U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40989080

Date: FEB. 11, 2026

Appeal of Service Center Operations (SCOPS) Decision

Form I-140, Immigrant Petition for Alien Workers (Extraordinary Ability)

The Petitioner, a postdoctoral research scientist in the pharmaceutical sciences field, seeks classification as an alien of extraordinary ability. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

Service Center Operations (SCOPS) denied the petition, concluding that although the Petitioner satisfied three initial evidentiary criteria for this classification, he did not show, as required, his sustained national or international acclaim and demonstrate that he is among the small percentage at the very top of the field of endeavor. The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3.

The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

I. LAW

Section 203(b)(1)(A) of the Act makes visas available to immigrants with extraordinary ability 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 will substantially benefit prospectively the United States.

The term "extraordinary ability" refers only to those individuals in "that small percentage who have risen to the very top of the field of endeavor." 8 C.F.R. § 204.5(h)(2). The implementing regulation at 8 C.F.R. § 204.5(h)(3) sets forth a multi-part analysis. First, a petitioner can demonstrate sustained acclaim and the recognition of achievements in the field through a one-time achievement (that is, a major, internationally recognized award) or qualifying documentation that meets at least three of the ten categories listed at 8 C.F.R. § 204.5(h)(3)(i) – (x) (including items such as awards, published material in certain media, and scholarly articles).

Where a petitioner meets these initial evidence requirements, we then consider the totality of the material provided in a final merits determination and assess whether the record shows sustained national or international acclaim and demonstrates that the individual is among the small percentage at the very top of the field of endeavor. *See Kazarian v. USCIS*, 596 F.3d 1115 (9th Cir. 2010) (discussing a two-part review where the documentation is first counted and then, if fulfilling the required number of criteria, considered in the context of a final merits determination); *see also Amin v. Mayorkas*, 24 F.4th 383 (5th Cir. 2022); *Visinscaia v. Beers*, 4 F. Supp. 3d 126, 131-32 (D.D.C. 2013); *Rijal v. USCIS*, 772 F. Supp. 2d 1339 (W.D. Wash. 2011).

II. ANALYSIS

A. Evidentiary Criteria

Because the Petitioner has not claimed or established his receipt of a major internationally recognized award, he must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i)-(x). The Petitioner claimed to have satisfied three of these criteria and SCOPS determined he met all three, relating to judging the work of others in his field, original contributions of major significance, and authorship of scholarly articles in professional publications. *See* 8 C.F.R. § 204.5(h)(3)(iv)-(vi). Therefore, SCOPS proceeded to a final merits determination.

B. Final Merits Determination

Given the structure of the regulations and the two-step analysis described in *Kazarian*, the satisfaction of three evidentiary criteria alone does not automatically or presumptively establish eligibility. In a final merits determination, we evaluate whether a petitioner has demonstrated, by a preponderance of the evidence, their sustained national or international acclaim,[1] that they are among the small percentage at the very top of his field of endeavor, and that their achievements have been recognized in the field through extensive documentation. Therefore, we analyze an individual's accomplishments and weigh the totality of the evidence to determine if their successes are sufficient to demonstrate extraordinary ability in the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3); *see also Kazarian*, 596 F.3d at 1119-20.[2]

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[1] *See generally* 6 *USCIS Policy Manual* F.2(A)(1), https://www.uscis.gov/policy-manual (stating that the definition of "sustain" is "to support or maintain, especially over a long period of time . . . To persist in making (an effort) over a long period of time").

[2] *See generally* 6 *USCIS Policy Manual supra*, at F.2(B)(2) (stating that USCIS officers should evaluate the evidence together when considering the petition in its entirety to determine if a petitioner has established by a preponderance of the evidence, the required high level of expertise required for this immigrant classification).

Here, SCOPS concluded that, although the Petitioner met the initial evidence requirements, he did not show he garnered sustained national or international acclaim and that he is among that small percentage who have risen to the very top of the field.

On appeal, the Petitioner contends that the record is sufficient to establish, by a preponderance of the evidence, his extraordinary ability as a researcher in his field. He asserts that SCOPS did not properly analyze his peer review service, research contributions, co-authorship of scientific articles, citation evidence, letters of support, and sustained acclaim as a researcher in the pharmaceutical sciences field and failed to follow specific guidance provided in the *USCIS Policy Manual*. Below, we will evaluate the totality of the evidence, based on the documentation presented to SCOPS, in the context of the final merits determination.

The record indicates that the Petitioner received a bachelor's degree in pharmaceutical sciences and a master's degree from [redacted] in China, in 2017 and 2019, respectively. He completed his Ph.D. in Pharmaceutical Sciences from the [redacted] in 2024. At the time of filing in April 2025, the Petitioner had been working as a postdoctoral research scientist at [redacted]. His research supervisor, Dr. G-M-, Professor in the Departments of Pathology & Cell Biology and Neurology at [redacted], stated that, in his current position, the Petitioner "is responsible for studying the molecular and cellular mechanisms involved in the neurodegenerative disease amyotrophic lateral sclerosis (ALS) using mouse models."

As discussed further below, the Petitioner has judged the work of others in his field through the peer review process, has made original research contributions to his field, and has authored scholarly articles in professional publications. However, in considering the totality of the evidence, the Petitioner has not demonstrated that his achievements to date reflect a "career of acclaimed work in the field" as contemplated by Congress at H.R. Rep. No. 101-723, 59 (Sept. 19, 1990). Nor has he shown that he has risen to that small percentage at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2). The commentary for the proposed regulations implementing section 203(b)(1)(A)(i) of the Act provides that the "intent of Congress that a very high standard be set for aliens of extraordinary ability is reflected in this regulation by requiring the petitioner to present more extensive documentation than that required for lesser classifications. 56 Fed. Reg. 30703, 30704. Here the Petitioner has not established that he meets these very high standards. *See Amin v. Mayorkas*, 24 F.4th at 386-87 (stating that the narrow definition reflects the stringency of the extraordinary ability standard).

Regarding the Petitioner's service as a judge of the work of others in his field, an evaluation of the significance of his experience is appropriate to determine if such evidence is indicative of the extraordinary ability required for this highly restrictive classification. *See Kazarian*, 596 F. 3d at 1121-22.[3] Participation in the peer review process does not automatically demonstrate that an individual has sustained national or international acclaim. Here, the Petitioner provided evidence that he reviewed 11 manuscripts for 7 different scientific journals in 2024.[4]

[3] *See also generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(1) (providing that the second step requires USCIS to evaluate the person's judging participation to determine whether it was indicative of the person being of that small percentage who has risen to the very top of the field of endeavor and enjoying sustained national or international acclaim).

[4] The Petitioner provided evidence that he had completed one review for *Journal of Medicinal Chemistry*, two reviews for

The Petitioner claims that the journals that invited him to serve as a peer reviewer are "highly discerning journals with very stringent publishing guidelines that enlist the services of only the most accomplished researchers." The Petitioner provided journal rankings from Google Scholar indicating that *Journal of Medicinal Chemistry* is ranked first in the field sub-category "Medicinal Chemistry" and sixth in the field sub-category "Pharmacology and Pharmacy," that *Frontiers in Aging Neuroscience* is ranked fifth in the field sub-category "Gerontology and Geriatric Medicine," and that *Frontiers in Neuroscience* is ranked eighth in the field sub-category "Neurology."[5] However, he did not show how performing some reviews for three well ranked journals in the year preceding the filing of the petition demonstrates or contributes to his sustained national or international acclaim. Further, the Petitioner did not demonstrate how his judging experience compares to others in his field, show the significance of conducting 11 reviews over the course of his career, or otherwise provide context regarding his service as a peer reviewer. *See Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801, at *2 (D.C. Cir. Jan. 31, 2023) (finding the petitioner did not provide needed context for his judging experience and the response to his work).

In addition, the Petitioner contends that he was invited to serve on the editorial board of *Frontiers in Neuroscience*. He provided webpages from its publisher identifying him as a "Review Editor for [redacted]" and crediting him with "3 reviewed publications" (as noted in footnote 4). The publisher indicated that "[t]he primary role of review editors is to act as reviewers in the peer review of submitted manuscripts." In addition, the publisher stated:

> Only leading experts and established members of the research community are appointed to Frontiers' editorial boards. Chief editors, associate editors, and review editors are all listed with their names and affiliations on the journal pages.
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> Frontiers' review editors are active experts in their field who review research in our journals. These researchers are appointed to our editorial boards to recognize their continuous contribution to the editorial process. They are familiar with Frontiers' peer review and can manage their review invitations actively in their profiles with us.
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> Review editors hold a Ph.D. with post-doctoral experience, or an equivalent degree with several additional years of academic work, or the equivalent number of years to a recognized qualification in the relevant field of research. Review editors have a recognized affiliation and a proven publication record in the specialty area and are listed on our editorial board pages.
>
> Frontiers' associate editors act as handling editors and make an initial assessment to ensure a manuscript fits within the scope of the specialty section and is scientifically

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Frontiers in Aging Neuroscience, three reviews for *Frontiers in Neuroscience*, one review for *Cardiology Research and Practice*, one review for *ChemistrySelect*, two reviews for *Frontiers in Pharmacology*, and one review for *Frontiers in Neurology*.

[5] The Petitioner did not provide evidence of journal rankings for *Cardiology Research and Practice*, *ChemistrySelect*, *Frontiers in Pharmacology*, and *Frontiers in Neurology*.

> valid. They invite reviewers and directly oversee the interaction between the reviewers and authors during the collaborative peer-review process. Based on the reviewers' recommendations, and ensuring all quality, validity and ethical standards have been met, Associate editors make the final decision on acceptance or recommend a manuscript for rejection to the specialty chief editor.
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> Associate editors are high-impact researchers and recognized leaders in their field, with a strong publication record in international, peer-reviewed journals and with a recognized affiliation. They are typically associate professor level or higher, or an equivalent position of equal standing in their field.

The preceding information indicates that Frontiers' associate editors and chief editors have a higher standing than review editors such as the Petitioner. In addition, the record does not support the Petitioner's assertion that the specific journals that invited him to serve as a peer reviewer reserve those invitations for "only the most accomplished researchers" as claimed or for those who otherwise enjoy standing in the field consistent with sustained national or international acclaim at the very top of their field. *See* section 203(b)(1)(A)(i) of the Act and 8 C.F.R. § 204.5(h)(2). This context is relevant, as reviewing manuscripts for journals that select peer reviewers based on subject matter expertise would not provide strong support for the petition. Possessing expertise in a field is a considerably lower threshold than having sustained acclaim at the very top of the field. We do not question the Petitioner's expertise in pharmaceutical sciences or neurodegeneration, and his stature as an active researcher in his field. At issue here is the extent to which the Petitioner's peer review activities have required, reflected, or resulted in his national or international acclaim.

While the Petitioner asserts that "his achievements in pharmaceutical sciences have been recognized in the field by publishers of important journals, including the editors and publishers of prestigious journals seeking to employ his expertise as a peer reviewer," the record does not demonstrate that the Petitioner's peer review of 11 manuscripts elevates him above most others in his field. Similarly, he has not shown that peer review of the type he performed is an opportunity reserved for the most accomplished and recognized researchers, rather than a service expected of active members of the research community. Finally, the evidence in the record does not demonstrate that the Petitioner has received any independent acclaim or recognition for his service as a peer reviewer. Without this or other evidence differentiating him from others in his field, the Petitioner has not shown that his level and frequency of peer review contribute to establishing his sustained national or international acclaim or place him among that small percentage at the very top of the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act and 8 C.F.R. § 204.5(h)(2).

Likewise, authorship and publication of original research do not automatically place an individual at the top of their field. The Petitioner claims that he is among the top researchers in his field because his work has been published in highly ranked publications, and because others have cited his work at a high rate and relied on his original research contributions. He submitted his Google Scholar profile showing his co-authorship of 40 published works between 2017 and 2025.

The Petitioner emphasizes that his work has been published in journals such as *Signal Transduction and Targeted Therapy*, *Journal of Hematology & Oncology*, and *Drug Discovery Today*. He provided

information about these journals from their publishers and journal rankings from Google Scholar.[6] The Petitioner asserts that these publications are "some of the highest-impact, top-ranked journals in his field." A high ranking or impact factor reflects a publication's overall citation rate, rather than the influence of any individual researcher. Depending on a journal's level of recognition, as demonstrated by evidence in the record, there may be an elevated level of prestige or acclaim associated with publication in a particularly highly ranked journal.[7] However, publication in a journal with a high impact factor alone does not demonstrate that an individual researcher has achieved wide recognition consistent with national or international acclaim. The Petitioner did not provide sufficient support for his claim that publication in the listed journals is an accomplishment indicative of sustained national or international acclaim, or one which automatically elevates a researcher to the very top of their field.

As authoring scholarly articles is often inherent to the work of scientists and researchers in academia, the citation history or other evidence of the influence of an individual's articles can be an indicator to determine the recognition they have received in the field and whether such recognition has been sustained. Such an analysis at the final merits determination stage is appropriate pursuant to *Kazarian,* 596 F. 3d at 1122. Here, the Petitioner has consistently emphasized that the individual and collective citations to his work, according to several metrics and statistics, show that he has received the required recognition for his research achievements.

Regarding the Petitioner's overall citation record, he provided his Google Scholar profiles from April 2025 and, in response to SCOPS' notice of intent to deny (NOID), from August 2025. His most recent profile reflected 1617 citations to his co-authored publications, with his nine highest cited articles receiving 376, 130, 97, 81, 80, 77, 71, 61, and 57 citations, respectively.[8] The record, however, does not establish how many of these are self-citations by him or his coauthors.

The Petitioner also provided 2025 data from Clarivate Analytics (InCites Essential Science Indicators) regarding baseline citation rates and percentiles by year of publication for the "Biology & Biochemistry" research field. The Petitioner contends that at least 25 of his articles are ranked among the top 10% or higher in number of citations in their respective years of publication. However, the Petitioner again did not indicate whether he factored in any self-citations in determining these percentile rankings. Moreover, the documentation from Clarivate Analytics states that "[c]itation frequency is highly skewed, with many infrequently cited papers and relatively few highly cited papers. Consequently, citation rates should not be interpreted as representing the central tendency of the distribution."[9]

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[6] The Petitioner presented information about *Signal Transduction and Targeted Therapy* showing that it has an impact factor of 40.8. He also presented Google Scholar rankings indicating that *Journal of Hematology & Oncology* ranked second among journals in Hematology and ninth in Oncology, and that *Drug Discovery Today* ranked third in Medicinal Chemistry.

[7] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2).

[8] None of the Petitioner's remaining articles had received more than 50 citations as of August 2025. We further note that all nine of the Petitioner's highest cited articles are review articles. A review article is a secondary research paper that summarizes, analyzes, and synthesizes existing literature on a specific topic, rather than reporting new, primary research. The Petitioner provided information from University of Texas Libraries stating: "Review articles are an attempt by one or more writers to sum up the current state of the research on a particular topic. Ideally, the writer searches for everything relevant to the topic, and then sorts it all out into a coherent view of the 'state of the art' as it now stands."

[9] The evidence shows that several of the Petitioner's individual articles have been cited at a rate that is above average or well above average compared to others in the broader field of "Biology & Biochemistry," and likely contributed to SCOPS'

Furthermore, the Petitioner relies on citation information concerning the larger field of "Biology & Biochemistry" and compares his citation frequency in pharmaceutical sciences to that of the larger field. While we acknowledge that pharmaceutical sciences is a sub-field of the larger field of Biology & Biochemistry, the Petitioner has not submitted sufficient evidence confirming that information extrapolated from the larger field applies equally to each sub-field within Biology & Biochemistry, including pharmaceutical sciences. Thus, the Petitioner's comparison of his citation number in his field with information regarding citation in the larger field of Biology & Biochemistry does not sufficiently place him among that small percentage who have risen to the very top of the field of pharmaceutical sciences. *See* 8 C.F.R. § 204.5(h)(2).

Additionally, the Petitioner submitted an article in *Scientometrics* written by [redacted] and [redacted], entitled '[redacted] This article presents recommendations for "how to evaluate individual researchers in the natural and life sciences" for purposes of funding and promotion or hiring decisions. The authors state that "publications which are among the 10% most cited publications in their subject area are as a rule called highly cited or excellent" and that "the top 10% based excellence indicator" should be given "the highest weight when comparing the scientific performance of single researchers." While the authors offer proposed methods for bibliometric analysis of research performance, the record does not indicate that their methods have been accepted and implemented by the academic community. Moreover, with respect to citation information from Google Scholar, the authors advise against "using Google Scholar (GS) as a basis for bibliometric analysis. Several studies have pointed out that GS has numerous deficiencies for research evaluation." Moreover, regarding "self-citations," the authors state that "if the question of an evaluation study explicitly means to what extent a scientist has influenced other scientists' work, self-citations should be obviously ignored."

The Petitioner's evidence also included OpenAlex author metrics which provide percentile rankings for his overall publication and citation records. Specifically, this documentation indicates the Petitioner has a "Citation Percentile" of 99.93% and a "Publication Percentile" of 99.73% based on information from Google Scholar. It further identifies the area of research as "Medicinal chemistry," states the number of authors and publications in the "model," and indicates that the period covered was 2017 through 2025. None of the evidence from OpenAlex describes the method used to calculate the percentile figures provided. Without additional explanation, we cannot make an informed assessment of the relevance and reliability of this evidence.[10] Regardless, citation frequency which is quantitative in nature does not reveal the reasons for the citations, which involve a qualitative analysis. In other words, a high citation number might show that others in the field have noticed the Petitioner's

finding that he established, by a preponderance of the evidence, that he has made significant research contributions. The comparative ranking of his individual papers to baseline or average citation rates, however, does not establish that he is recognized as being among the small percentage of researchers at the top of his field. A supporting explanation regarding the reported citation rates indicates that "[t]he citation rate in any single year can serve as a baseline to assess the impact of a paper in the same research field published in that year." The publisher does not claim that such percentile figures are intended to provide information regarding a given author's standing in a particular field.

[10] The Petitioner provided general information from the OpenAlex website (https://help.openalex.org) regarding works included in its dataset and the sources of those works; however, he did not provide information regarding its methodologies for calculating citation, publication and h-index percentiles for individual researchers or include any statements regarding the intended use of such percentiles.

work, but it does not confirm that he has sustained national or international acclaim or place him among that small percentage at the very top of the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act and 8 C.F.R. § 204.5(h)(2).

Regarding a qualitative analysis of the citations to the Petitioner's work, the record contains partial copies of various articles that cited to his papers (including his paper, entitled "[redacted]," for example). These articles include the text of the citation, which the Petitioner asserts highlight the impact of his papers. While we agree with the Petitioner that these citations indicate some degree of interest in his research from his colleagues and peers in the field, this evidence is not sufficient to demonstrate a level of impact that places him at the very top of his field. The articles in the record cite to his work as an example of research done in the field or in their introduction section as part of an overview of current research, but none highlight or comment upon his research in a way that demonstrates sustained national or international acclaim in the field.

In addition to the various metrics discussed above, the Petitioner provided the Google Scholar profiles of 13 claimed "extraordinary researchers" in his field for the purpose of comparing their citation records to his own. The submitted profiles are primarily those of assistant and associate professors in pharmaceutical sciences at U.S. and international universities, who had accrued total citations to their published work that ranged from 645 to 1116 citations. The evidence objectively shows that the Petitioner had accumulated more cumulative citations than each of the 13 researchers that he specifically selected as a basis for comparison. The Petitioner submitted copies of these individuals' resumes or biographical pages from their employers' websites, but he did not explain how this evidence supports a determination that any of them enjoy recognition as "extraordinary researchers."

Overall, the Petitioner did not show that the citations to his published research demonstrate recognition at a level consistent with being among that small percentage at the very top of his field. *See* 8 C.F.R. § 204.5(h)(2). The statute demands "extensive documentation" of recognition. Here, the Petitioner relies to a significant extent on various metrics and data to mathematically place himself at the top of the field. However, the record does not sufficiently demonstrate the relevance and reliability of the metrics and comparative data provided and lacks other persuasive evidence of his sustained acclaim.[11]

The Petitioner further asserts on appeal that SCOPS did not give sufficient weight to evidence that his employer at the time of filing, [redacted], is "ranked among the world's most prestigious institutions by *U.S. News and World Report*."[12] In addition, [redacted] has been classified as an R1 (Very High Research Spending and Doctorate Production) university by the Carnegie Classification of Institutions of Higher Education. *USCIS Policy Manual* guidance states that a Petitioner's employment or research experience with a "leading institution" in their field "can be a positive factor toward demonstrating that the person is among the small percentage at the top of the field." *See generally* 6 *USCIS Policy Manual* F.2(B)(2), https://www.uscis.gov/policy-manual. However, it also states that the listed "positive factors" are not determinative and that a petitioner must

[11] *See generally* 6 *USCIS Policy Manual*, *supra* at F.2(B)(2) (stating that "[d]epending on the field and the comparative data the petitioner provides" evidence demonstrating the total rate of citations is high relative to others "*may* indicate a person's high overall standing").

[12] The Petitioner offered information from *U.S. News and World Report* ranking [redacted] in "National Universities."

explain the significance of the submitted evidence, and how it demonstrates that they have achieved sustained national or international acclaim and recognition in their field. With respect to the Carnegie Classification, the *USCIS Policy Manual* indicates that its "R1 and R2 doctoral university designations . . . recognize institutions as having very high or high research activity, respectively, based on publicly available federal government data regarding the number of doctoral degrees awarded and the amount of total research expenditures." *Id.* The designation, however, does not directly relate to the acclaim or recognition of a university's individual employees or researchers.

The Petitioner's current employment with [redacted] is as a postdoctoral research scientist, a position that he held in the six months immediately preceding the filing of the petition.[13] The Petitioner provided an employment confirmation letter from Dr. G-M- briefly discussing the Petitioner's ongoing research and stating that "the results of [the Petitioner's] work on these projects are expected to be published and presented in the near future."[14] The Petitioner, however, has not shown that he has contributed to [redacted] in a way that is of significant importance to the outcome of the university's activities, has performed in a leading role for the institution, or has otherwise served in a capacity that places him among that small percentage at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2). Therefore, while we have considered [redacted]'s designation as an institution with very high research activity, the record does not show how the Petitioner's postdoctoral research position there is indicative of his high standing in his field or reflects that he has received sustained acclaim or recognition for his achievements.

Finally, we acknowledge that the Petitioner provided four recommendation letters from others who perform research in his field. Letters of this kind are helpful to explain the nature and impact of the Petitioner's contributions to the field. However, while not without weight in the final merits determination, reference letters should explain in specific terms why the authors believe the Petitioner qualifies as a person with extraordinary ability, and should be supported with sufficient corroborating documentary evidence to establish that the Petitioner is recognized as being among that small percentage at the very top of the field of endeavor and that he has garnered the required sustained national and international acclaim for his achievements. *See generally* 6 *USCIS Policy Manual*, *supra* at F.2(B)(3) (discussing the evidentiary value of letters of support at the final merits determination stage).

Dr. W-L-, a professor at [redacted] and the Petitioner's former research supervisor, describes the Petitioner as "a pharmaceutical sciences researcher at the highest echelon of our field," summarizes some of the Petitioner's research projects, and concludes that his "research directly enhances the understanding of tubulin inhibition, a critical aspect of cancer drug development." Dr. L-M-, chief scientific officer at [redacted], asserts that the Petitioner is "an elite researcher who has advanced the field of pharmaceutical sciences" and "a leader in the field." Dr. L-M- credits the Petitioner with expanding "the understanding of kinase function and its utility for therapeutic interventions." Dr. C-Q-, an assistant professor of neurology at [redacted], states that the Petitioner's "distinctive array of skills set him apart from his peers, firmly solidifying [his] standing at the forefront of the pharmaceutical sciences field." Dr. J-C-, a professor at [redacted]

[13] This employment is a temporary, mentored position to conduct advanced research and to gain further training in his field.

[14] Dr. G-M-'s letter indicates that the Petitioner's "annual salary is $71,050."

[redacted] in China, indicated that the Petitioner has a "track record of completing impactful works that also influence the efforts of his peers." These letters primarily summarize aspects of the Petitioner's graduate work and praise his skills and contributions as a researcher, but they do not demonstrate that his achievements have been widely recognized in his field or otherwise show that he has garnered sustained acclaim at the very top of his field. Letters that make general and expansive statements regarding a petitioner and their accomplishments are generally not persuasive. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(3).

Overall, while the recommendation letters attest to the Petitioner's significant skills and accomplishments, they do not establish his extraordinary ability when considered in the totality of the evidence. The letters do not claim, nor do their contents indicate, that the Petitioner has achieved national or international acclaim from the field or attracted a level of attention placing him at the very top of his field. *See Jafarov v. USCIS*, No. 23 CIV. 3372 (PAE), 2024 WL 69056, at *9 (finding testimonial letters were insufficient to establish his relative status in the field and do not compare him to others). The authors did not provide sufficient information and explanation to show that the Petitioner is viewed by the overall field, rather than by a solicited few, to be among the upper echelon or that he has garnered recognition on a national or international scale, consistent with being among the small percentage at the very top of the field of endeavor. *Mishra v. Richardson*, No. 1:20-cv-991 (LMB/TCB), 2021 WL 1566071, at *3 (E.D. Va. Apr. 20, 2021) (finding that none of the plaintiff's letters point to evidence of extensive documentation of his accomplishments to show sustained national or international acclaim). Although the letters highlight the Petitioner's work, they do not reflect a career of acclaimed work in the field, garnering the required sustained national or international acclaim. *See Bodhankar v. USCIS*, No. 1:19-CV-706 (MAD/CFH), 2020 WL 777211, at *5 (N.D.N.Y. Feb. 18, 2020) (finding the submitted letters failed to establish the plaintiff's contributions resulted in significant acclaim).

The record as a whole, including the evidence discussed above, does not establish the Petitioner's eligibility for the benefit sought.[15] Here, the Petitioner seeks a highly restrictive visa classification, intended for individuals already at the top of their respective fields, rather than those progressing toward the top. *Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994) (concluding that even major league level athletes do not automatically meet the statutory standards for classification as an individual of "extraordinary ability"); *Amin v. Mayorkas*, 24 F.4th at 394 (stating that extraordinary ability is such an elite level of accomplishment); *Lapteva v. Schuurmans*, No. 8:24CV83, 2025 WL 815087, at *1 (D. Neb. Mar. 10, 2025) (stating that EB-1 visa are intended to be available to only an exceedingly small amount of individuals with extraordinary ability).

In this case, the Petitioner has not shown the significance of his work is indicative of the required sustained national or international acclaim or it is consistent with a career of acclaimed work in the field. *See* section 203(b)(1)(A)(i) of the Act. The evidence related to his scholarly articles, citation rates, and peer review service reflects that he has received some recognition for his contributions and expertise in his field but falls short of establishing that he satisfied the requirements for this classification at the time of filing. While the Petitioner need not establish that there is no one more

[15] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2) (providing that some evidence weighs more favorably on its own, while other evidence is more persuasive when viewed with other evidence).

accomplished to qualify for the classification sought, the record is insufficient to demonstrate that he is among the small percentage at the top of his field. *See* 8 C.F.R. § 204.5(h)(2).

III. CONCLUSION

For the reasons discussed above, the Petitioner has not established his eligibility as an alien of extraordinary ability.

ORDER: The appeal is dismissed.

NOTICE: This constitutes the final decision in this matter. The filing of a motion will not postpone the effect of the decision. 8 C.F.R. § 103.5(a)(1)(iv). Aliens who are not lawfully present, or who are otherwise inadmissible or deportable, may be subject to the commencement of removal proceedings under section 240 of the Act through the issuance of a Form I-862, Notice to Appear. Those proceedings may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.