U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 39687521

Date: SEP. 04, 2025

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, a software engineer, seeks classification as an individual of extraordinary ability in the sciences. *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 satisfied the initial evidence requirements for this classification by demonstrating his receipt of a major, internationally recognized award or by meeting at least three of the ten evidentiary criteria at 8 C.F.R. § 204.5(h)(3). The matter is now before us on appeal. 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

Section 203(b)(1)(A) of the Act makes visas available to immigrants with extraordinary ability if:

> (i) the alien has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation,
>
> (ii) the alien seeks to enter the United States to continue work in the area of extraordinary ability, and

(iii) the alien's entry into the United States will substantially benefit prospectively the United States.

The term "extraordinary ability" refers only to those individuals in "that small percentage who have risen to the very top of the field of endeavor." 8 C.F.R. § 204.5(h)(2). The implementing regulation at 8 C.F.R. § 204.5(h)(3) sets forth a multi-part analysis. First, a petitioner may demonstrate international recognition of their achievements in the field through a one-time achievement (that is, a major, internationally recognized award). Absent such an achievement, the petitioner must provide sufficient qualifying documentation demonstrating that they meet at least three of the ten criteria listed at 8 C.F.R. § 204.5(h)(3)(i) – (x).

Where a petitioner meets these initial evidence requirements, we then consider the totality of the material provided in a final merits determination and assess whether the record shows sustained national or international acclaim and demonstrates that the individual is among the small percentage at the very top of the field of endeavor. *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 Visinscaia v. Beers*, 4 F. Supp. 3d 126, 131-32 (D.D.C. 2013); *Rijal v. USCIS*, 772 F. Supp. 2d 1339 (W.D. Wash. 2011).

II. ANALYSIS

The Petitioner provided evidence to establish his eligibility under six of the ten regulatory criteria at 8 C.F.R. § 204.5(h)(3)(iii), (iv), (v), (vi), (viii), and (ix). SCOPS concluded he met the judging criteria at 8 C.F.R. § 204.5(h)(3)(iv) and we agree. On appeal, the Petitioner asserts that he meets five criteria at 8 C.F.R. § 204.5(h)(3) (iii), (v), (vi), (viii) and (ix).

A. Evidentiary Criteria

1. Evidence that the alien has 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)

To meet this criterion, a petitioner must demonstrate that their salary or remuneration is high relative to others working in the field. *See* 6 USCIS Policy Manual 2.B(1)(criterion 9), https://www.uscis.gov/policy-manual. Furthermore, relevant caselaw has confirmed that "in relation to others in the field" should be interpreted as allowing comparisons to those employed in the same occupation at a similar level. *See Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994) (considering a professional golfer's earnings versus other PGA Tour golfers); *see also Skokos v. U.S. Dept. of Homeland Sec.*, 420 F. App'x 712, 713-14 (9th Cir. 2011) (finding salary information for those performing lesser duties is not a comparison to others in the field); *Grimson v. INS*, 934 F. Supp. 965, 968 (N.D. Ill. 1996) (considering NHL enforcer's salary versus other NHL enforcers); *Muni v. INS*, 891 F. Supp. 440, 444-45 (N. D. Ill. 1995) (comparing salary of NHL defensive player to salary of other NHL defensemen).

SCOPS acknowledged the evidence provided to support this eligibility requirement including salary data for software engineers in Brazil from https:/www.levels.fyi, a consulting agreement with [redacted] for $10,833.33 per month, an offer of employment from [redacted] for $130,000 annually, average monthly income for the resident population of Brazil with income from [redacted] 2023 Brazil tax return, copies of bank statements and international money transfers. However, SCOPS determined that the evidence did not establish that the Petitioner's salary or remuneration was high relative to others working in the field, although it appeared to be above average; and while the Petitioner submitted evidence showing agreements to pay, the Petitioner did not submit evidence of the pay received.

On appeal, the Petitioner contends that SCOPS ignored evidence in the record because the Petitioner provided evidence of pay and his salary history; and applied a heightened standard where the regulation only required that the Petitioner demonstrate a high salary or other significantly high remuneration in relation to others in the field, not that the Petitioner be the single highest-paid individual or meet an undefined high salary mark. We acknowledge that among other things, the tax return indicated his income in Brazil for 2023, and [redacted] Bank statements indicate that the Petitioner received several deposits from [redacted] payroll and [redacted] On appeal, the Petitioner argues that his salary "exceeds the 90th percentile, surpasses the top reported salaries in Brazil for his occupation by over 200%, and places him at the top 1% of earners nationally." The Petitioner points to the data sourced from the [redacted] and issued by [redacted] showing that the top 1% of earners in Brazil earn over BRL 39,959,69 per month, while his salary exceeded BRL 50,000 per month. Finally, he groundlessly claims that SCOPS implicitly suggested that "compensation earned in Brazil was not a valid basis for comparison." He asserts that because he was "employed in Brazil . . . the relevant labor market is therefore Brazil." Below, the Petitioner pointed out that the Economic Research Institute reported the salary potential (highest salary) for software engineers is BRL 255,494 ($50,000), PayScale listed the 90th percentile of software engineers as earning BRL 215,000 ($42,000), and Glassdoor listed the highest end of the salary range for software engineers as BRL 168,000 ($33,000). But the Petitioner has not shown his comparable salary in Brazil, preferring instead to compare his current salary of $130,000 while working in the United States. Moreover, these salary ranges are so disparate that they appear to be unreliable. According to the USCIS Policy Manual, regarding location and currency, "Officers evaluate persons working outside of the United States based on the wage statistics or comparable evidence relevant to the applicable work location, rather than by simply converting the salary to U.S. dollars and then viewing whether that salary would be considered high in the United States." *Id.*

In evaluating the Petitioner's salary as a software engineer in Brazil, we look to the other salaries of software engineers in Brazil. However, the Petitioner's reliance on [redacted] is misplaced. [redacted] is the surveying tool used by [redacted] Brazil's statistical agency to monitor the labor market and household socio-demographic trends on a continuous, quarterly basis. However, the data is broad and refers only to "all jobs" and does not focus on the salaries of software engineers. The regulation requires that an individual commands a high salary in relation to others in the field rather than comparing the wages to overall workers. Because [redacted] does not focus on this specific occupation, we cannot conclude that the Petitioner's salary is high relative to others working in the field. Without this relevant information, the evidence remains insufficient to meet this criterion. *See Matter of Chawathe*, 25 I&N Dec. at 375-76. Therefore, the Petitioner does not meet this criterion.

2. Evidence of published material about the alien in professional or major trade publications or other major media, relating to their work in the field for which classification is sought. Such evidence must include the title, date, and author of the material, and any necessary translation. 8 C.F.R. § 204.5(h)(3)(iii)

SCOPS found that while the Petitioner submitted several "published materials," he did not submit evidence that the materials were related to him and his work in the field. SCOPS observed that the Petitioner was not named in the articles, and they did not focus on a particular project but instead discussed the state of development in the field. Moreover, SCOPS found that the evidence did not indicate that the material was published in a professional or major trade publication or other media, and the Petitioner did not submit circulation data for the publications, nor the circulation data for similar media outlets to establish that these publications were major publications or other major media.

On appeal, the Petitioner argues that according to the Policy Manual, "even if the individual is not directly named, so long as it "relates to the person's work in the field" and the record independently confirms the person's connection to the work," the published material may satisfy this criterion. *See USCIS Policy Manual,* Vol. 6, Part F, Chapter 6, Criterion 3. He asserts that he is the "sole author, creator, and maintainer of [redacted] an original [redacted] and that the [redacted] repository logs, commit histories, and release documentation submitted into the record to confirm that the project was entirely authored by [the Petitioner] prior to and independent of his employment at [redacted]." He continues, "[t]he publications submitted center on the groundbreaking performance of [redacted] and analyze the innovations introduced by the framework. These materials therefore directly relate to the petitioner's work in the field, and are objectively and unequivocally about his contributions, even if his name is not printed in the body of each publication." He argues that the Policy Manual "explicitly instructs officers to credit published material that covers projects, so long as the record documents the petitioner's substantial connection to that work." He further argues that SCOPS erred by dismissing the publications as professional or major trade publications because circulation data was not provided. The Petitioner contends that developers and engineers do not rely on "general-interest outlets like [redacted] for cutting-edge software information; they turn to industry-specific trade publications like [redacted]

However, a review of these published materials hardly constitutes "published material" about the Petitioner. For example, the [redacted] for 2022-12-11, under "projects" states as follows, [redacted] without anything more. An extract from an article without a date or author titled [redacted] mentions [redacted] as follows, "A new entrant that claims very high performance." From [redacted] dated January 24, 2023, under the heading [redacted] [the Petitioner]. We determine therefore that as a whole these materials do not constitute "published material" within the meaning of the regulation. Rather these materials appear to be marketing materials created for the purpose of selling the Petitioner's products or services, and do not constitute published material. *Id.* Moreover, the plain language of the regulation, which requires that the published material includes the title, date, and author of the material is not met. *See* 8 C.F.R. § 204.5(h)(3)(iii). According to the Policy Manual,

Finally, USCIS determines whether the publication qualifies as a professional publication, major trade publication, or major media. The Petitioner has not argued that these publications constitute major media or professional publications but rather trade publications. But even if we were to concur that [redacted] were trade publications, the Petitioner has not shown that the published material is about the Petitioner, or the Petitioner's work in the field. Therefore, the Petitioner does not meet this criterion.

3. Evidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation. 8 C.F.R. § 204.5(h)(3)(viii)

The regulation at 8 C.F.R. § 204.5(h)(3)(viii) calls for "evidence 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), www.uscis.gov/policy-manual.

SCOPS determined that the Petitioner did not provide sufficient supporting documentation to establish that his company or the division or department in which he held a leading role had a distinguished reputation, and consequently he did not meet this criterion. On appeal, the Petitioner contends that [redacted] "is a widely recognized and respected organization within the field of software development," and "[redacted] has over 76,000 [redacted] stars, is used in more than 59,000 repositories, and has 757 contributors." He further states that it receives over 2 million downloads per month, more than 1 million Docker pulls, its adoption surpasses [redacted] and rivals technologies like [redacted] and it has raised $26 million from leading investors, and has been covered in prominent technology publications such as [redacted] We agree with the Petitioner that [redacted] has a distinguished reputation based on media coverage and venture capital funds. *See generally,* 6 *USCIS Policy Manual* F.2(B)(1) www.uscis.gov/policy-manual. (For a startup business, officers may consider evidence that the business has received significant funding from government entities, venture capital funds, angel investors, or other such funders commensurate with funding rounds generally achieved for that startup's stage and industry, as a positive factor regarding its distinguished reputation). Because SCOPS already conceded that the Petitioner had a "leading role," in his organization, and we have determined that his company has a distinguished reputation, the Petitioner meets this criterion. The Petitioner has met this criterion.

4. Evidence of the alien's original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field. 8 C.F.R. § 204.5(h)(3)(v)

In order to satisfy the regulation at 8 C.F.R. § 204.5(h)(3)(v), USCIS determines whether the person has made original contributions in the field.[1] USCIS then determines whether the original contributions are of major significance to the field.[2] Examples of relevant evidence include, but are not limited to: published materials about the significance of the person's original work; testimonials, letters, and affidavits about the persons original work; documentation that the person's original work was cited at a level indicative of major significance in the field; and patents or licenses deriving from the person's work or evidence of commercial use of the person's work.[3]

SCOPS considered the evidence in the record including a screenshot of the livestream [redacted] information about the tests run by [redacted]; information about [redacted]; reference letters; expert opinion letters; several articles from [redacted] web framework benchmarks from [redacted] and other documentation. SCOPS determined that the evidence did not demonstrate the major significance of the Petitioner's original contributions. For example, the many reference letters, while helpful, were insufficient because the major significance of the Petitioner's work must be demonstrated by preexisting, independent, and objective evidence. *See generally,* 6 *USCIS Policy Manual* F.2(B)(1) www.uscis.gov/policy-manual; *see also Kazarian*, 596 F.3d at 1119-20. Moreover, the letters did not provide specific examples of contribution that were indicative of major significance. On appeal, the Petitioner asserts that he did not only rely on reference letters to meet this criterion and instead points to his creation of [redacted] and its subsequent use. He further asserts that socketify.py outperforms other [redacted] and beat top-performing tools like [redacted] it has been adopted by recognized institutions such as the [redacted] deployed in [redacted] blockchain platform for high-speed transaction processing; and [redacted] a leading JavaScript runtime has integrated [redacted] into its infrastructure. The Petitioner is the sole author, creator and maintainer of [redacted] We agree with the Petitioner that in socketify.py, he has created a burgeoning original scientific tool of major significance in the field.

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.[4] Here, the Petitioner's letters do contain specific, detailed information explaining the importance of the Petitioner's scientific contributions and we withdraw SCOPS' findings to the contrary. Generally, we do not accept letters with conclusory statements as enough to meet this criterion. *See Jafarov v. United States Citizenship & Immigr. Servs.*, No. 23 CIV. 3372 (PAE), 2024 WL 69056, *8 (S.D.N.Y. Jan. 5, 2024) (finding the petitioner's testimonial letter mostly consisted of conclusory statements about the significance of his work and his potential). According to [redacted] Founder and CEO of [redacted] the Petitioner has spearheaded the development of JavaScript runtime, reducing startup times, minimizing memory usage and his innovations have set new standards for efficiency and usability in the software industry. Importantly, he states the Petitioner's work on [redacted] were pivotal features highlighted in the company's major [redacted] 1.2 release which has allowed [redacted] to surpass its competitors in speed and

[1] *See generally* 6 USCIS Policy Manual F.2(B)(1), https://www.uscis.gov/policymanual.
[2] *Id.*
[3] *Id.*
[4] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1).

reliability to." In addition, he points out that [redacted] is currently the only [redacted] server reaching over 1 million requests per seconds on [redacted]. . . and when using [redacted] it's the only [redacted] Server Capable if reaching more than 5.5 million requests per second." Because this letter is sufficiently detailed regarding the Petitioner's original scientific contribution, we therefore conclude that the Petitioner meets this criterion.

B. Summary and Reserved Issue

The record establishes that the Petitioner meets at least three of the initial evidentiary criteria discussed above. As such, the Petitioner has met the initial evidentiary requirement of three criteria under 8 C.F.R. § 204.5(h)(3). Detailed discussion of the remaining criteria at 8 C.F.R. § 204.5(h)(vi) is therefore not required. Therefore, we reserve and will not address this remaining issue. *See INS v. Bagamasbad*, 429 U.S. 24, 25-26 (1976) (stating that, like courts, federal agencies are not generally required to make findings and decisions unnecessary to the results they reach); *see also Matter of D-L-S-*, 28 I&N Dec. 568, 576–77 n.10 (BIA 2022) (declining to reach alternative issues on appeal where an applicant is otherwise ineligible).

C. Final Merits Determination.

The Petitioner has satisfied at least three of the ten evidentiary requirements at 8 C.F.R. § 204.5(h)(3)(i)-(x). However, meeting three initial criteria does not suffice to establish eligibility for the classification the Petitioner seeks. USCIS must now make a final merits determination on the Petitioner's filing. SCOPS did not conduct a full final merits analysis. Rather than remanding the matter to SCOPS to make this determination in the first instance, we will conduct the final merits determination.

In a final merits determination, we analyze an individual'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.

We evaluate whether the Petitioner has demonstrated, by a preponderance of the evidence, his sustained national or international acclaim,[5] he is one of the small percentage at the very top of the field of endeavor, and his achievements have been recognized in the field through extensive documentation. We also consider the evidence submitted in support of those evidentiary criteria. In this analysis we determine that the Petitioner has not demonstrated his eligibility by a preponderance of the evidence.

We recognize that the Petitioner has participated as a judge of the work of others, performed a lead role for an organization with a distinguished reputation and has made contributions of major significance in the field. In support of the claim that the Petitioner has achieved sustained national

[5] *See generally* 6 *USCIS Policy Manual* F.2(A)(1), https://www.uscis.gov/policy-manual (according to *Black's Law Dictionary* (11th ed. 2019), the definition of sustain is "to support or maintain, especially over a long period of time . . . To persist in making (an effort) over a long period of time").

and international acclaim and is among the small percentage at the very top of the field of software engineering, the Petitioner points to his participation as the judge of the work of others. The Petitioner was a judge at [redacted] premier student hackathon. According to [redacted] from the [redacted] Organizing Team: "Judges play a crucial role at [redacted]. They evaluate project presentations from more than 300 student projects that aim to address a wide range of issues, including education, healthcare, sustainability, blockchain & security, and entertainment & interaction. With their expertise in their respective fields, they assess projects based on creativity, technical complexity, and social impact. Their evaluations of the projects collectively determine the prize winners." The record reflects that the Petitioner was one of many judges at [redacted] 2024. Thus, although the Petitioner was a judge, according to the plain language of the regulation, he was part of a panel of judges "who collectively determined the prize winners." *Mishra v. Richardson*, No. 120CV991LMBTCB, 2021 WL 1566071, at *5 (E.D. Va. Apr. 20, 2021) (finding that simply being one judge among many does not clearly demonstrate plaintiff's national or international acclaim). Moreover, while the Petitioner provided evidence of his participation as a judge in this single event, judging students, he has not demonstrated that it is evidence that he has achieved sustained national and international acclaim and is among the small percentage at the very top of the field of software engineering. Here, the Petitioner did not establish that this single judging instance contributes to a finding that he has a career of acclaimed work in the field or indicative of the required sustained national or international acclaim. *See* H.R. Rep. No. 101-723 at 59 and section 203(b)(1)(A) of the Act.

The Petitioner also points to socketify.py, a software program of which he is the sole author, creator and maintainer. As mentioned previously, [redacted] integrated [redacted] into its infrastructure. However, although the Petitioner created this software program, we determine that he was fulfilling the conditions of his employment, that is, to create or improve computer programs. Thus, developing [redacted] is not sufficient to show the requisite sustained acclaim at the national or international level. *See Strategati, LLC v. Sessions*, No. 18-cv-1200, 2019 WL 2330181, at *6 (S.D. Cal. May 31, 2019) (affirming USCIS' statement that "the phrase 'contributions of major significance in the field' requires substantial influence beyond one's employers, clients, or customers."). As a general matter, while we acknowledge there is some enthusiasm for [redacted] the Petitioner did not show that his work, in this short period of time has garnered wide attention in his field indicative of being at the very top of his field of endeavor.

Finally, the Petitioner provided several recommendation letters, praising him and his work, especially his involvement with [redacted] Although the letters indicate the Petitioner has made an impactful contribution in the field, as a software engineer, they do not reflect a career of acclaimed work in the field, garnering the required sustained national or international acclaim. *See* H.R. Rep. No. at 59 and section 203(b)(1)(A) of the Act. As a whole, the letters do not establish his roles with [redacted] or any other organization resulted in widespread acclaim from the field, that he drew significant attention from the greater field, or that the overall field considers him to be at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2) and 56 Fed. Reg. at 30704. Thus, for example, although the letter from [redacted] highlight's the Petitioner's talents and responsibilities, and shows that he is a valuable employee, it does not reflect a career of acclaimed work in the field, garnering the required sustained national or international acclaim. *See Bodhankar v. United States Citizenship & Immigr. Servs.*, No.

119CV706MADCFH, 2020 WL 777211, at *5 (finding the plaintiff's work for organizations did not result in national or international acclaim).

In considering the totality of the evidence, the Petitioner has not demonstrated that his achievements are reflective of a "career of acclaimed work in the field" as contemplated by Congress. 1990 U.S.C.C.A.N. 6710, 6739. Furthermore, the Petitioner has not shown that he has risen to that small percentage at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(3). The commentary for the proposed regulations implementing section 203(b)(1)(A)(i) of the Act provides that the "intent of Congress that a very high standard be set for aliens of extraordinary ability is reflected in this regulation by requiring the petitioner to present more extensive documentation than that required" for lesser classifications. 56 FR 30703-01, 30704. Here, the Petitioner has not established that the Petitioner's career meets this very high standard.

The record as a whole, including the evidence discussed above, does not establish the Petitioner's eligibility for the benefit sought.[6] Here, the Petitioner seeks a highly restrictive visa classification intended for individuals already at the top of their respective fields. *Amin v. Mayorkas*, 24 F.4th 383, 394 (5th Cir. 2002) (stating that extraordinary ability is such an elite level of accomplishment); *Onaghise v. Dep't of Homeland Sec.*, No. 3:20-CV-03033-X, 2022 WL 4073344, at *2 (N.D. Tex. Sept. 2, 2022) (holding that extraordinary ability visas are known as "Einstein" visas, are extremely "coveted," and are "reserved for only the most talented" aliens"); *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 that 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 the Petitioner is among the envisioned small percentage at the top of his field. *See* 8 C.F.R. § 204.5(h)(2).

III. CONCLUSION

For the reasons discussed above, the Petitioner has not demonstrated his eligibility as an individual of extraordinary ability. Therefore, the appeal will be dismissed, and the petition will remain denied.

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.

[6] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2) (providing that some evidence weighs more favorably on its own, while other evidence is more persuasive when viewed with other evidence).