U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41021183

Date: JULY 15, 2026

Appeal of U.S. Citizenship and Immigration Services (USCIS) Decision

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

The Petitioner, the Global Head of Research for a multinational health technology company, seeks classification as an alien of extraordinary ability in business. *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.

USCIS denied the petition, concluding the Petitioner did not establish that she has achieved sustained national or international acclaim and is among that small percentage of individuals at the very top of her field. 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 her receipt of a major, internationally recognized award, she 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 USCIS determined she met four, relating to published material about her, judging the work of others, leading or critical role, and high salary.[1] *See* 8 C.F.R. § 204.5(h)(3)(iii), (iv), (viii), and (ix). Therefore, USCIS 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 their 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] USCIS determined that the Petitioner did not satisfy the criteria relating to membership and original contributions. *See* 8 C.F.R. § 204.5(h)(3)(ii) and (v).

[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 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).

On appeal, the Petitioner contends that the record is sufficient to establish, by a preponderance of the evidence, her extraordinary ability in strategic management of healthcare technologies with a focus on robotics, artificial intelligence (AI), and related emerging technologies. She asserts that USCIS did not properly analyze her senior executive roles for her employers, speaking engagements at professional conferences, memberships, published material, participation as a judge, original contributions, high salary, and letters of support from colleagues. The Petitioner also argues that the totality of the record demonstrates her sustained international acclaim, high level of expertise, and achievements that place her among the small percentage at the very top of the field. Below, we will evaluate the totality of the evidence, based on the documentation presented to USCIS, in the context of the final merits determination.

The record indicates that the Petitioner received a bachelor's degree in physics from the [redacted] and a master's degree in mechanical engineering from the [redacted]. She later earned a Master of Business Administration (MBA) degree at [redacted] (2013). After completing her MBA, the Petitioner became the Acting General Manager and Senior Business Strategist at [redacted] a healthcare company, where her work involved leading cross-functional teams to develop and release new products as well as to build an innovation ecosystem within the company to develop and launch predictive analytics products. The Petitioner was hired by [redacted] in 2015 where she worked as a Vice President of Strategy and Business Development and Advisor to the Chairman on corporate strategies for the company's software platform aimed at improving care and outcomes for cancer patients. She next served at [redacted] in 2018 as an investment advisor mentoring and strategically advising multiple start-ups and their founding teams on business development strategies. The Petitioner was hired by [redacted] in 2022 as its Vice President, Head of Strategy and Business Development, to develop enterprise-wide strategies to deliver people- and patient-centric innovation with a focus on new healthcare technologies within [redacted], a conglomerate encompassing six businesses. She was then promoted to the Global Head of Research at [redacted] in 2023 overseeing the company's global innovation strategy and its execution. In this role, she is responsible for steering and financing the company's breakthrough innovations, selecting and funding technological explorations, and managing [redacted] global public-private partnerships.

As discussed further below, the Petitioner has not demonstrated that her 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 she shown that she 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 she 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).

The Petitioner presented documentation of her memberships with the XPRIZE Brain Trust and the [redacted]. She offered a letter of support from [redacted] of XPRIZE Foundation, which states:

> The XPRIZE Brain Trust is an association of world-renowned innovators, thought leaders, industry experts, and entrepreneurs that together shape the design of what could become the next revolutionary moonshot prize competitions in the Grand Challenge Domain of Learning & Society. [The Petitioner] originally engaged with XPRIZE during the COVID-19 crisis in 2020 on our pandemic task force when we provided contests and prizes aimed at solving problems arising during and as a result of the COVID-19 pandemic. At XPRIZE each year a Brain Trust member has to be vetted and invited again to be on one of our focused Brain Trusts. [The Petitioner] was invited in both 2023 and 2024 to be part of the Health Brain Trust and to help develop our prizes and competitions in this area. . . . [The Petitioner] has now been an active member of XPRIZE Brain Trusts for 3 years, a testament to her recognition as a world-renowned innovator, thought leader, and industry expert.

Likewise, the XPRIZE's website states that "[t]he Brain Trust is a group of world-renowned innovators, thought leaders, industry experts, and entrepreneurs that together shape the design of what could become the next revolutionary moon shot prize competitions in the Grand Challenge Domain of Deep Tech," but [redacted]'s letter and the website material do not indicate XPRIZE's specific requirements for admitting its Brain Trust members. *See Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801, at *3 (D.C. Cir. Jan. 31, 2023) (finding the petitioner did not establish the associations limit membership to renowned directors or that membership requires outstanding achievements). *See also Tapia v. Jaddou*, No. 8:23-CV-813-CEH-AAS, 2025 WL 2780815, at *4 (M.D. Fla Sept. 30, 2025) (upholding that plaintiff's reliance on a description of the organization issued by itself does not reflect objective, external evidence).

Regarding the [redacted] the Petitioner presented a March 2025 email from E-A, Editorial Director for [redacted], inviting her to become a 2025 [redacted] E-A-'s email stated:

> [redacted] are a select group of highly engaged members who support the [redacted] team throughout the year. This involves suggesting speakers and topics of conversations for the summit, referring new members to the community and serving as hosts at tentpole [redacted] events to ensure they are buzzy and inclusive. Ambassadors are passionate about [redacted]'s mission of bringing preeminent leaders together to solve the most pressing issues of the day. They are deeply networked across industries and thrive on connecting people and fostering collaboration.

The Petitioner also submitted information from the [redacted] website, but E-A-'s letter and the website material do not indicate the [redacted] specific requirements for admitting its members. While the Petitioner provided information about both the [redacted] and the XPRIZE Brain Trust, she did not offer evidence that their specific membership admission process requires outstanding achievements, is exclusive, or otherwise indicative of sustained national or international acclaim in her field. *See Hamal*, 2021 WL 2338316, at *4, *aff'd*, 2023 WL 1156801 (upholding plaintiff did not contextualize his membership to demonstrate sustained national or international acclaim). The supporting documents relating to the XPRIZE Foundation Brain Trust and [redacted] are not sufficient to show their memberships render her nationally or internationally acclaimed or place her among that

small percentage who have risen to 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). *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) (upholding the petitioner's membership did not demonstrate the requisite level of achievement or sustained acclaim to establish extraordinary ability).

Regarding the submitted media coverage, the Petitioner presented online articles in *Fortune.com* (2025), *Healthcare-Brew.com* (2024), *Dataconomy.com* (2025), *Hightechcampus.com* (2024), *Beststartup.ca* (2022), and *WomeninBusiness.ma* (2025). The article in *Fortune.com* (entitled "[redacted]") for example, is about "the general lack of AI knowledge among political leaders" and not the Petitioner or her achievements. While the *Fortune.com* article briefly quotes her, she is clearly not the subject of the material. Likewise, the article in *Healthcare-Brew.com* (entitled "[redacted]") briefly quotes the Petitioner twice, but it is not about her. *See Joseph v. Dir. of Texas Serv. Ctr., United States Citizenship & Immigr. Servs.*, No. 24-40249, 2025 WL 458001, at *3 (5th Cir. Feb. 11, 2025) (upholding an article that included quotes from the petitioner, did "not make the article about" him); *Nelson v. U.S. Citizenship & Immigr. Servs.*, No. CV 21-10334-LTS, 2022 WL 20583561, at *5 (D. Mass. June 15, 2022) (upholding articles that only cited or quoted the petitioner are not about him); *Lapteva v. Schuurmans*, No. 8:24CV83, 2025 WL 815087, at *4 (D. Neb. Mar. 10, 2025) (finding the regulation and USCIS policy clearly intend for publish material to say something substantive about the petitioner and her work); and *Kinuthia v. Rosenberg*, No. CV 17-10255-LTS, 2018 WL 1243955, at *5 (D. Mass. Mar. 8, 2018), *aff'd sub nom.*, *Kinuthia v. Velarde*, No. 18-1244, 2019 WL 11671989 (1st Cir. July 3, 2019), *cert. denied*, 140 S. Ct. 2643, 206 L. Ed. 2d 714 (2020) (finding it is not enough that the material merely relates to the applicant's work).

The Petitioner's evidence also included screenshots from SimilarWeb regarding website traffic for the six online publications' websites. For example, the SimilarWeb "Traffic & Engagement" information for *Dataconomy.com* listed April 2025 "Total Visits" at "131,276," a "Global rank" of "301,027," a "Country rank" of "275,854," and an "Industry rank" of "7,227." Likewise, the SimilarWeb "Traffic & Engagement" information for *Hightechcampus.com* listed April 2025 "Total Visits" at "22,108," a "Global rank" of "1,107,061," a "Country rank" of "38,018," and an "Industry rank" of "9,370." The Petitioner, however, did not establish the significance of the SimilarWeb statistics for *Healthcare-Brew.com*, *Dataconomy.com*, *Hightechcampus.com*, *Beststartup.ca*, and *WomeninBusiness.ma* showing that these publications represent major media or that their news coverage otherwise demonstrates her national or international acclaim.[4] *See Branski v. Seng*, No. 24-CV-360, 2024 WL 4678939, at *5 (E.D. Wis. Nov. 4, 2024) (indicating that the failure to provide context to circulation figures makes it difficult to assess their significance).

The Petitioner has not demonstrated that the limited amount of media coverage she has received throughout her career (2022 – 2025) is consistent with the sustained national or international acclaim necessary for this highly restrictive visa classification. *See* section 203(b)(1)(A) of the Act. Further, she has not shown how her overall press coverage is indicative of a level of success consistent with

[4] For comparison, SimilarWeb statistics provided by the Petitioner showed that *Fortune.com* had April 2025 total visits of 52.54 million and an industry rank of 8. The published material in *Fortune.com*, however, is not about the Petitioner.

being among that small percentage who has risen to the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(2). In addition, Petitioner has not established that the volume, duration, and type of media reporting on her and her activities in the field are reflective of a "career of acclaimed work in the field" as contemplated by Congress. H.R. Rep. No. 101-723 at 59. *See also Bodhankar v. United States Citizenship & Immigr. Servs.*, No. 119CV706MADCFH, 2020 WL 777211, at *5 (N.D.N.Y. Feb. 18, 2020) (finding the lack of press about the plaintiff was not consistent with national or international acclaim).

With regard to the Petitioner's service as a judge of the work of others in her field, an evaluation of the significance of her 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.[5] Participation as a reviewer or an evaluator alone does not automatically demonstrate that an individual has sustained national or international acclaim. Here, the Petitioner provided documentation showing that she evaluated projects as a judge for the [redacted] Awards (2025), but she did not offer evidence showing that her service as a judge for her employer garnered national or international acclaim in the field. *See Job v. Jaddou*, No. 4:22-CV-03017, 2024 WL 2963795, at *4 (S.D. Tex June. 12, 2024) (upholding the appointment of plaintiff to committees by a company's leadership did not inherently demonstrate acclaim outside his company).

In addition, the Petitioner taught a three-credit graduate course [redacted] for the [redacted] (her alma mater) as a Sessional Lecturer (2022). She also served as a judge for the [redacted]" (2017) hosted by the school's '[redacted]' and for student final presentations in a graduate level new products course taught at her alma mater [redacted] College (2025). Likewise, the Petitioner served on a panel of industry judges at the third annual [redacted] at [redacted] (2018). She provided an online article from the [redacted] stating that the event "brought together five scientist-entrepreneurship students in the third cohort of the invention to [redacted] program at [redacted]" The article further stated: "The competitors pitched their ventures to a panel of five industry judges, all of whom have extensive experience in successful entrepreneurship and science-based ventures."

The Petitioner, however, did not offer supporting evidence showing that these instances of judging the work of students at two of the universities she attended and at [redacted] University establish her sustained national or international acclaim or place her 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). *See also Agrawal v. Miller*, No. 4:24CV3143, 2025 WL 2879217, at *23 (D. Neb. Sept. 12, 2025) (upholding that plaintiff did not show how she judged to such an extent, or at a high enough level, that her judging surpasses the majority of the field and places her in the top echelon of the field) and *Hamal*, 2021 WL 2338316, at *4, *aff'd*, 2023 WL 1156801 (upholding plaintiff did not

[5] *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).

contextualize his judging experience to show the competitions are considered prestigious or attracted significant attention by the field).

Furthermore, the Petitioner presented documentation showing that she served as a "mentor" for the [redacted] 2022 [redacted]. She provided material from [redacted] stating: "[redacted]" While the Petitioner served as a mentor and coach, she has not presented evidence from the [redacted] indicating that she participated as the judge of others' work for the 2020 Investor Readiness Program. *See Onaghise v. Dep't of Homeland Sec.*, No. 3:20-CV-03033-X, 2022 WL 4073344, at *5 (N.D. Tex. Sept. 2, 2022) (upholding letters indicating various responsibilities, including teaching, training, and mentoring, did not constitute judging the work of others).

The Petitioner also served as a business strategy advisor to [redacted] (2021), a precision medicine technology company in [redacted], dedicated to improving treatment efficacy through refined patient selection. While the Petitioner was a member of an advisory team who assisted [redacted] by contributing insight and knowledge, she has not presented evidence showing that she participated as the judge of others' work for the company. *See Aravamuthan v. Jaddou*, No. 3:23-CV-01412-N, 2025 WL 1708126, at *5 (N.D. Tex. June 17, 2025) (upholding activities as a management consultant, such as providing companies advice and evaluating their business strategies, is not equivalent to judging the work of others in the same or an allied field).

The Petitioner has not offered evidence demonstrating that the level and frequency of her participation as a judge, evaluator, reviewer, teacher, coach, and mentor from 2017 – 2025 are indicative of sustained national or international acclaim in her field. Further, the Petitioner did not demonstrate how her judging experience differentiates her from others in the field, show the significance of her student evaluations and other instances of judging, or otherwise provide context regarding her service as a judge. The context of the Petitioner's judging experience is relevant, as performing evaluations or reviews for an organization or academic institution that selects their evaluators based on subject matter expertise would not alone 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. At issue here is the extent to which the Petitioner's judging activities have required, reflected, or resulted in her national or international acclaim. The Petitioner, however, has not shown that the judging, teaching, mentorship, coaching, and advisory roles of the type she performed contributes to establishing her sustained national or international acclaim or places her 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).

Additionally, the Petitioner has not demonstrated that her speaking and panelist engagements have garnered her national or international acclaim in the field. *See* section 203(b)(1)(A) of the Act. She offered evidence showing that she participated in the [redacted] (2025), the [redacted] (2025), [redacted] (2025), the 5th Annual [redacted] (2025), the [redacted] (2025), the 20th [redacted] (2025), the [redacted] (2024),

the [redacted] (2024), the [redacted] (2024), the [redacted] (2023), [redacted] (2021), the [redacted] (2019), and the 2nd Annual [redacted] (2014). The Petitioner, however, did not demonstrate the significance of her specific presentations, their level of prestige or recognition, or how they have impacted her field consistent with her being among that small percentage at the very top of the field. *See* 8 C.F.R. § 204.5(h)(2).

We agree with the Petitioner that she has performed in a leading or critical role for [redacted] as Vice President of Strategy and Business Development and subsequently as Strategy Consultant/Advisor to the Chairman as well as for [redacted] as Vice President and Head of Strategy and Business Development for [redacted] and most recently as Global Head of Research. The Petitioner, however, has not provided evidence showing that these roles have garnered her sustained national or international acclaim or placed her 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 provided letters of support discussing her skills and experience and some media coverage mentioning her work for the two companies, she has not offered supporting evidence demonstrating how her specific roles are indicative of her high standing in the field or otherwise reflect that she has sustained national or international acclaim or recognition for her 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 salary as Global Head of Research at [redacted] she provided a Jume 2025 "Employer's Statement" indicating that she receives a base salary €263,078. She also submitted information from SalaryExpert.com indicating that the position of "head of research & development" with 8+ years of experience in the [redacted] Netherlands "earns an average salary of €207,730." The Petitioner, however, must demonstrate that she earns a salary that places her among that small percentage who have risen to the very top of the field of endeavor rather than just an above average salary. *See* 8 C.F.R. § 204.5(h)(2). In addition, the Petitioner presented information from Payscale.com showing that the 90th percentile base salary for a "Research & Development Director" in the Netherlands is €156,000. She has not demonstrated, however, that the salary information she provided for the lesser positions of "Head of Research and Development" and "Research & Development Director" offers a relevant basis for comparison with her position as "Global Head of Research" at [redacted], a top senior corporate executive role at a multinational health technology company.[6] *See Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994) (considering a professional golfer's earnings versus other PGA Tour golfers); *see also Skokos v. U.S. Dept. of Homeland Sec.*, 420 F. Apex 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 shown that her earnings place her among that small percentage who have risen to the very top of the field. *See* 8 C.F.R. § 204.5(h)(2).

[6] In this senior executive position for [redacted], the Petitioner oversees the company's global innovation strategy and its execution, is responsible for steering and financing the company's breakthrough innovations, selects and funds technological explorations, and manages the company's global public-private partnerships. Multiple letters of support (such as those from L-D-, J-H-R-, and M-F-) refer to the Petitioner's role at [redacted] as a "C-level" executive position in the healthcare technology sector.

Furthermore, the Petitioner has not presented multiple years of earnings showing she has consistently maintained a high salary indicative of sustained national or international acclaim necessary for this highly restrictive visa classification. *See* section 203(b)(1)(A) of the Act. *See also 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 support of the petition.[7] 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 she has garnered the required sustained national and international acclaim for her 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).

For example, with respect to the Petitioner's work at [redacted] involving robotics technologies within healthcare, Dr. S-P-, Chief Innovation and Strategy Officer and Chief Business Leader of Enterprise Informatics at [redacted] asserted that the Petitioner "has been critical to [redacted] expansion and innovation in this area" and that "her leadership and expertise in this area has been supporting research and integration of [redacted] – a ground-breaking technology platform that is embedded into our [redacted] solution." Dr. S-P- further indicated that the Petitioner "has expertly refined [redacted] investment strategies around these technologies and their application within our broader healthcare portfolio," that "[h]er work has resulted in funding for an exploratory innovation project aimed at making our [redacted] technologies more accurate," and that "[s]he has also been leading a new R&D initiative focused on robotics procedural automation related to [redacted] system." While Dr. S-P- noted that the Petitioner has guided important projects at [redacted] the Petitioner has not presented evidence showing that her original work has affected the industry in a significant way or has otherwise garnered her national or international acclaim in the field.

In addition, M-F-, a partner at [redacted], stated:

> [The Petitioner] has been creating an innovative ecosystem across [redacted] global healthcare initiatives. This includes leading private and public partnership engagements with budgets in the 100 of millions of dollars. She recently formed a strategic partnership between [redacted] and [redacted] that takes advantage of new AI technologies to improve healthcare and outcomes for patients. This partnership is providing healthcare providers with new AI technologies in order to harness data from medical devices in new and exciting ways, including providing a

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

more complete picture of a patient's condition and/or overall health. [The Petitioner] has also been a leading strategic leader supporting R&D related to [redacted] FORS and [redacted] system.

M-F- indicated that the Petitioner's work on various projects has fostered an innovative ecosystem across [redacted] global healthcare initiatives, but the Petitioner has not offered evidence demonstrating in what ways her original work has affected the field or garnered attention at a level rendering her nationally or internationally acclaimed in her field. *See* section 203(b)(1)(A)(i) of the Act and 8 C.F.R. § 204.5(h)(3). Nor has she established that the specific results of her strategic leadership initiatives place her at the very top of the field. *See* 8 C.F.R. § 204.5(h)(2).

Regarding the Petitioner's strategic advisement of emerging healthcare technology startups, J-H-R-, a partner at [redacted], wrote:

> [The Petitioner] went on to become the Acting General Manager of [redacted] where she focused on building internal cross-departmental alignment alongside the C-Level team. As a mentee and mentor within this company and team, [the Petitioner] was able to use her excellent people skills to connect the dots amongst their talent base as well as find key gaps to fill. Such leadership and people/talent-first ingenuity work helped put the company on a new path to success and [redacted] was eventually acquired by [redacted] in [redacted] in 2021 for over [redacted] Billion.
>
> [The Petitioner] continued her career trajectory as an [redacted] to the CEO and Chairman and as the VP of Strategy and Business development for [redacted]. Her work in these leading C-level positions for multiple years focused on corporate governance and strategic direction for this company's oncology care technologies. As a former entrepreneur and mentee in this area, [the Petitioner] was able to bring a unique perspective to the space and recognized and bring in early-stage innovative startups to broaden the innovation ecosystem within the company. [redacted] continues to operate in this sector with success long after [the Petitioner's] tenure there ended in 2020.
>
> [The Petitioner] then made the journey into the venture capital world at [redacted], mentoring and strategically advising multiple start-ups and their founding teams on market and business development strategies, growth potential, etc. She also served as a mentor to [redacted] Innovation Accelerator in Oncology – illustrating her commitment to supporting innovation and growth in healthcare technologies. In her tenure as a mentor, she has worked with several entrepreneurs. One of the companies she mentored since its early days, [redacted] focuses on AI-driven precision medicine technology. The company was able to form multiple partnerships with other companies to utilize its platform in order to optimize and advance clinical trials.

While J-H-R- asserts that the Petitioner's advisory skills have contributed to the success of various companies, she did not provide specific examples of how the Petitioner's specific work has influenced the emerging healthcare technology startup industry at a level signifying her national or international

acclaim in the field. This letter and the other letters the Petitioner submitted summarize aspects of her work and praise her skills and contributions in strategic management of healthcare technologies for her employers and the companies she advised, but they do not demonstrate that her achievements have been widely recognized in her field or otherwise show that she has garnered sustained acclaim at the very top of her field. Overall, while the recommendation letters attest to the Petitioner's strategic management skills and accomplishments, they do not establish her extraordinary ability when considered in the totality of the evidence. The letters do not demonstrate that the Petitioner has achieved national or international acclaim from the field or attracted a level of attention placing her at the very top of her 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).

Further, the letters' 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 she 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.[8] 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 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 her 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 her memberships, media coverage, judging, original contributions, presented work, roles, and salary reflects that she has received some recognition for her contributions and expertise in her field but falls short of establishing that she 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 she is among the small percentage at the top of her field. *See* 8 C.F.R. § 204.5(h)(2).

[8] *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).

III. CONCLUSION

For the reasons discussed above, the Petitioner has not established her 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.