



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 18603110

Date: OCT. 28, 2021

Appeal of Nebraska Service Center Decision

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

The Petitioner, a medical consultant, seeks classification as an individual 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.

The Director of the Nebraska Service Center denied the petition, concluding that the Petitioner had satisfied only two of the ten initial evidentiary criteria, of which she must meet at least three.

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 into the United States 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 two options for satisfying this classification's initial evidence requirements. A petitioner can either demonstrate a one-time achievement (that is, a major, internationally recognized award), or provide 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 qualifying awards, published material in certain media, and scholarly articles). The regulation at 8 C.F.R. § 204.5(h)(4) allows a petitioner to submit comparable material if they are able to demonstrate that the standards at 8 C.F.R. § 204.5(h)(3)(i)–(x) do not readily apply to the individual’s occupation.

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 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

The Petitioner is a medical consultant who previously served as the Director of the Department of Diabetes [redacted] at the [redacted] University [redacted] Hospital in China. Because she has not indicated or established that she has received a major, internationally recognized award, the Petitioner must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i)–(x).

In denying the petition, the Director found that the Petitioner only fulfilled two of the initial evidentiary criteria relating to judging the work of others and authorship of scholarly articles. On appeal, the Petitioner maintains that she meets two additional criteria relating to her original contributions of major significance to her field, and her leading or critical role for organizations having a distinguished reputation.

After reviewing all of the evidence in the record, we agree with the Director’s conclusion regarding her participation as a judge of the work of others, as the record demonstrates that the Petitioner performed peer review for a number of scholarly journals. The record also demonstrates the Petitioner’s authorship of numerous scholarly articles in the medical field. However, as discussed below, we find that she does not meet the requisite three evidentiary criteria.

Evidence of the individual’s original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field. 8 C.F.R. § 204.5(h)(3)(v)

In order to satisfy the regulatory criterion at 8 C.F.R. § 204.5(h)(3)(v), a petitioner must establish that not only have they made original contributions but that those contributions have been of major significance in the field.¹ For example, a petitioner may show that the contributions have been widely implemented throughout the field, have remarkably impacted or influenced the field, or have otherwise risen to a level of major significance in the field. Here, the Petitioner claims that she has made original

¹ *See* 6 *USCIS Policy Manual* F.2 appendix, <https://www.uscis.gov/policy-manual/volume-6-part-f-chapter-2> (providing guidance on the review of evidence submitted to satisfy the regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i)–(x)) (stating that although funded and published work may be “original,” this fact alone is not sufficient to establish that the work is of major significance).

contributions of major significance in the field of diabetes and gout/hyperuricemia as evidenced by her published research, her participation in projects and academic conferences, and endorsements from other experts in the field. On appeal, she asserts that the Director failed to properly address the evidence submitted in support of her eligibility under this criterion.

The Petitioner claims that while her research and clinical contributions have “encompassed a wide spectrum of areas within [the fields of] Endocrinology and Metabolism,” her most important original contribution is her scientific findings on the relationship between [redacted] and diabetes. She submitted evidence demonstrating that she published articles on this topic as the first author in journals such as the *Chinese Journal of Practical Internal Medicine*, the *Chinese Journal of Diabetes*, and the *International Journal of Endocrinology and Metabolism*, and served as corresponding author in numerous other published articles. She asserts that the journal rankings, as well as each journal’s impact factor, are elements that should contribute to her satisfying this criterion’s requirements. The Petitioner, however, has not established that publication of articles in highly ranked or popular journals inevitably demonstrates that the field considers the research and work to be an original contribution of major significance. Moreover, a publication that bears a high ranking or impact factor reflects the publication’s overall citation rate; it does not show an author’s influence or the impact of research on the field or that every article published in a highly ranked journal automatically indicates a contribution of major significance. Here, the Petitioner has not established that publication in a popular or highly ranked journal alone demonstrates a contribution of major significance in the field. Publications and presentations are not sufficient under 8 C.F.R. § 204.5(h)(3)(v) absent evidence that they were of “major significance.” See *Kazarian*, 580 F.3d at 1036, *aff’d in part*, 596 F.3d 1115.

In addition, the Petitioner contends that she has published more than 80 “highly valued academic articles,” and that her published articles have been cited nearly 600 times.² As it relates to the cumulative citations of her work, this criterion requires the Petitioner to establish that she has made original contributions of major significance in the field. Thus, the burden is on the Petitioner to identify her original contributions and explain why they are of major significance. The Petitioner did not demonstrate how her cumulative number of citations represents contributions of major significance in the field. Moreover, aggregate citation figures tend to reflect a petitioner’s overall publication record rather than identifying which research the field considers to be majorly significant.

The Petitioner also submitted evidence pertaining to her publication and citation record from Google Scholar, PubMed, and the China National Knowledge Infrastructure (CNKI) China Integrated Knowledge Resources System, which provides comparable information for Chinese language publications that cite to her work.³ But this evidence does not show that the impact of her work on the overall field of diabetes [redacted] or related fields rises to the level of an original contribution of

² In support of this assertion, the Petitioner submits a letter from [redacted] who “verifies” her cumulative citation numbers. Absent corroborating evidence such as citation indexes or statistics, this unsupported testimonial letter is insufficient to establish this claimed fact.

³ Further, we note that evidence that summarizes citations to the Petitioner’s entire body of published work, and claims that her overall citation rate is high, do not demonstrate that any specific work of hers is so widely cited and relied upon that it is considered to have made a major impact in her field. Comparison of the Petitioner’s cumulative citations to others in the field is often more appropriate in determining whether the record shows sustained national or international acclaim and demonstrates that he is among the small percentage at the very top of the field of endeavor in a final merits determination.

major significance. The fact that the Petitioner has published articles that other researchers have referenced is not, by itself, indicative of a contribution of major significance. Publications are not sufficient under 8 C.F.R. § 204.5(h)(3)(v) absent evidence that they were of “major significance.” We acknowledge, however, that a petitioner may present evidence that her articles “have provoked widespread commentary or received notice from others working in the field, or entries (particularly a goodly number) in a citation index which cite [her] work as authoritative in the field, may be probative of the significance of [her] contributions to the field of endeavor.”⁴

The Petitioner has demonstrated that her most cited article is [redacted] published in *Diabetes Care* in 2008. The evidence from Google Scholar reflects that this article, with 161 citations, has more than four times as many citations as her next most cited article, as the documentation from CNKI indicates that two articles published in the *Chinese Journal of Diabetes* and the *Chinese Journal of Endocrinology* received 40 and 31 citations, respectively.⁵ While the Petitioner submitted corroborating evidence in the form of expert opinion letters that briefly address her research in this area, that evidence, as will be discussed in more detail below, is not sufficient to establish that the Petitioner’s research is regarded as an original contribution of major significance that has remarkably impacted or influenced her field.

The Petitioner also provided a CNKI list of published articles by [redacted] who she claims is a scholar in the diabetes fields and one of her peers. According to the information presented, [redacted]’s highest cited article received a total of 87 citations. Noting that her highest cited article garnered a total of 161 citations, the Petitioner concluded that these statistics demonstrate that her citation numbers “are relatively high among prominent scholars” in the field, which therefore evidences the significance of her achievements. The Director declined to afford evidentiary weight to this evidence, which the Petitioner challenges on appeal. Specifically, she points out that [redacted] in addition to being the current Director of the [redacted] University [redacted] Hospital, is also a reviewer of the China National Natural Science Foundation, a standing committee member of the Chinese Diabetes Association, and a visiting scholar at the [redacted] Diabetes Center at [redacted] University. Based on these professional accomplishments, the Petitioner asserts that her citation statistic could be considered “a baseline, or at least an indicator of the general view of a contribution of major significance.”

The comparative ranking of her top cited article to another individual she deems a peer in her field, however, does not automatically establish majorly significant contributions in the field. Again, the issue for this criterion is whether the Petitioner has made original contributions of major significance in the field rather than where her highest cited article ranks against one other individual’s article in the field. A more appropriate analysis, for example, would be to compare the Petitioner’s citations to other similarly, highly cited articles that the field views as having been of major significance, as well as factoring in other corroborating evidence. Further, highly-cited publications alone are not sufficient under 8 C.F.R. § 204.5(h)(3)(v) absent evidence that they were of “major significance,” as the number of citations for a given article often does not provide sufficient context to establish the impact or

⁴ See 6 USCIS Policy Manual, *supra* at F.2 appendix.

⁵ The Petitioner did not specify how many citations, if any, for each of her articles contained self-citations.

importance of a given researcher's work in the field. That context must be provided by other evidence in the record.

The Petitioner also submitted evidence that her research received funding from the [redacted] Science and Technology Commission, which oversees the [redacted] Natural Science Foundation. The Director found this evidence insufficient to demonstrate original contributions of major significance, noting that original academic research generally must receive funding. The Director determined that receipt of a municipal grant did not equate a project to an original contribution of major significance, as grants serve to fund research that aligns with the grantees' goals as opposed to award the Petitioner's contributions.

On appeal, the Petitioner asserts that the criteria for issuing the grant, which it claims are "highly strict and application-oriented," demonstrate that the grant was based on progress and data that she has already achieved, and thus recognized her past excellence in her field of endeavor. We have reviewed the referenced criteria, and find that it does not support the Petitioner's assertion. Specifically, Article 2 of the criteria submitted in response to the Director's request for evidence (RFE) states as follows:

The Natural Science Foundation focuses on funding applied research in natural science, guiding the city's scientific and technological personnel to conduct *forward-looking scientific issues* and cutting edge technology research based on the needs of [redacted] economic and social development. It also provides funding for training of high-level innovative individuals, and provide[s] scientific and technological support for the [] strategic emerging industries in the city.

Emphasis added.

Contrary to the Petitioner's appellate assertion, it appears that grants issued by this foundation promote "forward-looking scientific issues," and we therefore agree with the Director's determination. Once again, the issue is whether her research qualifies as an original contribution of major significance in the field. Receiving funding to conduct research is not a contribution of major significance in-and-of-itself; rather, the Petitioner must establish that receiving grants or other similar funding reflects the major significance of her past work, or that her research conducted with the funding resulted in contributions of major significance.

The Petitioner also asserts that she has "gathered widespread academic recognition evidenced by countless invitations to the most authoritative global academic conferences." The Director determined that the submitted evidence was insufficient to demonstrate her eligibility under this criterion. On appeal, the Petitioner does not contest the Director's determination regarding this issue.

Upon review, we concur with the Director's conclusions. Many professional fields regularly hold conferences and symposia to present new work, to discuss new findings, and to network with other professionals. Professional associations, businesses, educational institutions, and government agencies promote and sponsor these conferences. Participation in such events, however, does not necessarily result in an original contribution of major significance in the field. The Petitioner has not demonstrated the impact of her findings after dissemination to the field at any of the claimed conferences.

The Petitioner highlights her role in founding the Department of Diabetes [redacted] at [redacted] [redacted] University [redacted] Hospital, as well as her role in founding the [redacted] [redacted] Professional Committee. The Director found that neither of these accomplishments constituted original contributions of major significance in the field. Specifically, the Director determined that the foundation of a clinic did not qualify, and the foundation of the committee, while admirable, did not constitute an original contribution of major significance as the impact of the committee on the field of diabetes [redacted] in general could not be determined.

On appeal, the Petitioner argues that her foundation of the diabetes [redacted] department in fact satisfied this criterion, noting that at the time of its creation, there were no specialized medical departments or hospitals to connect diabetes [redacted]. She asserts that her foundation of this department was far-sighted, filled a vacancy for diagnosis and treatment of these combined diseases and ultimately promoted the development of China in this field. In support of her assertion that these accomplishments are original contributions of major significance, she relies on testimonial letters from others in the industry.

In general, the letters recount the Petitioner's research and findings, indicate their publications in journals, and point to the citations of her work by others. Although they reflect the novelty of her work, they do not sufficiently articulate how her research and findings have been considered of such importance and how their impact on the field rises to the level of major significance required by this criterion.⁶ For instance, [redacted] discusses the Petitioner's founding of the Department of Diabetes [redacted] and the [redacted] Professional Committee, and notes that both of these accomplishments represent the "first and only" in China. While he states that the founding of the department has provided "an excellent platform for the research of diabetes [redacted] [redacted] in the whole country," and that the committee has "dramatically expanded the research field and significantly promoted interdisciplinary research," he did not further elaborate or discuss the research advancements related to the creation of the department and the committee, nor did he explain how their creation has impacted and influenced the overall field.

Similarly, [redacted] claims that the Petitioner has made original contributions to the metabolism field through her research on the degree of damage [redacted]. [redacted] further claims that the Petitioner has "completed several breakthrough and milestone projects in the metabolism/diabetes field," and concludes that her findings "have improved our understanding [redacted] which is definitely a significant breakthrough in the treatment of diabetes." In support of this assertion, [redacted] briefly references the Petitioner's article [redacted] [redacted] and concludes that her research is not "not only a contribution to the research field but also to clinical use." While the letter praises the Petitioner's research, [redacted] did not indicate that the Petitioner's research on [redacted] has resulted in proven new treatments or has otherwise had a significant impact on the field of diabetes research.

On appeal, the Petitioner also asserts that the Director did not afford proper evidentiary weight to a testimonial letter from [redacted] and correspondence from [redacted] submitted in response to the RFE. We have reviewed the documentation from [redacted] and [redacted] but do not find their contents persuasive.

⁶ Although we do not discuss every letter submitted, we have reviewed and considered each one.

[redacted] Professor of Biochemistry at the University [redacted], states that in his judgment, the Petitioner has “excelled and achieved significant level of recognition in the field [redacted] Diabetes research, particularly in [redacted] studies,” and states that her research result, which he deems “a really rare and valuable one considering the size and time-span of her study – has provided me a comprehensive database in the treatment of type 2 diabetes.”

Similar to [redacted]’s statements, [redacted] does not indicate that the Petitioner’s research has broadly impacted the field of diabetes research or otherwise resulted in proven new treatments. Instead, his letter attests to the still-unrealized potential of the Petitioner’s research in the use of [redacted] for diabetes treatment. For example [redacted] indicates that while he is fascinated by the Petitioner’s research, the implementation of such research, currently performed on animals, will only be efficient and accurate for human use when “at least two different doses can be used to identify the most effective dose.” Projections of the future impact resulting from the Petitioner’s work do not establish that she has already made such a contribution.

The Petitioner also submitted records of her correspondence with [redacted] who indicates that her department has “been able to carry out some research, which has not been published yet,” and indicates that a future collaboration “sounds promising.” This correspondence, however, does not identify the manner in which, if at all, the Petitioner’s research or work influenced [redacted]’s studies, and appears to simply represent the Petitioner’s interest in her work and the possibility for a future collaboration. This correspondence does not demonstrate that the Petitioner has made an original contribution of major significance as required by this criterion.

Finally, the Petitioner asserts on appeal that the Director erred by not considering a letter submitted by [redacted] Member of the American Academy of Kinesiology at the University [redacted] [redacted] which proposes a future academic collaboration. A review of this letter indicates that [redacted] praises the achievements of the Petitioner and expresses a strong intent to collaborate with her on lifestyle intervention methods pertaining to diabetes [redacted] While a testament to the Petitioner’s accomplishments, proposing future collaborative studies in the field does not satisfy this criterion. Although [redacted] expresses optimism that they can create a brand-new innovative treatment, projections of the future impact resulting from the Petitioner’s work do not establish that she has already made such a contribution.

Although the Petitioner provided evidence reflecting the originality of her research through recommendation letters praising her for her contributions, the authors do not provide specific examples of contributions that are indicative of major significance. The letters do not contain specific, detailed information explaining the unusual influence or high impact her research or work has had on the overall field. Letters that specifically articulate how a petitioner’s contributions are of major significance to the field and its impact on subsequent work add value.⁷ On the other hand, letters that lack specifics and use hyperbolic language do not add value, and are not considered to be probative evidence that may form the basis for meeting this criterion.⁸ Moreover, U.S. Citizenship and Immigration Services (USCIS) need not accept primarily conclusory statements. *1756, Inc. v. The*

⁷ See 6 USCIS Policy Manual, *supra* at F.2 appendix.

⁸ *Id.* See also *Kazarian*, 580 F.3d at 1036, *aff’d in part*, 596 F.3d at 1115 (holding that letters that repeat the regulatory language but do not explain how an individual’s contributions have already influenced the field are insufficient to establish original contributions of major significance in the field).

U.S. Att’y Gen., 745 F. Supp. 9, 15 (D.C. Dist. 1990). Although the letters reflect the novelty of her work, they do not show how her research and findings have been considered of such importance and how their impact on the field rises to the level required by this criterion.

For the reasons discussed above, considered both individually and collectively, the Petitioner has not shown that she has made original contributions of major significance in the field.

Evidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation. 8 C.F.R. § 204.5(h)(3)(viii).

To satisfy this criterion, the Petitioner must satisfy three elements: that her role was (1) leading or critical; (2) that such role was for an organization or establishment; and (3) that the organization or establishment has a distinguished reputation. For the reasons outlined below, we find that the Petitioner has not submitted evidence sufficient to demonstrate that she meets the requirements of this criterion.

The Petitioner asserts that she has served in a critical role for the [redacted] University [redacted] [redacted] Hospital as the Director of the Diabetes [redacted] Department.⁹ In support of this assertion, she points to documents from [redacted] Director of the hospital’s Personnel Department, and verification letters from [redacted]

In order to demonstrate that a petitioner served in a critical role, the evidence must establish that they have contributed in a way that is of significant importance to the outcome of the organization or establishment’s activities. A supporting role may be considered “critical” if the petitioner’s performance in the role is (or was) important in that way. It is not the title of the role, but rather the performance in the role that determines whether the role is (or was) critical.¹⁰

In an affidavit submitted on appeal, [redacted] addressed a date discrepancy in the Petitioner’s employment, and clarified that she served in the role of Director of the Diabetes [redacted] Department for the [redacted] University [redacted] Hospital from 2002 to 2016. In a letter submitted in response to the RFE, [redacted] stated that the Petitioner had been a “critical asset” to the hospital and had undertaken critical responsibilities in her role as Director, including participation in outpatient intractable case consultation, supervision of graduate candidates, hosting meetings and seminars, undertaking emergency tasks, and serving in an expert role for the hospital’s Clinical Supervision Committee and the People’s Mediation Committee of [redacted] Medical Disputes. He further noted that she was the founder of the Department, and referenced her appointment to numerous committees and associations including the American Diabetes Association.

While [redacted] outlined her role and associated duties as Director of the Diabetes [redacted] Department for the hospital, he did not provide detailed examples showing how her performance in this role resulted in improving the Department’s influence in the medical field. While he indicates that the Department was evaluated by a professional committee and approved as a sub-center of the

⁹ On appeal, the Petitioner asserts that the Director incorrectly assessed whether the Petitioner performed in a leading role despite her specific assertion that the role was critical.

¹⁰ See 6 USCIS Policy Manual, *supra* at F.2 appendix.

[redacted] Management Center of Asia Pacific Consortium in 2018, and that such status allows the hospital to participate in various clinical studies in Asia, he does not discuss the nature or extent of the Petitioner's role, if any, in advancing the Department's achievement of such status. [redacted] did not provide specific examples reflecting the importance of the Petitioner's work to the outcomes of the hospital itself. Absent detailed information addressing how the Petitioner's role for the [redacted] University [redacted] Hospital was of significant importance to the outcome of that entity, [redacted]'s letter is insufficient to demonstrate that the Petitioner served in a critical role for the hospital.

The Petitioner also relies on a letter from [redacted] the hospital's Director of Medical Administration. [redacted] states that the Petitioner was instrumental in facilitating the hospital's achievement of national "[redacted] classification." Specifically, he states that the Petitioner was "the ONLY director-level clinical expert who is confident enough to recommend its department to be evaluated by the national classification committee," and claims that her department played a vital role in garnering the highest level ranking for the hospital. He further states that the hospital's partnership with [redacted] and [redacted] would not have come to fruition without the Petitioner.

[redacted] however, does not describe with sufficient detail how the Petitioner played a critical role in the successes enjoyed by the hospital. He does not provide specific examples of how the Petitioner's actions contributed to the acquisition of the referenced research partnerships or the hospital's rating. Moreover, while he states that the Petitioner has been invited "at least twice by [redacted] and [redacted] to steer multiple cross-strait academic exchange activities with [redacted]" and that she has presided over several academic lectures and given keynote speeches, these accolades do not demonstrate that her position amounts to a critical role. Every employee fulfills some kind of role that benefits their employer in some way. Here, the Petitioner has not established that her work for the hospital was critical to the organization itself, rather than to the outcome of specific, limited tasks or projects.

On appeal, the Petitioner submits a letter from [redacted] former Director of the [redacted] University [redacted] Hospital. [redacted] reiterates the Petitioner's role in founding the Department of Diabetes [redacted] and claims that she "helped establish a scientific and medical management system" which contributed to the hospital's receipt of its highest level [redacted] rating. He also discusses her research projects and publications during the course of her employment with the hospital which garnered her recognition from the field, noting that [redacted] and [redacted] partnered with the hospital based on her reputation. [redacted]'s letter, similar to those from [redacted] and [redacted], does not offer specific examples showing how the Petitioner's work for the hospital directly resulted in the partnerships with [redacted] and [redacted] or directly contributed to the hospital's receipt of [redacted] status.

The submitted letters lack detailed examples showing how the Petitioner contributed to the [redacted] University [redacted] Hospital in a manner that was critical to the hospital's activities. Despite providing accolades of the Petitioner's accomplishments, the letters do not offer specific examples of how her research, published work, and role as Director of the Diabetes [redacted] Department contributed to the activities of the hospital. Letters from individuals with personal knowledge of the significance of a petitioner's leading or critical role can be particularly helpful as

long as the letters contain detailed and probative information that specifically addresses how the petitioner's role for the organization or establishment was leading or critical.¹¹

We also acknowledge the Petitioner's assertion on appeal that the Director erroneously focused on the reputation of the Department of Diabetes [redacted] rather than the hospital in general, in determining whether the hospital was an organization or establishment with a distinguished reputation. The Director's decision states as follows: "You did not provide objective documentation to show that the Department of Diabetes [redacted] at [redacted] University [redacted] Hospital is an organization or establishment that has a distinguished reputation. has a distinguished reputation." The Petitioner asserts that the Director erred by not considering evidence such as the hospital's ranking in China. Upon review, however, we agree with the Director's ultimate conclusion that the record is not supported by objective, independent documentation establishing that the hospital holds a distinguished reputation.¹² Further, we need not accept primarily conclusory statements. *1756, Inc. v. The U.S. Att'y Gen.*, 745 F. Supp. at 15. As the Petitioner has not established that she performed in a critical role for the hospital, however, further analysis of the hospital's reputation serves no meaningful purpose

The Petitioner also claims on appeal that her role as a committee member for the [redacted] [redacted] was critical to that organization. According to a letter from [redacted]'s president, [redacted] the Petitioner was invited to be one of 17 committee members upon the organization's inception in 2017. The letter states that she engaged in online lectures, accumulated data, and participated in WeChat discussion groups. The Director determined that this letter was of little significance, noting that it did not demonstrate how her role differentiated her from other committee members, and further determined that the record lacked evidence demonstrating that [redacted] was an establishment or organization that enjoyed a distinguished reputation.

On appeal, the Petitioner challenges the Director's findings, noting that in addition to not affording the letter sufficient evidentiary weight, the Director improperly evaluated the Petitioner's role with [redacted] as a leading role, rather than a critical role. The Petitioner asserts that the letter from the chairman indicates that she performed in a critical role that distinguished her performance from the other 16 committee members, noting that she had been in charge of improving the quality of long-term training programs for implementation in hospitals.

As noted by the Director, however, the letter from the chairman is not in compliance with the regulation at 8 C.F.R. § 204.5 (g)(1) which provides, in relevant part, that "[e]vidence relating to qualifying experience or training shall be in the form of letter(s) from current or former employer(s) or trainer(s) and shall include the name, address, and title of the writer..." Moreover, the author of this correspondence does not indicate, nor does the record demonstrate, that he currently or has in the past employed the Petitioner. In addition, the letter is devoid of specific examples demonstrating how the Petitioner's committee membership was critical to the organization itself. For these reasons, we concur with the Director's determination that this letter is not sufficient to demonstrate that the

¹¹ See 6 USCIS Policy Manual, *supra* at F.2 appendix

¹² We exercise de novo review of all issues of fact, law, policy, and discretion. See *Matter of Dhanasar*, 26 I&N Dec. 884 (AAO 2016). This means that we look at the record anew and are not required to defer to findings made in the initial decision. Furthermore, our decision may address new issues that were not raised or resolved in the prior decision.

Petitioner performed in a critical role for an organization or establishment with a distinguished reputation.

Finally, the Petitioner asserts that her role as Chairwoman for the [redacted] Committee of [redacted] Association of Medicine and Health was leading or critical to that organization. On appeal, the Petitioner focuses on the committee and whether it qualifies as an organization or establishment as contemplated by the regulations. However, we note preliminarily that the Petitioner has not shown that her role as committee chairwoman constitutes a leading or critical role for the [redacted] [redacted] Committee of [redacted] Association of Medicine and Health as a whole.

The Petitioner submitted evidence in the form of a certificate demonstrating that she held the title of chairwoman. However, she has not provided specific information or details in the form of letters from employers relating to her role as the chairwoman of the committee. The Petitioner's title alone, without specific information relating to what she did or her impact on the committee in that role, is insufficient to demonstrate that she has performed either a leading or critical role for [redacted] [redacted] Committee of [redacted] Association of Medicine and Health as a whole.

In summary, none of the evidence provided demonstrates that the petitioner performed in a leading or critical role for organizations or establishments that have a distinguished reputation. The letters considered above primarily contain bare assertions of acclaim and vague claims of contributions without specifically identifying contributions and providing specific examples of how those contributions rise to a level consistent with major significance in the field. Merely repeating the language of the statute or regulations does not satisfy the Petitioner's burden of proof. *See Fedin Bros. Co., Ltd. v. Sava*, 724 F. Supp. 1103, 1108 (E.D.N.Y. 1989), *aff'd*, 905 F. 2d 41 (2d. Cir. 1990); *Avyr Associates, Inc. v. Meissner*, 1997 WL 188942 at *5 (S.D.N.Y.). Similarly, USCIS need not accept primarily conclusory assertions. *See 1756, Inc. v. The U.S. Att'y Gen.*, 745 F. Supp. at 17.

For these reasons, the Petitioner has not established that she meets this criterion.

III. CONCLUSION

The Petitioner has not submitted the required initial evidence of either a one-time achievement or documents that meet at least three of the ten criteria. As a result, we need not provide the type of final merits determination referenced in *Kazarian*, 596 F.3d at 1119-20. Nevertheless, we advise that we have reviewed the record in the aggregate, concluding that it does not support a finding that the Petitioner has established the acclaim and recognition required for the classification sought.

The Petitioner seeks a highly restrictive visa classification, intended for individuals already at the top of their respective fields, rather than for individuals progressing toward the top. USCIS has long held that even athletes performing at the major league level do not automatically meet the "extraordinary ability" standard. *Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994). Here, the Petitioner has not shown that the significance of her work is indicative of the required sustained national or international acclaim or that it is consistent with a "career of acclaimed work in the field" as contemplated by Congress. H.R. Rep. No. 101-723, 59 (Sept. 19, 1990); *see also* section 203(b)(1)(A) of the Act. Moreover, the record does not otherwise demonstrate that the Petitioner has garnered national or international acclaim in the field, and she is one of the small percentage who has risen to the very top of the field of endeavor. *See* section 203(b)(1)(A) of the Act and 8 C.F.R. § 204.5(h)(2).

For the reasons discussed above, the Petitioner has not demonstrated her eligibility as an individual of extraordinary ability. The appeal will be dismissed for the above stated reasons, with each considered as an independent and alternate basis for the decision. In visa petition proceedings, it is the petitioner's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361. The Petitioner has not met that burden.

ORDER: The appeal is dismissed.