However, we decline to consider this evidence, as any new facts submitted on motion must establish eligibility at the time of filing. 8 C.F.R. § 103.2(b)(1); *see also Matter of Izummi*, 22 I&N Dec. 169, 175-76 (Assoc. Comm'r 1998); *Matter of Katigbak*, 14 I&N Dec. 45, 49 (Reg. Comm'r 1971).

As stated above, the Act requires "extensive documentation" to show recognition of an alien's achievements in the field. In response to our motion, as she did on appeal, the Petitioner relies nearly exclusively on the reference letters in the record in asserting her eligibility as an alien of extraordinary ability. While we have given these reference letters due consideration, such letters should not form the cornerstone of a successful claim under this immigrant visa classification and should be corroborated by documentary evidence to verify a petitioner's accomplishments and put them in a broader context. *See generally* 6 *USCIS Policy Manual* F.2(B)(1). Here, the record does not include substantial evidence beyond these reference letters and is therefore insufficient to show recognition of the Petitioner's achievements in her field or that she is one of the small percentage at the very top of that field.

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.