U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41019979

Date: FEB. 18, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, an endocrinology researcher, seeks classification as an alien of extraordinary ability in the sciences. *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 six of these criteria and SCOPS determined he met three, relating to judging the work of others in his field, authorship of scholarly articles in professional publications, and leading or critical role.[1] *See* 8 C.F.R. § 204.5(h)(3)(iv), (vi), and (viii). 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,[2] 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.[3]

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[1] SCOPS determined that the Petitioner did not satisfy the criteria relating to awards, original contributions, and high salary. *See* 8 C.F.R. § 204.5(h)(3)(i), (v), and (ix).

[2] *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").

[3] *See generally* 6 *USCIS Policy Manual supra*, at F.2(B)(2) (stating that USCIS officers should evaluate the evidence

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, conference presentations, citation evidence, letters of support, awards, memberships, roles, and sustained acclaim as a researcher in the field. The Petitioner further argues that SCOPS 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 his M.D. degree from [redacted] (1999) and completed his medical residency (2005) and clinical fellowship (2009) a[redacted]. He worked at [redacted] (2008-2009), [redacted] (2010-2011), [redacted] postdoctoral research program in Human Nutrition (2011-2012), and an[redacted] Division of Endocrinology (2012-2018). The Petitioner then served at [redacted] as a [redacted] and researcher studying metabolism, endocrinology, and diabetes (2018-2021). He returned to [redacted] in 2021 and is currently affiliated with its [redacted] The Petitioner states that his endocrinology research focuses on the clinical characteristics and natural history of lipodystrophy, and the link to metabolic abnormalities and end-organ complications.

As discussed further below, the Petitioner has judged the work of others in his field through the peer review process, has authored scholarly articles in professional publications, and performed in a leading or critical role. 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 (July 5, 1991). 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

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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).

1121-22.[4] Participation in the peer review process does not automatically demonstrate that an individual has sustained national or international acclaim. Here, the Petitioner provided documentation showing that he reviewed 31 manuscripts for 15 different scientific journals from 2017 to 2024.[5] His evidence indicated that he had completed one review each for *American Journal of Medical Genetics Part A*, *Current Medical Research and Opinion*, *Diabetes Care*, *Diabetes, Obesity and Metabolism*, *Diabetes Research and Clinical Practice*, *Diabetology & Metabolic Syndrome*, *Frontiers in Endocrinology*, *Journal of Endocrinological Investigation*, *Journal of Clinical Endocrinology & Metabolism*, and *New England Journal of Medicine*; two reviews each for *Cell Metabolism*, *Diabetes*, and *European Journal of Endocrinology*; three reviews for *PLoS One*; and twelve reviews for *Clinical Diabetes and Endocrinology*.[6]

The Petitioner claims that he has "served as a reviewer for some of the most prestigious, top-ranked, and high-impact journals in his field." The Petitioner provided information showing the impact factor for *Cell Metabolism*, *Current Medical Research and Opinion*, *Diabetes*, *Diabetes Care*, *Diabetes, Obesity and Metabolism*, *Diabetes Research and Clinical Practice*, *Frontiers in Endocrinology*, *Journal of Endocrinological Investigation*, *Diabetology & Metabolic Syndrome*, *European Journal of Endocrinology*, *New England Journal of Medicine*, and *PLoS One*. However, he did not show how reviewing 31 manuscripts over an eight-year period demonstrates or contributes to his sustained national or international acclaim in the field of endocrinology. Further, the Petitioner did not demonstrate how his judging experience compares to others in his field, show the significance of conducting 31 reviews over the course of his two-decade 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 has served in a "prestigious position as an associate editor for [redacted]." He submitted a [redacted] 2024 webpage from [redacted] identifying him as one of its ten "Associate Editors." The Petitioner, however, did not provide information about [redacted] or how it selects associate editors.[7] As such, the Petitioner has not shown that selection for its editorial board is prestigious or exclusive, or otherwise indicative of sustained national or international acclaim at the very top of his

[4] *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).

[5] We did not count reviews of revisions of the same manuscript.

[6] Several of these manuscript reviews post-date the April 15, 2024 filing of the Form I-140 petition. These later reviews provided in response to SCOPS' request for evidence (RFE) do not establish his eligibility at the time of filing. *See* 8 C.F.R. § 103.2(b)(1), (12). For example, the Petitioner's review of a manuscript for the *New England Journal of Medicine* was completed in [redacted] 2024.

[7] The record includes a [redacted] 2025 email thanking the Petitioner for his "commitment to [redacted]) over the years. . . . To help keep the Journal current, to ensure continuous change and to make sure not to overburden individual members of the Editorial Board, we are concluding your period of service wi[redacted] We will update the Editorial Board webpage listing to reflect that transition." While the Petitioner also provided a webpage listing the impact factor for *Cardiovascular Diabetology* and announcing its editors' creation of its new "companion journal, *Cardiovascular Diabetology - Endocrinology Reports*," he did not present information showing the reputation of either *Cardiovascular Diabetology - Endocrinology Reports* or *Clinical Diabetes and Endocrinology* and their impact factor.

field. *See Job v. Jaddou*, No. 4:22-CV-03017, 2024 WL 2963795, at *4 (S.D. Tex June 12, 2024) (upholding mere service on a review board, without more, cannot evince extraordinary ability).

Furthermore, the record does not support the Petitioner's assertion that his peer review service "reflects his reputation as an expert, his sustained national and international acclaim, and his standing at the top of the field." The Petitioner has not demonstrated that the specific journals that invited him to serve as a peer reviewer reserve their invitations for those who have "sustained national and international acclaim" and those who are "at the top of the field" as claimed. 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 endocrinology 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.

The Petitioner 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).

The Petitioner also provided documentation indicating that he serves as a member on the [redacted] expert committee, the [redacted] executive and registry boards, but he did not provide their membership requirements or other evidence to demonstrate that these memberships are exclusive, or otherwise indicative of sustained national or international acclaim at the very top of his field. *See Hamal v. U.S. Dep't of Homeland Sec.*, No. CV 19-2534 (RC), 2021 WL 2338316, at *4 (D.D.C. June 8, 2021), *aff'd sub nom. Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801 (D.C. Cir. Jan. 31, 2023) (upholding plaintiff did not contextualize his membership to demonstrate sustained national or international acclaim).

Likewise, authorship and publication of original research do not automatically show sustained national or international acclaim and 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 120 published works between 2004 and 2024.

The Petitioner emphasizes that his work has been published in high-impact journals (such as *Metabolism* and *Med*), and he submitted information about these journals from their publishers.[8] He asserts that these publications are "some of the top journals in endocrine diseases." 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.[9] 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 metrics he prepared, 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 2024 and, in response to SCOPS' request for evidence (RFE), from August 2025.[10] His most recent profile reflected 3,706 citations to his co-authored publications, with his six highest cited articles receiving 175, 146, 137, 124, 102, and 83 citations, respectively.[11] The record, however, does not establish how many of these are self-citations by him or his coauthors.

The Petitioner also provided what he contends are "percentile rankings for [his] publications on [redacted]."[12] The Petitioner claims that at least six of his articles are ranked among the top 10% or higher in number of citations for "all publications tagged with [redacted]." However, the Petitioner again did not indicate whether he factored in any self-citations in determining these percentile rankings. Furthermore, the Petitioner relies on citation information concerning the field of [redacted] and compares his citation frequency in endocrinology to that of the rare diseases field. The Petitioner, however, has not submitted sufficient evidence confirming that information extrapolated from the field of rare diseases applies equally to endocrinology. Thus, the Petitioner's

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[8] The Petitioner presented information about *Metabolism* and *Med* showing that they had an impact factor of 11.9 and 12.8, respectively.

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

[10] The Petitioner's Google Scholar profile from 2024 shows three articles in the [redacted] having more than one thousand citations each, but the Petitioner did not co-author any of these articles.

[11] None of the Petitioner's remaining articles had received more than 80 citations as of August 2025.

[12] The Petitioner stated: "To calculate the percentile-rating for [my] publications, we retrieved all recent publications from [redacted] a database of biomedical literature maintained by the NIH - that were tagged with the medical subject heading [redacted] published since 2015, yielding 8,927 published articles. We then calculated the number of citations required to be in the top 90th, 95th, 96th, 97th, 98th, and 99th percentiles of this dataset . . . . To aid in the authentication and validation of these findings, we've included the Python program we used to perform these calculations." Without additional explanation, however, we cannot make an informed assessment of the relevance and reliability of this evidence.

comparison of his citation number in his field with information regarding citation in the field of rare diseases does not sufficiently place him among that small percentage who have risen to the very top of the field of endocrinology. *See* 8 C.F.R. § 204.5(h)(2).

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 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, but none highlight or comment upon his research in a way that demonstrates sustained national or international acclaim in the field.

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 self-generated 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.[13]

Likewise, the Petitioner did not show that his presented material has garnered him any national or international acclaim. *See* section 203(b)(1)(A) of the Act. Although he offered evidence showing that he presented multiple medical research topics, the Petitioner did not demonstrate the significance of his presentations or how they impacted the field consistent with a very high standard requiring the petitioner to submit more extensive documentation than that required for lesser classifications. *See* 56 Fed. Reg. 30703, 30704 (July 5, 1991).

The Petitioner further asserts that he "has earned prestigious, internationally recognized distinctions such as a [redacted] and the Society for Endocrinology's Best Publication in [redacted] With respect to his [redacted] the Petitioner provided information stating: "The competition for [redacted] grants is merit-based. Eligibility criteria will vary by program and by country. Candidates are selected based on a variety of factors, that may include (but are not limited to) academic qualifications, project feasibility, personal leadership ability, and

[13] *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").

available grant funds."[14] The Petitioner, however, has not shown that earning this scholarship for foreign students places him among that small percentage at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2); *see also Donskoy v. United States Citizenship & Immigr. Servs.*, No. 21-CV-04757-CRB, 2021 WL 5240224, at *5 (N.D. Cal. Nov. 11, 2021) (finding the petitioner did not submit any evidence that he received any publicity for winning the award, or that he stands out among the thousands of recipients of the award each year). The Petitioner also submitted a May 2022 letter indicating that one of his research articles was "selected for one of the Society for Endocrinology's five Journal Awards, given to the best papers published in [redacted] in 2021. This award is for your paper [redacted] published in [redacted] in 2021." While the Petitioner provided information about the Society for Endocrinology, he did not offer evidence demonstrating the level of recognition his best paper award received beyond the presentation organization. Nor did he show the significance of his best paper award in his field or that it has received media coverage or other attention that rises to the level of national or international acclaim.

Here, the Petitioner has not demonstrated that his various scholarships and other awards reflect a "career of acclaimed work in the field" as contemplated by Congress. H.R. Rep. No. 101-723 at 59. Rather, the awards indicate recognition for financial assistance and research pursuits and do not show that he has sustained national or international acclaim in the field. *See* section 203(b)(1)(A)(i) of the Act and 8 C.F.R. § 204.5(h)(3). USCIS has long held that even athletes performing at the major league level do not automatically meet the statutory standards for classification as an individual of "extraordinary ability." *Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994). The Petitioner has not established, for instance, that he competed against other accomplished endocrinology researchers or how his scholarships and awards compare to those of other renowned physician researchers, showing that he "is one of that small percentage who [has] risen to the very top of the field of endeavor." *See* 8 C.F.R. § 204.5(h)(2).

The Petitioner further asserts on appeal that SCOPS did not give sufficient weight to evidence to his roles as "Global Medical Lead" for [redacted] and as a member of the Executive Board of [redacted] Regarding his role for [redacted], a letter from Dr. H-P-, the company's Global Head for [redacted] indicated that the Petitioner "is currently providing general medical affairs expertise to [redacted] and the [redacted] activities including but not limited to: input into the medical affairs strategy; participation in internal and external meetings on behalf of medical department; support for medical affairs activities including but not limited to scientific presentations, scientific publications, input into regulatory and market access dossiers and medical meetings; input, review and approval of medical affairs material and documents; and interactions with thought leaders in the [redacted] area." With respect to the Petitioner's role for [redacted] Dr. S-O-, who identifies himself as an [redacted] "participant," stated: "Executive Board members help chart the [redacted] scientific course and operational direction. They determine what lines of work in [redacted] merit pursuit, consider proposals, and approve programs to be carried out. In

[14] "The [redacted] enables graduate students, young professionals and artists from abroad to study and conduct research in the United States. The [redacted] operates in more than 160 countries worldwide. Approximately 4,000 foreign students receive [redacted] each year." *See* [redacted] accessed on February 17, 2026.

doing so, they also set the pace and scale of activity by aligning objectives, timelines, and available resources."[15]

The Petitioner, however, has not shown that his roles for [redacted] and [redacted] have garnered him 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). While the Petitioner has provided consultancy services for [redacted] and oversight services as a member of [redacted] Executive Board, he has not offered supporting evidence demonstrating how these roles are indicative of his high standing in the field or otherwise reflect that he has sustained national or international acclaim or recognition for his achievements. *See Agrawal v. Miller*, No. 4:24CV3143, 2025 2879217, at *23 (D. Neb. Sept. 12, 2025) (upholding that plaintiff's roles do not place her at the top of the field or demonstrate sustained national or international acclaim).

Regarding the Petitioner's remuneration for serving as "Global Medical Lead" for [redacted] Dr. H-P- indicated that the Petitioner "is being reimbursed for all direct costs incurred in the performance of his services, totaling 300,000 USD maximum annually." He also presented his 2024 consulting contract with [redacted] stating that his maximum compensation "shall be increased by € 23,000 per annum to €276,000." In addition, the Petitioner submitted salary data for Medical Directors, Medical Advisors, and Medical Consultants in Turkey.

The Petitioner, however, has not demonstrated that he has earned a high salary or other significantly high remuneration in comparison with those performing similar services in the field. Specifically, the Petitioner has not shown that the salary information he provided for Medical Directors, Medical Advisors, and Medical Consultants offers a relevant basis for comparison for his position as "Global Medical Lead" for a multinational pharmaceutical company. *See Matter of Price*, 20 I&N Dec. at 954 (considering a professional golfer's earnings versus other PGA Tour golfers); *see also Skokos v. U.S. Dept. of Homeland Sec.*, 420 F. App'x 712, 713-14 (9th Cir. 2011) (finding salary information for those performing lesser duties is not a comparison to others in the field); *Grimson v. INS*, 934 F. Supp. 965, 968 (N.D. Ill. 1996) (considering NHL enforcer's salary versus other NHL enforcers); *Muni v. INS*, 891 F. Supp. 440, 444-45 (N. D. Ill. 1995) (comparing salary of NHL defensive player to salary of other NHL defensemen). Here, the Petitioner has not established that his remuneration places him among that small percentage who have risen to the very top of the field. *See* section 203(b)(1)(A)(i) of the Act and 8 C.F.R. § 204.5(h)(2). Further, he has not presented multiple years of earnings showing his sustained acclaim. *See Jafarov v. United States Citizenship & Immigr. Servs.*, No. 23 CIV. 3372 (PAE), 2024 WL 69056, at *9 (S.D.N.Y. Jan. 5, 2024) (finding the failure to show consistent high wage earnings did not reflect sustained national or international acclaim and a single year's, or even a few years', worth of salary data unlikely to satisfy this requirement).

Finally, we acknowledge that the Petitioner provided letters of recommendation from others in his field.[16] 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

[15] Dr. S-O- does not identify himself as a board member or executive officer of [redacted] and does not cite to the specific source of his information.

[16] While we discuss a sampling of these letters, we have reviewed and considered each one.

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. T-S-, a professor at [redacted] describes the Petitioner as "a distinguished researcher" whose work "has significantly expanded the literature on leptin's role in metabolic diseases." In addition, Dr. B-C-, Program Team Lead at [redacted], asserts that the Petitioner is "an expert whose research significantly enhances the clinical framework for treating [redacted] in the broader area of rear endocrine diseases." Furthermore, Dr. S-T-, a professor at [redacted] indicated that the Petitioner is "one of that small percentage of physician-scientists who have risen to the very top of the field of endocrinology." These letters summarize aspects of the Petitioner's work involving [redacted] and [redacted] 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 merely reiterate USCIS' definitions relating to this classification or 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 show 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.[17] 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. at 954 (concluding that even major league level athletes do not automatically meet the statutory standards for classification as an individual of "extraordinary

[17] *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).

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, peer review service, memberships, awards, roles, and remuneration 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 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.