



U.S. Citizenship  
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Services

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FILE: [REDACTED]  
LIN 07 088 52168

Office: NEBRASKA SERVICE CENTER

Date: MAY 28 2008

IN RE: Petitioner: [REDACTED]  
Beneficiary: [REDACTED]

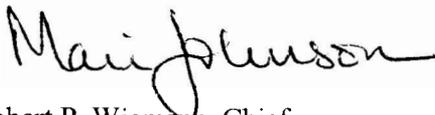
PETITION: Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to Section 203(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:

[REDACTED]

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.

  
Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The Director, Nebraska Service Center, denied the employment-based immigrant visa petition, which is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

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

On appeal, counsel submits a brief and additional evidence, some of which had been specifically requested by the director previously. Counsel acknowledges that the petitioner bears the burden of proof in this matter, but asserts that “translating every piece of document is impractical and unrealistic.” The regulation at 8 C.F.R. § 103.3(b)(3) provides: “*Any* document containing foreign language submitted to USCIS *shall* be accompanied by a full English language translation which the translator has certified.” (Emphasis added.) We recognize that there are some documents, such as articles or books *by* the petitioner that are submitted to establish their existence rather than to document the information contained in them, where translations would not necessarily be material to the adjudication of the petition. Any document submitted to establish the information provided in that document, however, such as awards, appointment certificates and articles purportedly “about” the alien, must be accompanied by complete certified translations. 8 C.F.R. § 103.3(b)(3); *see also* 8 C.F.R. § 204.5(h)(3)(iii). Counsel’s remaining assertions will be addressed below.

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

(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.

Citizenship and Immigration Services (CIS) and legacy Immigration and Naturalization Service (INS) have consistently recognized that Congress intended to set a very high standard for individuals seeking

















