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**U.S. Citizenship
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FILE: WAC 03 160 51724 Office: CALIFORNIA SERVICE CENTER Date: **JUL 19 2005**

IN RE: Petitioner:
Beneficiary:

PETITION: Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to Section 203(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Maie Johnson

& Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner seeks classification as an employment-based immigrant pursuant to section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A), as an alien of extraordinary ability in athletics. The director determined that the petitioner had not established the sustained national or international acclaim requisite to classification as an alien of extraordinary ability.

Section 203(b) of the Act states, in pertinent part:

(1) Priority Workers. -- Visas shall first be made available . . . to qualified immigrants who are aliens described in any of the following subparagraphs (A) through (C):

(A) Aliens with Extraordinary Ability. -- An alien is described in this subparagraph 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 applicable regulation defines the statutory term "extraordinary ability" as "a level of expertise indicating that the individual is 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). Specific supporting evidence must accompany the petition to document the "sustained national or international acclaim" that the statute requires. 8 C.F.R. § 204.5(h)(3). An alien can establish sustained national or international acclaim through evidence of a "one-time achievement (that is, a major, international recognized award)." *Id.* Absent such an award, an alien can establish the necessary sustained acclaim by meeting at least three of ten other regulatory criteria. *Id.*

In this case, the petitioner seeks classification as an alien with extraordinary ability in athletics as a tennis coach. The record indicates that the petitioner was a tennis player in the former Soviet Union before moving to Canada to coach junior tennis players and is currently employed as a tennis coach for junior players at the [REDACTED] Center in San Diego, California. The petitioner submitted numerous supporting documents with her petition and in response to a Request for Evidence (RFE) including: a letter from the executive director of the Barnes Center, a statement of intent, her curriculum vitae, thirteen recommendation letters written by her colleagues and students, evidence of and relating to her Canadian tennis coaching certification, evidence of her 1998 Tennis Canada Award of Excellence, a copy of her diploma, evidence of her accomplishments as a tennis player in the former Soviet Union, her certification from the Professional Tennis Registry, documentation and information regarding her coaching activities in Canada, excerpts from the "Russian Tennis Encyclopedia" and "Tennis on the Urals" concerning the petitioner, an article from the Montreal newspaper *The Gazette* discussing the

petitioner's 35-plus championship, an article about the petitioner and two other former tennis players from *Junior Tennis News*, two letters soliciting the petitioner's input on tennis related issues, additional evidence concerning the Barnes Tennis Center, and excerpts from a Canadian tennis periodical that mention some of the petitioner's students. The director determined that the record did not demonstrate the requisite sustained acclaim and denied the petition. On appeal, counsel submits a brief, but no additional evidence.

We first address a threshold issue in this case. The petitioner claims to have earned national acclaim in the former Soviet Union as a tennis player that she purports to have sustained as a tennis coach in Canada and the United States. This office has held that given the nexus between competing and coaching, in a case where an alien has clearly achieved national or international acclaim as an athlete and has sustained that acclaim in the field of coaching at a national level, an adjudicator may consider the totality of the evidence as establishing an overall pattern of sustained acclaim and extraordinary ability. Accordingly, we evaluate the evidence of the petitioner's accomplishments as both a tennis player and coach under this standard. On appeal, counsel claims the director "failed to review virtually all of the significant evidence" of the petitioner's accomplishments as a tennis player and that such failure resulted in the improper denial of the petition. However, full review of the record – including the petitioner's personal athletic accomplishments – does not establish her eligibility for classification as an alien with extraordinary ability. The evidence submitted, counsel's remaining contentions and the director's decision are addressed in the following discussion of the regulatory criteria relevant to the petitioner's case.

(i) Documentation of the alien's receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor.

The director did not address the petitioner's prizes or awards as an athlete, but only discussed the petitioner's coaching honors and found that they did not meet this criterion. On appeal, counsel claims that the director's "unwarranted dismissal" of the petitioner's tennis playing honors resulted in the "improper denial of [the] petition." However, our review finds that the evidence of both the petitioner's athletic and coaching honors do not satisfy this criterion.

Excerpts from the 1999 edition of the "Russian Tennis Encyclopedia" contain the petitioner's biography and attest to her accomplishments as a tennis player including: ranking as the number one tennis player in the Soviet Union in 1982 and within the top ten Soviet players from 1979 to 1989, winning the Championship of the Soviet Union in 1982 in the singles division, winning three international tournaments as a single player (Japan in 1982, United States in 1982 and Nigeria in 1986), and winning the Sochi international tournament in the doubles division in 1975. The excerpt also states that the petitioner was designated a "Master of Sport of International Level" in 1980. These accomplishments are also listed in an excerpt from a Russian book entitled "Tennis on the Urals: Performances, Problems, Perspectives" that was published in 2001. The record contains a copy of a document purported to be the petitioner's Master of Sports of International Level Identification Card, but the document is not translated. Because the petitioner failed to submit a certified translation of the document, we cannot determine whether the evidence supports the petitioner's claimed eligibility under this criterion. See 8 C.F.R. § 103.2(b)(3). Finally, the record contains an article entitled "Makarova Shows Rivals How Good She Is" published in the March 16, 1992 edition of the Montreal newspaper, *The Gazette*. The article discusses the petitioner's win of the 35-and-over title at the Eastern Canadian senior women's indoor tennis championships. This evidence indicates that the petitioner won nationally recognized prizes or awards as a tennis player in the former Soviet Union and continued to play tennis in Canada.

However, to meet this criterion the petitioner must also show evidence that she has sustained her past acclaim as an athlete through her subsequent work as a tennis coach. Counsel, the petitioner, and many of her support letters claim that she has twice received the “Coach of the Year” award in Canada in 1994 and 1997, but the record does not sufficiently document this claim. The record contains a letter dated July 16, 1998 from the Canadian Tennis Association (“Tennis Canada”) congratulating the petitioner on her receipt of an “Award of Excellence” in the category of Coaching Honors. The letter lists six other individuals as receiving this same honor under a column titled “Men,” but the petitioner is the only person listed as receiving this honor under the column titled “Women.” A printout from the website of Tennis Canada states that it is the “national sport association responsible for the development of tennis across the country” and a “member of the International Tennis Federation, the Canadian Olympic Association . . . and serves to sponsor and select the teams for Davis Cup, Fed Cup, the Olympic Games and all wheelchair, junior and senior national teams.” In her RFE response, the petitioner submitted a photocopy of two objects, but referred to the document as evidence of only the aforementioned award documented by the 1998 letter from Tennis Canada. In the submitted photocopy, the words “Tennis Canada” are barely visible on one award, but are invisible on the other. Moreover, the awards are imprinted in French and the record contains no translation. Again, without a certified translation of the document, we cannot determine whether the evidence supports the petitioner’s claimed eligibility under this criterion. *See* 8 C.F.R. § 103.2(b)(3).

The record also contains an excerpt from the program for the 1998 Du Maurier Open entitled “Tennis Canada Excellence Awards” and affirms the petitioner’s receipt of one of the “Coaching Awards for contribution to excellence: personal coaches of 1997 National Junior Champions” for her coaching of [REDACTED] who is identified as “Junior Male Player of the Year.” The petitioner also submitted an excerpt from the December 1994 edition of *Tennis Mag* entitled “The Corel Nationals” and featuring a photograph of the petitioner with one of her students. The photograph is captioned: “Francois Rioux, under-14 Canadian champion, and his coach Ludmila Makarova.” The record does not establish that this accomplishment resulted in the petitioner’s receipt of a second coaching “Award of Excellence” in 1994. On page 18 of her appellate brief, counsel admits to having confused the “Award of Excellence” with the “Coach of the Year” awards repeatedly cited in the petitioner’s recommendation letters, but counsel does not submit evidence to show that these two titles in fact refer to the same award or evidence of the petitioner’s receipt of the award in 1994.

Counsel also claims that the petitioner meets this criterion by virtue of her Level Four certification by the Coaching Association of Canada. The record contains a copy of the petitioner’s coaching certificate and a printout from the website of Tennis Canada explaining that there are five coaching levels and that a Level Four coach is a “National Level Coach.” In addition, counsel relies on an excerpt from *Tennis Mag* entitled “Directory of Coaches from Quebec” that lists the petitioner along with seven other individuals as Level Four coaches. Counsel claims that this list demonstrates the national selectivity of Level Four certification, but that assertion is contradicted by the document itself, which lists the Level Four coaches in Quebec province, not the entire nation of Canada. Even if Level Four certification is selective or prestigious, the record does not establish that it constitutes a nationally or internationally recognized prize or award for coaching excellence, rather than a professional credential requisite to coaching on a national level in Canada.

Counsel also cites this list to support her assertion that the petitioner coached a “disproportionate number of national champions in Canada.” On page 17 of her appellate brief, counsel estimates that there were “approximately 80 national champions . . . crowned in Canada in the various age divisions” during the ten years that the petitioner coached in that country. Even if we accepted counsel’s undocumented estimate, we fail to see

how the petitioner's coaching of two national junior champions is a "disproportionate number" of the asserted total of 80 champions.

The record thus establishes that the petitioner received an "Award of Excellence" in 1998 from Tennis Canada for coaching the 1997 Canadian National Junior Male Champion, Stephan Timu, and that another one of her students won the Under-14 National Title in Canada in 1994. While notable, these accomplishments do not reflect that the petitioner has sustained her past acclaim as a tennis player through her subsequent work as a tennis coach. The petitioner's most recent coaching honor was received nearly six years prior to the filing of her petition and consequently does not demonstrate sustained acclaim as a coach. Moreover, the petitioner has apparently only been honored for her coaching of junior tennis players. The record contains no evidence that she has been honored for coaching senior or professional players who have won national or international championships, the level at which she formerly competed as a tennis player. Accordingly, the evidence does not show that the petitioner sustained her prior national acclaim as a Soviet tennis champion through her subsequent work as a junior tennis coach in Canada. Consequently, she does not meet this criterion.

(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.

The petitioner claimed to meet this criterion by virtue of her past membership in the former Soviet Union National Tennis Team, the Soviet Federation Cup Team, and as a touring coach for junior Canadian tennis players. The director did not discuss the petitioner's past team memberships as a tennis player. On appeal, counsel cites an unpublished AAO decision for the proposition that national sports team membership may be considered evidence under this criterion pursuant to the comparable evidence provision of 8 C.F.R. § 204.5(h)(4). While we do not recognize the authority of unpublished decisions of this office, which would be contrary to the regulation at 8 C.F.R. § 103.4(c), we will assess the evidence of the petitioner's participation on the Soviet national team under the comparable evidence provision because such participation is consistent with national acclaim.

The excerpt from the aforementioned "Russian Tennis Encyclopedia" states that the petitioner played three tournaments as a member of the "National Team of Soviet Union" in 1982, but does not identify these tournaments. The submitted excerpt from "Tennis on the Urals" also lists the petitioner's participation in the "Federation Championship" as a "member of National (Team) Squad." The record contains a printout from the website of the Federation Cup documenting the petitioner's three matches in the first round and quarterfinals of the "World Group 1982." This document and an additional printout from the website of "Hickok Sports.com" indicate that the Federation Cup is a major international women's tennis tournament. This evidence demonstrates that the petitioner has played tennis as a member of the national team of the former Soviet Union in at least one international competition. However, her national team participation apparently ended in 1983, twenty years prior to the filing of this petition. To meet this criterion through comparable evidence of team participation, she must still show that her subsequent work as a tennis coach reflects the requisite sustained acclaim.

The director correctly determined that the petitioner did not satisfy this criterion through her work as a touring coach for Canadian junior players. The record contains a "Memorandum" addressed to the petitioner from Debbie Kirkwood, "Manager of National Tours/National Coach," that is dated November 10, 1999. The memorandum "officially welcome[s] [the petitioner] to the Youth Tennis Centre Program for the 1999 – 2000

season” and indicates that this program is administered by Tennis Canada. A second memorandum addressed to “All 1997 Junior National Camp participants [coaches]” from Ms. [REDACTED] relays “[f]inal information re Florida Camp.” The memorandum includes the petitioner as part of the “Invited group of Tennis Canada Touring Coaches.” The record also includes three photographs dated 1997 of the petitioner and other team members at unidentified international tournaments. Yet the record is devoid of any corroborative evidence of the petitioner’s acceptance of the invitation and actual work as a touring coach for the 1999 – 2000 season.

Counsel again stresses the purported prestige of the petitioner’s Level Four coaching certification and her consequent eligibility to coach on the national level in Canada as evidence that she meets this criterion. To support this claim, counsel relies on the aforementioned list from *Tennis Mag* which she describes as a “complete list of all active and inactive coaches involved in the coaching certification program in Canada.” Counsel claims “the mere fact that [the petitioner] is one of only 13 coaches in Canada to achieve a Level 4 classification should be recognized as an outstanding achievement in and of itself.” Again, counsel does not explain or document why the *Tennis Mag* list entitled “Directory of Coaches from Quebec” should be considered a comprehensive list of all certified coaches in Canada, rather than in the province of Quebec. Most importantly, the record demonstrates that Level Four is not the highest coaching level certified by Tennis Canada. The previously mentioned printout from Tennis Canada states that Level Four coaches may work with “National Junior Squads” and “work with international level juniors.” This coaching is at a definitively lower level than the highest certification of Level Five coaches who, according to the printout, are eligible “to work with Davis Cup and Fed Cup squads” and to work with “international-calibre ‘Open’ category players,” the level at which the petitioner herself formerly played as a member of the Soviet Federation Cup team in 1982. Thus the petitioner’s Level Four certification does not reflect national acclaim placing her at the very top of tennis coaching in Canada.

The relevant evidence indicates that the petitioner once served as a touring coach for the Canadian junior team in 1997, six years prior to filing her petition. The record thus does not show that the petitioner sustained her former national acclaim as a Soviet team tennis player through her subsequent work as a junior tennis team coach in Canada. Consequently, she does not meet this criterion.

(iii) Published 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. Such evidence shall include the title, date, and author of the material, and any necessary translation.

The director did not address the submitted evidence of published material about the petitioner as a tennis player, but this error has not prejudiced the petitioner because the record does not indicate that her former national acclaim as a Soviet tennis player was sustained through her subsequent coaching in Canada as evidenced by the submitted publications. As previously discussed under the first and second criteria, the record contains biographies of the petitioner focusing on her past accomplishments as a tennis player in the former Soviet Union that were published in the 1999 edition of the “Russian Tennis Encyclopedia” and the 2001 Russian book entitled “Tennis on the Urals.” The latter book also includes a preface written by the petitioner. The documents indicate that the petitioner’s last national recognition as a tennis player in the former Soviet Union was in 1989, fourteen years before her petition was filed.

Hence, even if these publications establish the petitioner’s past national acclaim as a Soviet tennis player, they are insufficient to establish the petitioner’s eligibility under this criterion because other articles submitted by the petitioner do not reflect sustained acclaim for her subsequent coaching in Canada. The record contains three

articles from the periodical *Tennis Mag* that mention the petitioner. The article from the December 1994 edition previously addressed under the first criterion reports on the Corel Nationals championship and contains a photograph with the caption: "Francois Rioux, under-14 Canadian champion, and his coach Ludmila Makarova." An article from the July 1996 edition entitled "Hot Points: Junior Provincial and National Champions" contains a photograph with the caption: "In the customary order, Luda Makarova, coach of Carrefour Multisports, Stephan Timu, Quebec Champion (14 yrs)." The third article is the aforementioned "Directory of Coaches from Quebec" listing the petitioner as a Level Four coach that was published in the June 2000 edition. Although counsel describes *Tennis Mag* as a "major French-Canadian tennis periodical," the record is devoid of any evidence to support that claim. Without documentary evidence to support the claim, the assertions of counsel will not satisfy the petitioner's burden of proof. The unsupported assertions of counsel do not constitute evidence. *Matter of Obaigbena*, 19 I&N Dec. 533, 534 (BIA 1988); *Matter of Laureano*, 19 I&N Dec. 1 (BIA 1983); *Matter of Ramirez-Sanchez*, 17 I&N Dec. 503, 506 (BIA 1980). The petitioner has not submitted evidence that *Tennis Mag* is nationally circulated in Canada and the magazine's own subtitle, "The Quebecois Magazine of Tennis," suggests otherwise.

The record also contains an article published in the May 30, 1998 edition of *The Montreal Journal* entitled "Tonight at the Jarry Center: Bring Back the Awards of Excellence of Quebec Tennis" that lists the petitioner as a nominee for "Trainer 3M of excellence." The article does not discuss the petitioner or the work that resulted in her nomination. In addition, the record contains no evidence that *The Montreal Journal* is a major newspaper in Canada rather than a local or regional publication. The petitioner submitted an additional article entitled "Makarova Shows Rivals How Good She Is" from the March 16, 1992 edition of *The Montreal Gazette*, but included no documentation that this newspaper is nationally circulated or otherwise considered a major news medium in Canada. The petitioner is also featured in an article about her friendship with two Romanian tennis players, but the article was published in the bimonthly newsletter of the Barnes Tennis Center, *Junior Tennis News*, which is clearly not a professional, major trade publication or other major media.

Finally, an excerpt of the program from the 1998 Du Maurier Open lists the petitioner as a recipient of one of seven "Coaching Awards for contribution to excellence: personal coaches of 1997 National Junior Champions." The excerpt features a photograph of the petitioner's student, Stephan Timu, who was named "Junior Male Player of the Year," but does not discuss or further mention the petitioner. Counsel claims that this program qualifies as a major trade publication because "[o]fficial programs for major tennis events such as the U.S. Open, Wimbledon or the Canadian Open [Du Maurier Open] include information about the competitors, the nations they represent, other competitions, world rankings, and other significant information about the sport of tennis." Counsel focuses on an ancillary issue. We do not contest that such programs may contain significant information, the issue here is whether or not the programs constitute "publications" under the regulation. Counsel has not provided any evidence that the program for the 1998 Du Maurier Open was nationally circulated, available for purchase outside of the tournament, or any other evidence that the program constitutes a professional or major trade publication in Canada.

The record contains articles that only list the petitioner's name or identify her as a coach for two Canadian junior champions, but are not about her coaching, as the regulation requires. Moreover, the evidence does not demonstrate that any of these articles were published in professional, major trade publications or other major media in a manner reflective of national acclaim. Accordingly, the record does not demonstrate that the petitioner sustained her prior national acclaim as a Soviet tennis player documented by the Russian book biographies through her subsequent coaching in Canada as documented by the submitted articles. Consequently, she does not meet this criterion.

(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 specification for which classification is sought.

The director correctly determined that the petitioner did not meet this criterion and counsel does not contest that conclusion on appeal. Although counsel initially claimed that the petitioner met this criterion through her coaching of "elite level tennis players," she acknowledges on page five of her appellate brief that such coaching alone is insufficient to meet this criterion. This office has held that duties or activities which nominally fall under a given regulatory criterion at 8 C.F.R. § 204.5(h)(3) do not demonstrate national or international acclaim if they are inherent or routine to the occupation itself. Nothing in the record in this case indicates that the petitioner's coaching was extraordinary or otherwise indicative of national or international acclaim. As discussed above under the second criterion, the evidence shows only that the petitioner was an invited touring coach for the Canadian national junior team in 1997, a one-time service performed six years before her petition was filed that does not reflect sustained acclaim. Consequently, the petitioner does not meet this criterion.

Other relevant evidence is also insufficient to demonstrate the petitioner's eligibility under this category. The record contains a letter from the General Manager of the Jericho Tennis Club in Vancouver, Canada requesting the petitioner to evaluate candidates for a position at the Club and a letter from a doctoral student at the University of Western Australia requesting the petitioner's completion of a questionnaire for a sport injury research study. Although the letters indicate that the petitioner was contacted because of her coaching reputation, the record contains no evidence that she completed the requested evaluation or questionnaire.

(v) Evidence of the alien's original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field.

The director correctly determined that the petitioner did not meet this criterion. The petitioner submitted thirteen letters of recommendation from individuals she has worked with as a tennis player or coach. While such letters provide relevant information about an alien's experience and accomplishments, they cannot by themselves establish the alien's eligibility under this criterion because they do not demonstrate that the alien's work is of major significance in his or her field beyond the limited number of individuals with whom he or she has worked directly. Moreover, letters solicited by an alien in support of an immigration petition carry less weight than preexisting, independent evidence of major contributions that one would expect of an alien who has earned sustained national or international acclaim. Accordingly, we review the letters as they relate to other evidence of the petitioner's contributions.

The letters praise the petitioner's accomplishments and indicate that she is well regarded by her colleagues and students. However, only a few of the letters actually address her specific contributions to the sport. Andrée Martin, Director of Junior Development for the Quebec Tennis Federation, heralds the petitioner's "exceptional teaching ability [which] has guided her tennis students to 30 provincial and national championships," although the record documents the petitioner's coaching of only two national junior champions. Boris Sobkin, a "certified H.P. coach for the Association of Tennis Professionals," explains that the petitioner "has a very unique technical understanding of the game and she is able to pass on that knowledge to her students so that they may get the most out of their individual abilities. More importantly, Ludmila is able to teach her students the value of hard work and to motivate them in ways that most coaches are unable to." Larissa Preobrazhenskaya, who coached the petitioner in Russia, also states that the petitioner's "expert knowledge and approach to coaching has helped many young tennis players compete and win at some of the highest levels of tennis in the

world.” Similar statements are made in the letters of Sylvain Bruneau, Olga Morozova, Rauza Islanova, Mikhail Youzhny, and her former students Stephan Timu, Cristina Popescu, Francois Rioux, Marat Safin, Anastasia Myskina and Tatiana Panova.

Other evidence in the record does not demonstrate that the petitioner’s coaching made major contributions to the sport of tennis. As discussed above under the first through the fourth criteria, the record shows that the petitioner has coached two Canadian junior champions and received one nationally recognized coaching award in 1998 (for coaching the 1997 Canadian male junior champion). The record documents the petitioner’s Level Four coaching certification and the petitioner’s consequent eligibility to coach junior players on a national level, but the relevant evidence also clearly establishes that Level Four is not the highest certification awarded by Tennis Canada, namely Level Five, which allows coaching of players in major international tennis tournaments at the highest level. Although media articles indicate that the petitioner has gained some regional recognition for her coaching in Montreal and Quebec, the articles do not reflect national acclaim throughout Canada. The record thus indicates that the petitioner’s contributions are recognized and well regarded by her colleagues and students, but it does not establish that those contributions have garnered significant recognition in her field at large in a manner reflective of sustained national or international acclaim. Consequently, the petitioner does not meet this criterion.

(vii) Evidence of the display of the alien’s work in the field at artistic exhibitions or showcases.

The director correctly determined that the petitioner did not meet this criterion and counsel does not contest that conclusion on appeal. As counsel acknowledges on page five of her appellate brief, this criterion applies primarily to visual artists. Even if we considered the petitioner’s participation in tennis tournaments under the comparable evidence provision of 8 C.F.R. § 204.5(h)(4), the evidence would not demonstrate her eligibility. Although the petitioner played in at least one major international tournament in 1982 (the Federation Cup), she has not sustained that acclaim as a player through her subsequent coaching. The record indicates that she has only coached junior players, only two of whom have won national championships in Canada. Moreover, the petitioner’s most recent documented coaching of a junior national champion was in 1997, six years prior to the filing of her petition. Accordingly, the petitioner does not meet this criterion.

(viii) Evidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation.

The director correctly determined that the evidence did not satisfy this category. The petitioner claimed eligibility under this criterion by virtue of her competition at the 1982 Federation Cup, her position of head coach at the Club Carrefour in Quebec, her work as a touring coach for the Canadian National Junior Team, and as a teaching professional at the Barnes Tennis Center in California. We address each role in turn.

The director found that the petitioner’s role on the 1982 Soviet Federation Cup team did not meet this criterion because “[c]ounsel is silent on how the petitioner’s role on the team is any more critical than the other 3 team members.” Counsel contends on page 14 of her appellate brief that the director “grossly mischaracterizes the role that individual competitors play for their national tennis organizations in such prestigious international competitions as the Federation Cup.” We do not reach the issue of whether national sports team membership for a single competition qualifies under this criterion because the petitioner’s participation in the Soviet Federation Cup team occurred in 1982, over 20 years prior to the filing of this petition and consequently does not reflect the requisite sustained acclaim. Moreover, as the following discussion explains, the petitioner’s past acclaim as a

national tennis team player has not been sustained through her subsequent work as a coach for three different tennis organizations.

The petitioner's resume states that she worked as the head coach at Club Carrefour from 1993 to 2000, but the record does not corroborate that position. The petitioner submitted a certificate entitled "National Youth Tennis Centre" and presented to "Carrefour Multisports for the Year 1999-2000" by Tennis Canada "[i]n recognition of the work being done in the area of Youth Development." The record also contains a letter dated September 15, 2000 concerning the "Calendar of sanctioned tournaments for 2000-2001." The letter is addressed to "Players licensed by the Tennis Federation of Quebec," but does not contain the petitioner's name or title. A letter addressed to the petitioner from The Tennis Federation of Quebec and dated January 31, 1994 invites the petitioner to a press conference to announce the finalists for honors to be presented at "the Bell Mobilite Gala for Quebecois Tennis 1994." The letter explains "your presence at this conference is among the most important since you or your organization are a finalist in one of the 12 categories on the program," but does not specify the nomination or state whether the petitioner or Carrefour Multisports is the nominee. The previously mentioned article from the May 30, 1998 edition of *The Montreal Journal* lists the petitioner as a nominee for "Trainer 3M of excellence" and identifies her with "Carrefour Multisports." Yet the record is devoid of any evidence documenting the petitioner's position as head coach or demonstrating that she played a critical or leading role for Carrefour Multisports.

As discussed above under the second, third and fourth criteria, the record indicates that the petitioner was once selected as a touring coach for the Canadian junior tennis team in 1997 by Tennis Canada. Although notable, this one-time service six years prior to the filing of this petition does not reflect the requisite sustained acclaim.

Finally, the petitioner does not meet this criterion through her recent work at the [REDACTED]. The record contains a printout from the center's website introducing the petitioner as a "pro teaching at the Barnes Tennis Center." The printout also explains that the center is a nonprofit organization whose purpose is to "promote the educational, physical, and social development of all youth through organized tennis and educational activities." The printout does not state how many tennis professionals are employed by the center or otherwise explain the significance of the petitioner's position. The record includes no other evidence that the petitioner plays a leading or critical role for the center. The petitioner submitted copies of the 1997 "USTA Outstanding Tennis Facility Award" granted to the center and the center's "1995 San Diego District Tennis Association Club of the Year" award. Although these awards may document the center's distinguished reputation, the record does not establish that the petitioner plays a leading or critical role for the center. Accordingly, the petitioner does not meet this criterion through any of her coaching positions.

An immigrant visa will be granted to an alien under section 203(b)(1)(A) of the Act, 8 U.S.C. § 1153(b)(1)(A), only if the alien can establish extraordinary ability through extensive documentation of sustained national or international acclaim demonstrating that the alien has risen to the very top of his or her field. The evidence in this case indicates that the petitioner earned national acclaim as a tennis player in the former Soviet Union and was subsequently employed as a junior tennis coach in Canada and the United States. However, the record does not establish that the petitioner sustained her former acclaim as a Soviet tennis player through her subsequent work, placing her at the very top of the field of tennis coaching in Canada or the United States. She is thus ineligible for classification as an alien with extraordinary ability pursuant to section 203(b)(1)(A) of the Act, 8 U.S.C. § 1153(b)(1)(A), and her petition may not be approved.

The burden of proof in visa petition proceedings remains entirely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. Here, the petitioner has not sustained that burden. Accordingly, the appeal will be dismissed.

ORDER: The appeal is dismissed.