The Petitioner, a computer consulting company, seeks to employ the Beneficiary as a mechanical engineer under the H-1B nonimmigrant classification. See Immigration and Nationality Act (the Act) section 101(a)(15)(H)(i)(b), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The H-1B program allows a U.S. employer to temporarily employ a qualified foreign worker in a position that requires both (a) the theoretical and practical application of a body of highly specialized knowledge and (b) the attainment of a bachelor’s or higher degree in the specific specialty (or its equivalent) as a minimum prerequisite for entry into the position.

The Director, Vermont Service Center, denied the petition. The Director concluded that the Petitioner had not demonstrated that the Beneficiary is qualified to perform services in a specialty occupation.

Upon de novo review, we will dismiss the appeal.

I. SPECIALTY OCCUPATION

We have reviewed the entire record of proceedings, and find that the Director’s decision to deny the petition did not adequately address another, more fundamental issue: whether the proffered position qualifies as a specialty occupation. U.S. Citizenship and Immigration Services (USCIS) is required to follow long-standing legal standards and determine first, whether the proffered position qualifies as a specialty occupation, and second, whether the Beneficiary was qualified for the position at the time the nonimmigrant visa petition was filed. Cf. Matter of Michael Hertz Assoc., 19 I&N Dec. 558, 560 (Comm’r 1988). (“The facts of a beneficiary’s background only come at issue after it is found that the position in which the petitioner intends to employ him falls within [a specialty occupation].”). In the instant case, the record of proceedings does not establish that the proffered position qualifies as a specialty occupation.
A. Legal Framework

Section 214(i)(l) of the Act, 8 U.S.C. § 1184(i)(l), defines the term “specialty occupation” as an occupation that requires:

(A) theoretical and practical application of a body of highly specialized knowledge, and

(B) attainment of a bachelor’s or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States.

The regulation at 8 C.F.R. § 214.2(h)(4)(ii) states, in pertinent part, the following:

Specialty occupation means an occupation which [(1)] requires theoretical and practical application of a body of highly specialized knowledge in fields of human endeavor including, but not limited to, architecture, engineering, mathematics, physical sciences, social sciences, medicine and health, education, business specialties, accounting, law, theology, and the arts, and which [(2)] requires the attainment of a bachelor’s degree or higher in a specific specialty, or its equivalent, as a minimum for entry into the occupation in the United States.

Pursuant to 8 C.F.R. § 214.2(h)(4)(iii)(A), to qualify as a specialty occupation, a proposed position must meet one of the following criteria:

1. A baccalaureate or higher degree or its equivalent is normally the minimum requirement for entry into the particular position;

2. The degree requirement is common to the industry in parallel positions among similar organizations or, in the alternative, an employer may show that its particular position is so complex or unique that it can be performed only by an individual with a degree;

3. The employer normally requires a degree or its equivalent for the position; or

4. The nature of the specific duties [is] so specialized and complex that knowledge required to perform the duties is usually associated with the attainment of a baccalaureate or higher degree.

8 C.F.R. § 214.2(h)(4)(iii)(A). USCIS has consistently interpreted the term “degree” in the criteria at 8 C.F.R. § 214.2(h)(4)(iii)(A) to mean not just any baccalaureate or higher degree, but one in a specific specialty that is directly related to the proposed position. See Royal Siam Corp. v. Chertoff, 484 F.3d 139, 147 (1st Cir. 2007) (describing “a degree requirement in a specific specialty” as “one that relates directly to the duties and responsibilities of a particular position”); Defensor v. Meissner, 201 F.3d 384, 387 (5th Cir. 2000).
The Petitioner claims to be a computer consulting company established in 2007. In a letter submitted in support of the petition, the Petitioner stated that it “seeks permission from the USCIS for [the Beneficiary] to work at their Computer Consulting Firm as a Mechanical Engineer.” According to the Petitioner, the duties of the proffered position include the following tasks:

- Plan and establish sequence of operations to fabricate and assemble parts or products and to promote efficient utilization.
- Review production schedules, engineering specifications, orders, and related information to obtain knowledge of manufacturing methods, procedures, and activities.
- Estimate production costs, cost saving methods, and the effects of product design changes on expenditures for management review, action, and control.
- Draft and design layout of equipment, materials, and workspace to illustrate maximum efficiency using drafting tools and computer.
- Coordinate and implement quality control objectives, activities, or procedures to resolve production problems, maximize product reliability, or minimize costs.
- Communicate with management and user personnel to develop production and design standards.
- Recommend methods for improving utilization of personnel, material, and utilities.
- Develop manufacturing methods, labor utilization standards, and cost analysis systems to promote efficient staff and facility utilization.
- Confer with clients, vendors, staff, and management personnel regarding purchases, product and production specifications, manufacturing capabilities, or project status.
- Apply statistical methods and perform mathematical analysis.

The Petitioner claims that the proffered position requires at least a bachelor’s degree, or the equivalent, in mechanical engineering or a related field.

In response to the Director’s request for evidence (RFE), the Petitioner provided a copy of a Professional Services Agreement it executed with [Redacted]. The agreement vaguely states the terms of the parties’ agreement, and includes a Purchase Order for the services of the Beneficiary. The Purchase Order, executed on March 25, 2015, indicates that the Beneficiary will serve as an “Electro-Mechanical Designer” for [Redacted] commencing on October 5, 2015, for a 24 month period. No additional documentation, such as an agreement between [Redacted] and [Redacted] was submitted.

B. Analysis

Upon review of the record in its totality and for the reasons set out below, we determine that the Petitioner has not demonstrated that it would employ the Beneficiary in a specialty occupation.
For H-1B approval, the Petitioner must demonstrate a legitimate need for an employee exists and substantiate that it has H-1B caliber work for the Beneficiary for the entire period of employment requested in the petition. It is incumbent upon the Petitioner to demonstrate it has sufficient work to require the services of a person with at least a bachelor’s degree in a specific specialty, or its equivalent, to perform duties at a level that requires the theoretical and practical application of at least a bachelor’s degree level of a body of highly specialized knowledge in a specific specialty for the period specified in the petition. Here, the Petitioner stated on the Form I-129 that it intends to employ the Beneficiary from October 1, 2015, to August 28, 2017.

Although the Petitioner asserted that the Beneficiary would be employed onsite at the Petitioner’s offices in a specialty occupation position, the evidence of the record does not sufficiently support the Petitioner’s assertion. The Petitioner claims to be a computer consulting company with no employees, and seeks to employ the Beneficiary as a mechanical engineer. In support of the petition, the Petitioner provided a vague summary of duties generally associated with mechanical engineering. Initially, the Petitioner made no reference to any contractual agreements with third-party clients, and provided no explanation regarding how and why a computer consulting company with no employees requires the services of a mechanical engineer.

The documentation submitted in response to the RFE is equally vague. The Petitioner relies on the professional services agreement with [redacted] as evidence of the availability of specialty occupation work. However, this agreement is generic and does not identify the type of professional services for which it is contracting, nor does it provide any information regarding project details or requirements. Although the Petitioner also submitted a purchase order, indicating that [redacted] requires the services of the Beneficiary as an “electro-mechanical designer,” no additional evidence, such as documentation establishing the claimed contractual path between the parties or an overview of client requirements and expectations of the Beneficiary, is submitted.

Moreover, while the record contains a copy of an employment agreement and appointment letter, these documents provided limited details regarding the nature of the Beneficiary’s proposed position and accompanying duties. For example, the employment agreement is a general contract that covers general employer-employee relations, and fails to specifically identify duties to be performed by the Beneficiary. In addition, the appointment letter, while identifying the Beneficiary’s position as that
of a mechanical engineer, merely provides general information regarding salary and benefits. Without evidence of contracts, work orders, or statements of work describing the duties the Beneficiary would perform and for whom, the Petitioner falls short from establishing that the duties that the Beneficiary would perform are those of a specialty occupation. Providing a generic job description that speculates what the Beneficiary may or may not do at a potential worksite is insufficient. A petitioner's unsupported statements are of very limited weight and normally will be insufficient to carry its burden of proof. See Matter of Soffici, 22 I&N Dec. 158, 165 (Comm'r 1998) (citing Matter of Treasure Craft of Cal., 14 I&N Dec. 190 (Reg'l Comm'r 1972)); see also Matter of Chawathe, 25 I&N Dec. 369, 376 (AAO 2010). The Petitioner must support its assertions with relevant, probative, and credible evidence. See Matter of Chawathe, 25 I&N Dec. at 376.

In addition to being unable to ascertain the nature and duties of the proffered position, we are also precluded from determining the nature of the Petitioner’s business operations and, therefore, whether a credible offer of employment actually exists. The record contains the Petitioner’s Form 1120-S, U.S. Income Tax Return for an S Corporation, for 2014, as well as the first page of its Form 1120-S for 2013. On Line B, which asks for the Petitioner’s business activity code number, the Petitioner lists 541511. According to the Internal Revenue Service’s Principal Business Activity Code list, this number corresponds to “Custom Computer Programming Services,” which is found under the heading of “Computer Systems Design and Related Services.”

Based on these documents, coupled with the additional evidentiary deficiencies discussed above, there is no evidence demonstrating that the Petitioner is engaged in the provision of engineering services, mechanical or otherwise. Additionally, we visited the Petitioner’s website, and note that the Petitioner claims that it “provides information technology specialists, on a temporary basis, to assist clients in handling excess or special work loads.” The website makes no reference to engineering services, and simply claims that its three main service areas are consulting, project outsourcing, and software development.

Simply put, the evidence of record provides no explanation as to why, as a computer consulting company, the Petitioner is seeking the services of a mechanical engineer. If USCIS finds reason to believe that a fact stated in the petition is not true, USCIS may reject that fact. See, e.g., section 204(b) of the Act, 8 U.S.C. § 1154(b); Anetekhai v. INS, 876 F.2d 1218, 1220 (5th Cir. 1989); Lu-Ann Bakery Shop, Inc. v. Nelson, 705 F. Supp. 7, 10 (D.D.C. 1988); Systronics Corp. v. INS, 153 F. Supp. 2d 7, 15 (D.D.C. 2001).

Without additional information and documentation establishing the project(s) secured for the Beneficiary, the nature of those projects, and a clear explanation as to why the Petitioner, a computer consulting company with no current employees, requires the services of a mechanical engineer for a nearly 2-year period, we are unable to discern the substantive nature of the position and whether the proffered position indeed qualifies as a specialty occupation.

Consequently, the evidence of record does not satisfy any criterion at 8 C.F.R. § 214.2(h)(4)(iii)(A), because it is the substantive nature of that work that determines: (1) the normal minimum educational requirement for the particular position, which is the focus of criterion 1; (2) industry positions which are parallel to the proffered position and thus appropriate for review for a common degree requirement, under the first alternate prong of criterion 2; (3) the level of complexity or uniqueness of the proffered position, which is the focus of the second alternate prong of criterion 2; (4) the factual justification for a petitioner normally requiring a degree or its equivalent, when that is an issue under criterion 3; and (5) the degree of specialization and complexity of the specific duties, which is the focus of criterion 4. As the Petitioner has not established that it satisfies any of the criteria at 8 C.F.R. § 214.2(h)(4)(iii)(A), the proffered position does not qualify as a specialty occupation.

II. BENEFICIARY’S QUALIFICATIONS

The Director found that the Beneficiary would not be qualified to perform the duties of the proffered position. However, as discussed above, a Beneficiary’s credentials to perform a particular job are relevant only when the job is found to be a specialty occupation. Technically, we do not need to examine the issue of the Beneficiary’s qualifications, because the Petitioner has not provided sufficient evidence to demonstrate that the proffered position is a specialty occupation.

As discussed in this decision, the Petitioner did not submit sufficient evidence regarding the proffered position to determine whether it will require a baccalaureate or higher degree in a specific specialty or its equivalent. Absent this determination that a baccalaureate or higher degree in a specific specialty or its equivalent is required to perform the duties of the proffered position, it also cannot be determined whether the Beneficiary possesses that degree or its equivalent. Therefore, while we need not address the Beneficiary’s qualifications further, we will briefly address the deficiencies in the evidence to demonstrate why the petition could not be approved even if eligibility for the benefit sought had been otherwise established.

A. Legal Framework

The statutory and regulatory framework that we must apply in our consideration of the evidence of the Beneficiary’s qualification to serve in a specialty occupation follows below.

Section 214(i)(2) of the Act, 8 U.S.C. § 1184(i)(2), states that an individual applying for classification as an H-1B nonimmigrant worker must possess:

(A) full state licensure to practice in the occupation, if such licensure is required to practice in the occupation,

(B) completion of the degree described in paragraph (1)(B) for the occupation, or
(C) (i) experience in the specialty equivalent to the completion of such degree, and
(ii) recognition of expertise in the specialty through progressively responsible positions relating to the specialty.

In implementing section 214(i)(2) of the Act, the regulation at 8 C.F.R. § 214.2(h)(4)(iii)(C) states that a beneficiary must also meet one of the following criteria in order to qualify to perform services in a specialty occupation:

(1) Hold a United States baccalaureate or higher degree required by the specialty occupation from an accredited college or university;

(2) Hold a foreign degree determined to be equivalent to a United States baccalaureate or higher degree required by the specialty occupation from an accredited college or university;

(3) Hold an unrestricted State license, registration or certification which authorizes him or her to fully practice the specialty occupation and be immediately engaged in that specialty in the state of intended employment; or

(4) Have education, specialized training, and/or progressively responsible experience that is equivalent to completion of a United States baccalaureate or higher degree in the specialty occupation, and have recognition of expertise in the specialty through progressively responsible positions directly related to the specialty.

Therefore, to qualify a beneficiary for classification as an H-1B nonimmigrant worker under the Act, the petitioner must establish that the beneficiary possesses the requisite degree or its foreign equivalent. Alternatively, if a beneficiary does not possess the required U.S. degree or its foreign degree equivalent, the petitioner must show that the beneficiary possesses both (1) education, specialized training, and/or progressively responsible experience in the specialty equivalent to the completion of such degree, and (2) recognition of expertise in the specialty through progressively responsible positions relating to the specialty.

In order to equate a beneficiary’s credentials to a U.S. baccalaureate or higher degree, the provisions at 8 C.F.R. § 214.2(h)(4)(iii)(D) require one or more of the following:

(1) An evaluation from an official who has authority to grant college-level credit for training and/or experience in the specialty at an accredited college or university which has a program for granting such credit based on an individual’s training and/or work experience;
(2) The results of recognized college-level equivalency examinations or special credit programs, such as the College Level Examination Program (CLEP), or Program on Noncollegiate Sponsored Instruction (PONSI);

(3) An evaluation of education by a reliable credentials evaluation service which specializes in evaluating foreign educational credentials;

(4) Evidence of certification or registration from a nationally-recognized professional association or society for the specialty that is known to grant certification or registration to persons in the occupational specialty who have achieved a certain level of competence in the specialty;

(5) A determination by the Service that the equivalent of the degree required by the specialty occupation has been acquired through a combination of education, specialized training, and/or work experience in areas related to the specialty and that the alien has achieved recognition of expertise in the specialty occupation as a result of such training and experience . . . .

In accordance with 8 C.F.R. § 214.2(h)(4)(iii)(D)(5):

For purposes of determining equivalency to a baccalaureate degree in the specialty, three years of specialized training and/or work experience must be demonstrated for each year of college-level training the alien lacks . . . . It must be clearly demonstrated that the alien’s training and/or work experience included the theoretical and practical application of specialized knowledge required by the specialty occupation; that the alien’s experience was gained while working with peers, supervisors, or subordinates who have a degree or its equivalent in the specialty occupation; and that the alien has recognition of expertise in the specialty evidenced by at least one type of documentation such as:

(i) Recognition of expertise in the specialty occupation by at least two recognized authorities in the same specialty occupation;

(ii) Membership in a recognized foreign or United States association or society in the specialty occupation;

4 The Petitioner should note that, in accordance with this provision, we will accept a credential evaluation service’s evaluation of education only, not training and/or work experience.

5 Recognized authority means a person or organization with expertise in a particular field, special skills or knowledge in that field, and the expertise to render the type of opinion requested. 8 C.F.R. § 214.2(h)(4)(ii). A recognized authority’s opinion must state: (1) the writer’s qualifications as an expert; (2) the writer’s experience giving such opinions, citing specific instances where past opinions have been accepted as authoritative and by whom; (3) how the conclusions were reached; and (4) the basis for the conclusions supported by copies or citations of any research material used. Id.
(iii) Published material by or about the alien in professional publications, trade journals, books, or major newspapers;

(iv) Licensure or registration to practice the specialty occupation in a foreign country; or

(v) Achievements which a recognized authority has determined to be significant contributions to the field of the specialty occupation.

It is always worth noting that, by its very terms, 8 C.F.R. § 214.2(h)(4)(iii)(D)(5) is a matter strictly for USCIS application and determination, and that, also by the clear terms of the rule, experience will merit a positive determination only to the extent that the record of proceedings establishes all of the qualifying elements at 8 C.F.R. § 214.2(h)(4)(iii)(D)(5), including, but not limited to, a type of recognition of expertise in the specialty occupation.

B. Analysis

As indicated above, the Petitioner claims to be a computer consulting company that seeks to employ the Beneficiary as a mechanical engineer. According to the Petitioner, the proffered position requires at least a bachelor’s degree in mechanical engineering or a related field, or its equivalent.

The evidence of record reflects that the Beneficiary possesses a foreign degree. In support of the petition, the Petitioner submitted a credentials evaluation from the [insert name] which stated that the Beneficiary has the equivalent to a U.S. bachelor’s degree in engineering technology based on a combination of his education and work experience. However, this evaluation is not acceptable because, in accordance with 8 C.F.R. § 214.2(h)(4)(iii)(D)(3), USCIS will accept a credential evaluation service’s evaluation of education only, not training and/or work experience.\(^6\)

On appeal, the Petitioner submits a new credentials evaluation from [insert name]. Like the previous evaluation, this evaluation is also unacceptable because the evaluator bases his conclusions on a combination of the Beneficiary’s education and work experience. As discussed above, this evaluation does not meet the requirements of 8 C.F.R. § 214.2(h)(4)(iii)(D)(3).\(^7\)

We also note significant discrepancies in the evaluation submitted by [insert name]. The five-page evaluation reaches two different conclusions regarding the U.S. equivalency of the Beneficiary’s experience. On page one of the evaluation, the evaluator concludes that the

\(^6\) In the decision denying the petition, the Director noted numerous discrepancies between the claims of the evaluator and the documentation submitted. While noted, we do not need to review these discrepancies further, as the evaluation will not be considered for the reasons set forth above.

\(^7\) We further note that neither the [insert name] nor the [insert name] evaluations indicate that the evaluators have authority to grant college-level credit for training and/or experience in the specialty at an accredited college or university, with a program for granting such credit, therefore precluding them from alternatively satisfying the requirements of 8 C.F.R. § 214.2(h)(4)(iii)(D)(1).
Beneficiary possesses the equivalent to a U.S. bachelor’s degree in mechanical engineering. On page four of the evaluation, however, the evaluator reaches a different conclusion, noting that the Beneficiary’s combined education and experience equates to a U.S. bachelor’s degree in industrial and maintenance engineering. “It is incumbent upon the petitioner to resolve the inconsistencies by independent objective evidence.” Matter of Ho, 19 I&N Dec. 582, 591 (BIA 1988). Any attempt to explain or reconcile such inconsistencies will not suffice unless the petitioner submits competent objective evidence pointing to where the truth lies. Id. at 591-92. Moreover, “[d]oubt cast on any aspect of the petitioner’s proof may, of course, lead to a reevaluation of the reliability and sufficiency of the remaining evidence offered in support of the visa petition.” Id. at 591.

Finally, we also determine that the record does not demonstrate that the Beneficiary’s combined education and work experience is the equivalent to a U.S. bachelor’s degree in a specific specialty. 8 C.F.R. § 214.2(h)(4)(iii)(D)(5).

First, the pertinent statute and regulation require the Petitioner to demonstrate that the Beneficiary has obtained “progressively responsible” positions and experience in or related to the specialty. Section 214(i)(2) of the Act; 8 C.F.R. § 214.2(h)(4)(iii)(C).

The Petitioner submitted a letter from only one of the Beneficiary’s two former employers. Without evidence regarding the Beneficiary’s employment for the other employer, we cannot adequately determine whether the Beneficiary’s positions and work experiences have been “progressively responsible.” Moreover, we note that the new resume on appeal deleted approximately 7 years of claimed work history, thereby rendering it more difficult to determine whether the Beneficiary has gained “progressively responsible” experience.

Even the employment letter submitted for the record is insufficiently detailed to demonstrate the “progressively responsible” nature of the Beneficiary’s position. The letter from does

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8 We note that, on appeal, the Petitioner submits a new resume for the Beneficiary that omits approximately 7 years from the Beneficiary’s claimed work history as initially claimed, and modifies the dates of his claimed employment for the remaining employers listed. It appears that this deletion and submission of a revised resume was in response to the Director’s request in the denial that the Petitioner submit evidence establishing that the Beneficiary was in fact authorized to work for the Petitioner during those years. The Petitioner states on appeal:

Please be advised that an Application for a Waiver of Ground of Inadmissibility due to material misrepresentation was submitted. And we have attached here the receipt number of that application. The application was submitted because we do not want the resume that was the bases [sic] of your decision to be figured in this appeal.

Based on this statement, it appears that the initial resume may have been fabricated to establish eligibility in this matter, and such a fabrication may render the Beneficiary inadmissible and/or subject to removal proceedings in the future. Nevertheless, such issues are not before us in this appeal. Regardless, the evidentiary weight placed on both resumes has been significantly diminished due to these numerous unresolved discrepancies as outlined above.
not contain sufficient information to “clearly” demonstrate that the Beneficiary meets the requirements imposed by 8 C.F.R. § 214.2(h)(4)(iii)(D)(5). The letter simply states that the Beneficiary “is employed by [redacted] as Field Specialist since October 6, 2003.” This letter provides no information regarding the Beneficiary’s job duties, their level of responsibility or difficulty, or the bodies of knowledge required in their performance, among other pertinent information. Moreover, it does not establish whether the Beneficiary’s work experience was gained while working with peers, supervisors, or subordinates who have a degree or its equivalent in the specialty occupation. Id.

Based on the limited evidence of record, we cannot find that the Beneficiary’s specialized training and/or work experience is equivalent to at least a U.S. bachelor’s degree in the specific specialty.

Finally, 8 C.F.R. § 214.2(h)(4)(iii)(D)(5) imposes a separate requirement to demonstrate that the Beneficiary “has recognition of expertise in the specialty evidenced by at least one type of documentation” listed therein. The Petitioner has not met this additional requirement, either.

Documentation to satisfy this prong of the regulation can include “[r]ecognition of expertise in the specialty occupation by at least two recognized authorities in the same specialty occupation.” 8 C.F.R. § 214.2(h)(4)(iii)(D)(5)(i). The Petitioner submits no evidence to meet this requirement.

For the reasons outlined above, the record does not sufficiently demonstrate that the Beneficiary would be qualified to perform the duties of a specialty occupation had eligibility otherwise been determined.

III. U.S. EMPLOYER

Finally, beyond the Director’s decision, the petition also cannot be approved because the Petitioner has not demonstrated that it qualifies as a United States employer. As detailed above, the record of proceedings lacks sufficient documentation evidencing what exactly the Beneficiary would do for the period of time requested or where exactly and for whom the Beneficiary would be providing services. Although the Petitioner submits a copy of a sample performance appraisal, this document has little evidentiary value given that the Petitioner has no current employees who could conduct such an appraisal. Given this specific lack of evidence, the Petitioner has not corroborated who has or will have actual control over the Beneficiary’s work or duties, or the condition and scope of the Beneficiary’s services. In other words, the Petitioner has not established whether it has made a bona fide offer of employment to the Beneficiary based on the evidence of record or that the Petitioner, or any other company which it may represent, will have and maintain the requisite employer-employee relationship with the Beneficiary for the duration of the requested employment period. See 8 C.F.R. § 214.2(h)(4)(ii) (defining the term “United States employer” and requiring the Petitioner to engage the Beneficiary to work such that it will have and maintain an employer-employee relationship with

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9 The Petitioner does not claim, and the record does not demonstrate, that the Beneficiary satisfies the criteria at 8 C.F.R. § 214.2(h)(4)(iii)(D)(5)(ii)-(v).
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respect to the sponsored H-1B nonimmigrant worker). Again and as previously discussed, there is insufficient evidence detailing where the Beneficiary will work, the specific projects to be performed by the Beneficiary, or for which company the Beneficiary will ultimately perform these services. Therefore, the petition cannot be approved for this additional reason.

IV. CONCLUSION

In visa petition proceedings, it is the Petitioner’s burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361. Here, that burden has not been met.

ORDER: The appeal is dismissed.

Cite as Matter of I-N-G-, Inc., ID# 182528 (AAO Jan. 30, 2017)

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10 We also note the Director’s comments regarding the inability to determine that the Petitioner operates from its claimed business address. The submission on appeal of copies of a rent invoice and payment are noted and suggest that the Petitioner does in fact lease the claimed premises. However, given the number of discrepancies contained in the record, this evidence is deemed questionable. Moreover, the invoice indicates that the Petitioner’s monthly rent payment for office space is $100 per month, which does not seem credible. “Doubt cast on any aspect of the petitioner’s proof may, of course, lead to a reevaluation of the reliability and sufficiency of the remaining evidence offered in support of the visa petition.” Matter of Ho, 19 I&N Dec. at 591.