

December 17, 2018

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
California Service Center
Laguna Niguel, CA 92607-0590



U.S. Citizenship
and Immigration
Services



Form I-129, Petition for a Nonimmigrant Worker

REQUEST FOR EVIDENCE

IMPORTANT: THIS NOTICE CONTAINS YOUR UNIQUE NUMBER. THE ORIGINAL NOTICE MUST BE SUBMITTED WITH THE REQUESTED

You are receiving this notice because U.S. Citizenship and Immigration Services (USCIS) requires additional evidence to process your form. Please provide the evidence requested below. Include duplicate copies if you are requesting consular notification.

Your response must be received in this office by March 14, 2019.

Please note that you have been allotted the maximum period allowed for responding to a Request for Evidence (RFE). The time period for responding cannot be extended. Title 8, Code of Federal Regulations (8 CFR) § 103.2(b)(8)(iv). Because many immigration benefits are time sensitive, you are encouraged to respond to this request as early as possible, but no later than the deadline provided above. If you do not respond to this notice within the allotted time, your case may be denied. The regulations do not provide for an extension of time to submit the requested evidence.

You must submit all requested evidence at the same time. If you submit only some of the requested evidence, USCIS will consider your response a request for a decision on the record. 8 CFR § 103.2(b)(11).

If you submit a document in any language other than English, the document must be accompanied by a full and **complete** English translation. The translator must certify that the translation is accurate and he or she is competent to translate from that language to English. **If you submit a foreign language translation in response to this request for evidence, you must also include a copy of the foreign language document.**

Processing of your Form I-129 will resume upon receipt of your response. If you have not heard from USCIS within **60 days of responding**, you may contact the USCIS Contact Center at **1-800-375-5283**. If you are hearing impaired, please call the USCIS Contact Center TDD at **1-800-767-1833**.

On April 12, 2018, your organization, _____, filed a
Petition for a Nonimmigrant Worker (Form I-129), with U.S. Citizenship and Immigration Services

(USCIS), seeking to classify (beneficiary) as a temporary worker in a specialty occupation (H-1B) under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (INA).

A specialty occupation is one that requires the theoretical and practical application of a body of highly specialized knowledge and that requires the attainment of a bachelor's or higher degree in a specific specialty, or its equivalent, as a minimum, for entry into the occupation in the United States.

You seek new employment for the beneficiary and requested that USCIS notify the consulate.

You stated on the Form I-129 that you are an Accounting DFirm with eight employees. You seek to employ the beneficiary as an Accountant from October 1, 2018 to August 30, 2021.

To process your petition and determine whether your organization and the beneficiary are eligible, additional information is required. This request provides suggested evidence that you may submit to satisfy each requested item. You may:

- Submit one, some, or all of these items;
- Submit none of the suggested items and instead submit other evidence to satisfy the request;
- Explain how the evidence in the record already establishes eligibility; or
- Request a decision based on the record.

Please note that you are responsible for providing evidence showing that your organization and the beneficiary meet all requirements and are eligible for the requested benefit at the time you filed the Form I-129. Also, note that statements made in cover letters should be supported with additional documentary evidence.

Employer-Employee Relationship

As an employer who seeks to sponsor a temporary worker in an H-1B specialty occupation, you must establish that, among other things:

- The beneficiary will be employed in a specialty occupation. This means that the employer has specific and non-speculative qualifying assignments in a specialty occupation for the beneficiary for the entire time requested in the petition; and
- The employer will maintain an employer-employee relationship with the beneficiary by having the right to control the beneficiary's work, which may include the ability to hire, fire, or supervise the beneficiary, for the duration of the requested validity period.

Also, you should be able to establish that the above elements will continue to exist throughout the duration of the requested H-1B validity period.

USCIS must determine if you satisfy all of the above elements through evidence that describes (with no one factor being decisive or exhaustive):

- the skill required to perform the specialty occupation;
- the source of the instrumentalities and tools required to perform the specialty occupation;
- the location of the work;
- the duration of the relationship between you and the beneficiary;
- whether you have the right to assign additional work to the beneficiary;
- the extent of the beneficiary's discretion over when and how long to work;
- the method of payment of the beneficiary's salary;

- the beneficiary's role in hiring and paying assistants;
- whether the specialty occupation work is part of your regular business;
- whether you are in business;
- the provision of employee benefits;
- the tax treatment of the beneficiary;
- whether you can hire or fire the beneficiary or set rules and regulations on the beneficiary's work;
- whether, and if so, to what extent you supervise the beneficiary's work; and/or
- whether the beneficiary reports to someone higher in your organization.

To satisfy these requirements, you submitted:

- Copy of the position description;
- A copy of your tax records.

The following item(s) explain why the submitted evidence is deficient and requests additional evidence to render a final decision.

In-House Employment: You indicated that the beneficiary will work at your own location. You must demonstrate that you have sufficient specialty occupation work that is immediately available at your location through the entire requested H-1B validity period.

The evidence you submitted is insufficient. Although you submitted tax records from 2016 and your Tax Franchise Status, it is insufficient. You have provided no evidence of available work for you beneficiary in the eight member organization for the duration of the requested validity period.

You may submit additional evidence to satisfy this requirement. Evidence may include, but is not limited to:

- A copy of signed Employment Agreement between you and beneficiary detailing the terms and conditions of employment.
- A copy of an employment offer letter that describes the nature of the employer-employee relationship and the services to be performed by the beneficiary.
- A copy of relevant portions of valid contracts, statements of work, work orders, service agreements, and letters between you and the authorized officials of the ultimate end-client companies to whom the end product or services worked on by the beneficiary will be delivered.
- A copy of a position description or any other documentation that describes the skills required to perform the job offered, the tools needed to perform the job, the product to be developed or the service to be provided, the method of payment, whether the work to be performed is part of your regular business, the provision of employee benefits, and the tax treatment of the beneficiary by you.
- Copies of your most recently filed federal income tax return including all required schedules and statements.
- Copies of company brochures, pamphlets, website, or any other printed work published by you that outlines, in detail, the products or services provided by your company.
- Evidence of actual work assignments, which may include technical documentation, milestone tables, marketing analysis, cost-benefit analysis, brochures, and funding documents.
- Evidence of sufficient production space and equipment to support the beneficiary's specialty occupation work.

Specialty Occupation

You must establish that the beneficiary's proffered position is a specialty occupation. A specialty occupation is one that requires the theoretical and practical application of a body of highly specialized knowledge and that 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.

To satisfy this requirement, you submitted:

- Description of the beneficiary's duties;
- A certified Labor Condition Application (LCA);
- Information about your organization's products or services;
- Description of the position from the U.S. Department of Labor's *Occupational Outlook Handbook* or O*NET Online; and
- An analysis of the position.

Specific Duties of the Offered Position and Nature of Business Operations

USCIS does not use the job title, by itself, when determining whether a particular position qualifies as a specialty occupation. The specific duties of the offered position, combined with the nature of the petitioning entity's business operations, are factors that USCIS considers.

Further, the LCA you submitted certified that the position was a "Wage Level I" position. Such "Wage Level I" certification does not show that the position is more complex or specialized than similar positions within the occupation. According to U.S. Department of Labor (DOL) guidelines on wage determinations, a level one wage is used for the following:

Level I (entry) wage rates are assigned to job offers for beginning level employees who have only a basic understanding of the occupation. These employees perform routine tasks that require limited, if any, exercise of judgment. The tasks provide experience and familiarization with the employer's methods, practices, and programs. The employees may perform higher level work for training and developmental purposes. These employees work under close supervision and receive specific instructions on required tasks and results expected. Their work is closely monitored and reviewed for accuracy. Statements that the job offer is for a research fellow, a worker in training, or an internship are indicators that a Level I wage should be considered.

The record indicates that you certified to DOL that you were seeking to fill an entry level position, one that has "only a basic understanding of the occupation...performs routine tasks that require limited, if any, exercise of judgment" and pay the person the prevailing wage for an entry level employee. Thus, the LCA does not show that the proffered position is more complex or unique than only an individual with a bachelor's degree or higher in a specific specialty can perform them.

Moreover, the duties as described do not establish the depth, complexity, level of specialization, or substantive aspects of the duties for which the beneficiary would be responsible. You described the duties of the proffered position in relatively generalized and abstract terms that do not relate substantial details about either the position or its constituent duties. For example, the duties do not provide details regarding the beneficiary's specific role in the duties to be "review clients' income and expense information and prepare balance sheets and income statements" and "Inspect the clients; accounting records and identify and errors in order to prepare accurate financial statements and tax returns." You did not further elaborate on the specific tasks, methodologies and applications of knowledge that would be required in furtherance of these overarching duties. Terms such as "Inspect," and "review" provide little insight into the beneficiary's specific role within these tasks.

Lastly, you state the beneficiary "possesses the qualifications to perform the above-mentioned duties by virtue of his specialized academic background." But the beneficiary has an associate's degree, according to you. Without a detailed job description, the record lacks evidence sufficiently concrete and informative to demonstrate that the proffered position requires a specialty occupation's level of knowledge in a specific specialty.

You have not shown that the position offered to the beneficiary is a specialty occupation. You may submit additional evidence to satisfy this requirement. Evidence may include, but is not limited to:

- A detailed statement to:
 - explain the beneficiary's proposed duties and responsibilities;
 - indicate the percentage of time devoted to each duty; and
 - state the educational requirements for these duties.
- If you claim that the proffered position is not entry level, but is a more specialized or complex position that normally requires the attainment of a bachelor's degree or higher in a specific specialty or its equivalent as a minimum requirement, submit evidence to demonstrate that the record contains a Labor Condition Application (LCA) that corresponds to the proffered position. Please submit a new LCA that was certified prior to filing, with a different wage designation and/or job code and title, that corresponds to the proffered position. If you submit a new LCA, also provide an explanation for the change. Note that eligibility for H-1B employment must be established as of the Form I-129 filing date. Therefore, the LCA must have been certified prior to the Form I-129 filing date.
- A copy of a line-and-block organizational chart showing your hierarchy and staffing levels. The organizational chart should:
 - list all divisions in the organization;
 - identify the proffered position in the chart;
 - show the names and job titles for those persons, if any, whose work will come under the control of the proposed position; and
 - indicate who will direct the beneficiary, by name and job title.
- Job postings or advertisements showing a degree requirement is common to the industry in parallel positions among similar organizations.
- Letters from an industry-related professional association indicating that they have made a bachelor's degree or higher in a specific specialty a requirement for entry into the field.
- Copies of letter or affidavits from firms or individuals in the industry that attest that similar organizations routinely employ and recruit only degreed individuals in a specific specialty. Any letter or affidavit should be supported by the following:
 - The writer's qualifications as an expert;
 - How the conclusions were reached; and
 - The basis for the conclusions supported by copies or citations of any materials used.
- Copies of your present and past job postings or announcements for the proffered position showing that you require applicants to have a minimum of a bachelor's or higher degree in a specific specialty or its equivalent.
- Documentary evidence of your past employment practices for the position, including:
 - Copies of employment or pay records; and
 - Copies of degrees or transcripts to verify the level of education of each individual and the field of study for which the degree was earned.
- An explanation of what differentiates your products and services from other employers in the

same industry and why a bachelor's level of education in a specific field of study is a prerequisite for entry into the proffered position. Be specific and provide documentation to support any explanation of complexity.

- Copies of documentary examples of work product created by current or prior employees in similar positions, such as:

- Reports;
- Presentations;
- Evaluations;
- Designs; or
- Blueprints.

- Additional information about your organization, such as:

- Press releases;
- Business plans;
- Promotional materials;
- Advertisements;
- Patents; or
- Articles.

- Any evidence you believe will establish that the position qualifies as a specialty occupation.

Qualifying Criteria

To qualify as a specialty occupation, the position must meet at least one of the following criteria.

USCIS will discuss each of the qualifying criteria for specialty occupation below. With your response, identify which of the specialty occupation qualifying criteria you believe has been satisfied. If you believe the offered position satisfies multiple criteria, identify the evidence that you believe satisfies each criterion.

1. Degree is Normally Minimum Requirement

You may establish eligibility by showing that a bachelor's degree or higher in a specific specialty, or its equivalent, is normally the minimum requirement for entry into the particular position.

The evidence you submitted is insufficient to establish eligibility under this criterion.

The OOH describes the duties of an accountant and auditor, in part, as follows:

Accountants and auditors prepare and examine financial records. They ensure that financial records are accurate and that taxes are paid properly and on time. Accountants and auditors assess financial operations and work to help ensure that organizations run efficiently.

Duties:

Accountant and auditors typically do the following:

- Examine financial statements to ensure that they are accurate and comply with laws and regulations
- Compute taxes owed, prepare tax returns, and ensure that taxes are paid properly and on time

- Inspect account books and accounting systems for efficiency and use of accepted accounting procedures
- Organize and maintain financial records
- Assess financial operations and make best-practices recommendations to management
- Suggest ways to reduce costs, enhance revenues, and improve profits

In addition to examining and preparing financial documentation, accountants and auditors must explain their findings. This includes preparing written reports and meeting face-to-face with organization managers and individual clients.

Many accountants and auditors specialize, depending on the particular organization that they work for. Some work for organizations that specialize in assurance services (improving the quality or context of information for decision makers) or risk management (determining the probability of a misstatement on financial documentation). Other organizations specialize in specific industries, such as healthcare.

The OOH describes the training and other qualifications required for an accountant and auditor, in part, as follows:

Most accountants and auditors need at least a bachelor's degree in accounting or a related field. Certification, including the Certified Public Accountant (CPA) credential, can improve job prospects.

Education:

Most accountant and auditor positions require at least a bachelor's degree in accounting or a related field. Some employers prefer to hire applicants who have a master's degree, either in accounting or in business administration with a concentration in accounting.

While the OOH indicates that most accountant and auditors need to obtain a degree, you have not established you have work with specialty occupation work with specialty occupation duties for the beneficiary, as previously mentioned. Accordingly, the position you offered to the beneficiary does not meet this criterion.

It's important to note that information from the OOH or the O*NET does not by itself establish a particular an accountant and auditor position as a specialty occupation under the criterion at 8 C.F.R. 4.2(h)(4)(iii)(A)(1). Rather, you are required to establish through sufficient documentary evidence that the proffered position requires a baccalaureate or higher degree or its equivalent, at a minimum, in a specific specialty for entry into the occupation.

As such, you have not sufficiently established that a bachelor's degree or higher in a specific specialty, or its equivalent, is normally the minimum requirement for entry into the particular position. You may still submit evidence to establish eligibility under this criterion. Evidence may include, but is not limited to:

- Relevant documentation from an authoritative career resource which list the duties, work environment, education, training, skills, and other qualification requirements for the occupation. Include a statement describing how the particular position relates to the occupation listed in the career guide and how the information in the career guide demonstrates that a bachelor's or higher degree in a specific specialty or its equivalent is normally the minimum requirement for the particular position.

- Any evidence you believe will establish that a bachelor's or higher degree or its equivalent is normally the minimum requirement for entry into the particular position

2.a. Degree Common to the Industry

You may establish eligibility by showing that the degree requirement of a bachelor's degree or higher in a specific specialty, or its equivalent, is common to the industry in parallel positions among similar organizations.

You did not submit any evidence for this criterion. Thus, you have not established eligibility under this criterion.

You may still submit evidence to establish eligibility under this criterion. Evidence may include, but is not limited to:

- Job postings or advertisements showing a degree requirement of a bachelor's degree or higher in a specific specialty, or its equivalent, is common to the industry in parallel positions among similar organizations. Any job postings or advertisements should be supported by documentation of the following:
 - The date and source of the job posting or announcement;
 - A detailed description of the duties of the position and the educational, training, and experience requirements of the position;
 - The company or firm offering the position in these job postings or announcements is within your industry and is similar to your organization; and
 - The job postings or advertisements represent the industry standards for the position.
- Letters from an industry-related professional association indicating that similar organizations routinely employ and recruit only individuals with a bachelor's degree or higher in a specific specialty, or its equivalent for parallel positions.
- Copies of letters or affidavits from firms or individuals in the industry attesting that similar organizations routinely employ and recruit only individuals with a bachelor's degree or higher in a specific specialty, or its equivalent for parallel positions. Any letter or affidavit should be supported by documentation of the following:
 - The writer's qualifications as an expert;
 - How the writer's conclusions were reached; and
 - The basis for the writer's conclusions, supported by copies or citations of any materials used.

2.b. Position So Complex or Unique

You may establish eligibility by showing that the particular position is so complex or unique that it can be performed only by an individual with a bachelor's degree or higher in a specific specialty, or its equivalent.

The position description you provided does not show that the particular position is so complex or unique that the position requires a bachelor's degree or higher or its equivalent in a specific specialty. Thus, you have not established eligibility under this criterion.

You may still submit evidence to establish eligibility under this criterion. Evidence may include, but is not limited to:

- Letters from an industry-related professional association indicating that the particular position is so complex or unique that it can be performed only by an individual with a bachelor's degree

or higher in a specific specialty, or its equivalent.

- Copies of letters or affidavits from firms or individuals in the industry attesting that the particular position is so complex or unique that it can be performed only by an individual with a bachelor's degree or higher in a specific specialty, or its equivalent. Any letter or affidavit should be supported by documentation of the following:
 - The writer's qualifications as an expert;
 - The writer's knowledge of your business;
 - How the writer's conclusions were reached; and
 - The basis for the writer's conclusions, supported by copies or citations of any materials used.
- Copies of trade publications or other articles within your industry which demonstrate and highlight the specific complex or unique functions of the particular position, which can only be performed only by an individual with a bachelor's degree or higher in a specific specialty, or its equivalent.

3. Employer Normally Requires Degree or its Equivalent

You may establish eligibility by showing that you normally require a bachelor's degree or higher in a specific specialty, or its equivalent, for the position.

You did not submit any evidence for this criterion. Thus, you have not established eligibility under this criterion.

You may still submit evidence to establish eligibility under this criterion. Evidence may include, but is not limited to:

- An organizational chart showing your hierarchy and staffing levels with corresponding educational and experience requirements for the positions. The educational requirements should include the field of study (e.g. computer science) in addition to the educational level (e.g. bachelor's degree).
- Copies of present and past job postings or announcements for the proffered position showing that you require or, if the beneficiary will perform services for an end-client, the end-client requires applicants to have a minimum of a bachelor's or higher degree in a specific specialty or its equivalent.
- Documentary evidence of your past employment practices for the position, including:
 - Documentation which lists the number of employees hired in the most recent two years for the position;
 - Copies of employment or pay records identifying past and present employees in this position;
 - Copies of degrees and/or transcripts to verify the level of education and field of study of each individual hired for this position in the last two years. Additionally, provide evidence to establish the duties that the individuals performed, such as official position descriptions, job offer letters, job postings, or performance reviews; and
 - An organizational chart or diagram, showing your organizational structure and staffing levels.
- Documentation which lists the educational, experience, training, and skills requirements of the offered position, such as official position descriptions, job offer letters, or job postings.

4. Nature of Specific Duties So Specialized and Complex

You may establish eligibility by demonstrating that the nature of the specific duties of the offered position are so specialized and complex that the knowledge required to perform these duties is usually

associated with the attainment of a bachelor's degree or higher in a specific specialty, or its equivalent.

Here, you have not shown that the duties of the position are so specialized and complex that the knowledge required to perform these duties is usually associated with the attainment of a bachelor's degree or higher in a specific specialty, or its equivalent. Thus, you have not established eligibility under this criterion.

You may still submit evidence to establish eligibility under this criterion. Evidence may include, but is not limited to:

- An explanation of the specific duties, as they relate to your products and services, and how the nature of those duties of the offered position are so specialized and complex, that they are usually associated with the attainment of a bachelor's degree or higher in a specific field of study; provide an explanation of what differentiates your products and services from other employers in the same industry. Be specific and provide documentation to support any explanation of specialization and complexity.
- Copies of letters or affidavits from firms, individuals, professional associations, or customers attesting that the nature of your products and services are so specialized and complex that a bachelor's level of education, or higher, in a specific field of study is a prerequisite for entry into the offered position. Any letter or affidavit should be supported by documentation of the following:
 - The writer's qualifications as an expert;
 - How the writer's conclusions were reached; and
 - The basis for the writer's conclusions, supported by copies or citations of any materials used.
- Copies of trade publications or other articles about your company that highlights the nature of your products and services and demonstrates that the specific duties of the offered position are so specialized and complex that a bachelor's level of education, or higher, in a specific field of study is a prerequisite for entry into the position.

Completion of a Bachelor's or Higher Degree in a Specific Specialty

To qualify to perform services in a specialty occupation, the beneficiary must meet at least one of the following criteria:

1. Hold a United States bachelor's 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 bachelor's 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 bachelor's or higher degree in the specialty occupation, and have recognition of expertise in the specialty through progressively responsible positions directly related to the specialty.

USCIS interprets the term degree to mean not just any degree, but a degree in a field of study that is related to the position. Accordingly, you must show that the beneficiary has obtained a bachelor's or higher degree or its equivalent that is required by the specialty occupation.

You did not submit any evidence for this requirement. Therefore, you have not established that the

beneficiary has obtained a bachelor's or higher degree or its equivalent required by the specialty occupation.

You may submit additional evidence to satisfy this requirement. Evidence may include, but is not limited to, a combination of the following or similar types of evidence:

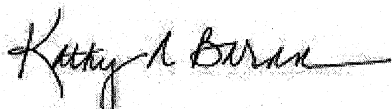
- Copies of the beneficiary's foreign and/or U.S. college degree(s).
- Copies of the beneficiary's college or university transcripts, which include all courses taken toward the degree. The transcripts should be signed and dated by the person in charge of the records.
- Documents to show that the beneficiary's knowledge and education are directly related to and required by the position.
- Documents to show the beneficiary completed the requirements to obtain a U.S. bachelor's degree or higher from an accredited college or university at the time of filing.
- Documents to show the beneficiary obtained a bachelor's degree or higher or its equivalent in the specific specialty required by the position.
- Evidence that the beneficiary possesses any required state license, registration or certification to practice the specialty occupation and be immediately engaged in that specialty in the state of intended employment.
- An advisory evaluation of the beneficiary's foreign educational credentials by a credentials evaluation service that specializes in evaluating foreign educational credentials. This evaluation should:
 - Address the beneficiary's educational achievements as to equivalent education in the United States including the field of study;
 - Consider formal post-secondary education only and not training or experience;
 - Provide a detailed description of the material evaluated rather than conclusions;
 - Provide a brief description of the qualifications and experience of the evaluator;
 - Include all the documentation provided by the beneficiary for the evaluation; and
 - Cite any reference material used by the evaluator.
- An evaluation from an official who has authority to grant college-level credit for training and/or experience in the specialty. The evaluation from an official:
 - Must be accompanied by evidence to establish that the college or university is accredited and that it has a program for granting college-level credit based on training and/or experience. Stating in a letter that the school has such a program may not be sufficient. Also, training or experience derived from internship programs may not satisfy this requirement unless you establish that the experience or training claimed was gained through enrollment in the particular college or university's internship program; and
 - Should be on behalf of the college or university where he or she is employed. The evaluation should describe the material evaluated and establish that the areas of training and/or experience are related to the specialty. The evaluation should be accompanied by evidence that the particular official is authorized to grant college-level credit on behalf of their institution and holds a bachelor's or higher degree in the field of study or a closely related field the official is evaluating. The evaluation should also be accompanied by evidence of the number of credits the evaluator may grant for training and/or experience as part of the program.
- 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 (PONSIS).
- Evidence of certification or registration for the beneficiary 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.
- Documentary evidence showing years of specialized training, and/or progressively responsible work experience in the field related to the specialty.
 - Copies of affidavits or letters from present or former employers.
 - Copies of personnel records.
 - Copies of any other documents that reflect promotion or achievement of progressively responsible positions directly related to the specialty that demonstrate that the beneficiary's training and/or work experience included:
 - The theoretical and practical application of specialized knowledge required by the specialty occupation;
 - That the beneficiary'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 experience was progressively responsible.
 - If you are claiming that the beneficiary has education, specialized training, and/or progressively responsible experience that is equivalent to completion of a United States bachelor's or higher degree in the specialty occupation; you must also show that the beneficiary has recognition of expertise in the specialty, through progressively responsible positions directly related to the specialty. Evidence of recognition of expertise should consist of at least one of the following types of evidence:
 - Recognition of expertise in the specialty occupation by at least two recognized authorities in the same specialty occupation;
 - Membership in a recognized foreign or United States association or society in the specialty occupation;
 - Published material by or about the beneficiary in professional publications, trade journals, books, or major newspapers;
 - Licensure or registration to practice the specialty occupation in a foreign country; or
 - Achievements that a recognized authority has determined to be significant contributions to the field of the specialty occupation.

A recognized authority means a person or an organization with expertise in a particular field, and the expertise to render the type of opinion requested. Such opinion must state: the writer's qualifications as an expert; the writer's experience giving such opinions; how the conclusions were reached; and the basis for the conclusions supported by copies or citations of any research material used.

PLEASE RETURN THE REQUESTED INFORMATION AND ALL SUPPORTING DOCUMENTS
WITH THIS ORIGINAL REQUEST ON TOP TO:
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
P.O. BOX 10590
LAGUNA NIGUEL, CA. 92607-0590

Sincerely,



Kathy A. Baran
Director, California Service Center
Officer: XB0502