



October 2, 2024

PA-2024-24

## Policy Alert

SUBJECT: Extraordinary Ability Criteria Clarification

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to further clarify how USCIS evaluates evidence to determine eligibility for immigrant classification as a person of extraordinary ability.<sup>1</sup>

### Background

Persons with extraordinary ability in the sciences, arts, education, business, or athletics can self-petition for first preference immigrant visa classification (E11) without a job offer or certification from the U.S. Department of Labor. A petitioner establishes eligibility for this classification by satisfying at least three of the regulatory criteria with evidence that, when considered in its totality, demonstrates the necessary acclaim.

In response to recent feedback USCIS received after publishing updated guidance on this classification on September 12, 2023,<sup>2</sup> this policy update provides additional guidance regarding the evaluation of evidence submitted in support of an E11 extraordinary ability petition.

This guidance, contained in Volume 6 of the Policy Manual, is effective immediately. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance on the topic.

### Policy Highlights

- Confirms that USCIS considers a person's receipt of team awards under the criterion for lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor.
- Clarifies that USCIS considers past memberships under the membership criterion.

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<sup>1</sup> See [INA 203\(b\)\(1\)\(A\)](#). See [8 CFR 204.5\(h\)](#).

<sup>2</sup> See [Evaluating Eligibility for Extraordinary Ability and Outstanding Professor or Researcher Visa Classifications](#), PA-2023-26, issued September 12, 2023.

- Removes language suggesting published material must demonstrate the value of the person’s work and contributions in order to satisfy the published material criterion, as such requirements are outside the plain regulatory language of the criterion.
- Explains that while the dictionary defines an “exhibition” as a public showing not limited to art, the regulation expressly modifies that term with “artistic,” such that USCIS will only consider non-artistic exhibitions as part of a properly supported claim of comparable evidence.

### **Summary of Changes**

Affected Section: Volume 6 > Part F > Chapter 2 > Section B > Subsection 1, Initial Evidence of Extraordinary Ability

- Revises the first paragraphs of the Criterion 1 and Criterion 2 tables, revises the third paragraph in the Criterion 3 table, and adds a paragraph to the end of the Criterion 7 table.

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

### **Citation**

Volume 6: Immigrants, Part F, Employment-Based Classifications, Chapter 2, Extraordinary Ability [[6 USCIS-PM F.2](#)].