



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

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

In Re: 16004636

Date: AUG. 30, 2021

Appeal of Nebraska Service Center Decision

Form I-140, Immigrant Petition for Alien Worker (Outstanding Professors/Researchers)

The Petitioner, a university, seeks to classify the Beneficiary as an outstanding professor or researcher in the field of international macroeconomics. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(B), 8 U.S.C. § 1153(b)(1)(B).

The Director of the Nebraska Service Center denied the petition, concluding that the record did not establish, as required, that the Beneficiary is internationally recognized as outstanding in his academic field.

On appeal, the Petitioner submits additional documentation and a brief asserting that the Director overlooked or did not properly evaluate evidence in the record, and that this evidence establishes that the Beneficiary qualifies under the high standards of this immigrant visa classification.

In these 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. Upon *de novo* review, we will dismiss the appeal.

I. LAW

The statute requires that beneficiaries under this immigrant visa classification should stand apart in their academic area based on international recognition. To establish a professor or researcher's eligibility, a petitioner must provide initial qualifying documentation that meets at least two of six categories of specific objective evidence and demonstrates the beneficiary is recognized internationally within the academic field as outstanding.

Specifically, section 203(b)(1)(B)(i) of the Act provides that a foreign national is an outstanding professor or researcher if:

- (i) the alien is recognized internationally as outstanding in a specific academic area,
- (ii) the alien has at least 3 years of experience in teaching or research in the academic area, and

- (iii) the alien seeks to enter the United States [for a qualifying position with a university, institution of higher education, or certain private employers].

To establish a professor or researcher's eligibility, a petitioner must provide initial qualifying documentation that meets at least two of six categories of specific objective evidence set forth at 8 C.F.R. § 204.5(i)(3)(i)(A)-(F). This, however, is only the first step, and the successful submission of evidence meeting at least two criteria does not, in and of itself, establish eligibility for this classification. When a petitioner submits sufficient evidence at the first step, we will then conduct a final merits determination to decide whether the evidence in its totality shows that the beneficiary is internationally recognized as outstanding in his or her academic field.¹ 8 C.F.R. § 204.5(i)(3)(i).

Finally, the regulation at 8 C.F.R. § 204.5(i)(3)(ii) provides that a petition for an outstanding professor or researcher must be accompanied evidence that the foreign national has at least three years of experience in teaching and/or research in the academic field.

II. ANALYSIS

The Beneficiary received his Ph.D. in Economics from the University [REDACTED] in December 2012. From 2012 until 2016, the Beneficiary served as an Assistant Professor of Economics at [REDACTED] University in [REDACTED] Canada. The Beneficiary has been employed as an Assistant Professor of Economics in the Petitioner's Department of Economics since August 2016.²

In his decision, the Director found that the Beneficiary met three of the evidentiary criteria, thus satisfying the initial evidence requirement, but that the totality of the record did not establish the requisite international recognition in his field. Upon review, we agree with the Director that the evidence demonstrates the Beneficiary's service as a judge of the work of others, original scientific or scholarly research contributions to the academic field, and authorship of scholarly articles. As he therefore meets the initial evidence requirements, we will consider all the evidence of record when conducting the final merits determination.

In a final merits determination, we analyze a researcher's accomplishments and weigh the totality of the evidence to evaluate whether a petitioner has demonstrated, by a preponderance of the evidence³, that the beneficiary's achievements are sufficient to demonstrate that he has been internationally recognized as outstanding in the field of endeavor. *See* section 203(b)(1)(B)(i) of the Act; 8 C.F.R.

¹ USCIS has confirmed the applicability of this two-step analysis to evaluate the evidence submitted with the petition to demonstrate eligibility for classification as an outstanding professor or researcher. *See* 6 *USCIS Policy Manual* F.3(B), <https://www.uscis.gov/policy-manual>.

² The Beneficiary also received an appointment as a [REDACTED] Fellow in the Department of Economics at [REDACTED] University from September 2019 until July 2020.

³ A petitioner must establish that the beneficiary meets the eligibility requirements of the benefit sought by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). In other words, a petitioner must show that what it claims is "more likely than not" or "probably" true. To determine whether a petitioner has met its burden under the preponderance standard, we consider not only the quantity, but also the quality (including relevance, probative value, and credibility) of the evidence. *Id.* at 376; *Matter of E-M*, 20 I&N Dec. 77, 79-80 (Comm'r 1989).

§ 204.5(i)(3)(i). In this matter, we agree with the Director that the Petitioner has not shown the Beneficiary's eligibility.⁴

The Petitioner argues on appeal that the preponderance of the evidence “establishes that [the Beneficiary] is internationally recognized as outstanding in his field.” It asserts that the Beneficiary’s “review work is for the very best journals within his field” and that his “authorship includes work published in top-ranked journals.” The Petitioner also contends that the Beneficiary’s published “work has been recognized internationally through hundreds of citations and at a rate that places some of his work among the most cited in the field of Economics.” It further states that the Director disregarded the letters of support “attesting to the significance and international recognition of [the Beneficiary’s] research.” Additionally, the Petitioner indicates that the Beneficiary “won the 2016 [] Prize” and received an invitation to join the National Bureau of Economic Research (NBER).

It is important to note that the controlling purpose of the regulation at 8 C.F.R. § 204.5(i)(3)(i) is to establish a beneficiary’s international recognition, and any evidence submitted to meet these criteria must therefore be to some extent indicative of international recognition. More specifically, outstanding professors and researchers should stand apart in the academic community through eminence and distinction based on international recognition. *Employment-Based Immigrants*, 56 Fed. Reg. 30703, 30705 (proposed July 5, 1991) (enacted 56 Fed. Reg. 60897 (Nov. 29, 1991)). Therefore, to the extent that the Director first determined that the evidence satisfied the plain language requirements of specific evidentiary criteria, and then evaluated whether that evidence, as part of the entirety of the record, was sufficient to demonstrate the Beneficiary’s recognition as outstanding at the international level, his analysis was in keeping with the statute, regulations, and policy pertaining to the requested immigrant visa classification.

As it pertains to the Beneficiary’s participation as a judge of the work of others, the Petitioner submitted documentation indicating that he has reviewed papers for *American Economic Review* (three),⁵ *Review of Economic Studies* (two), *Journal of Monetary Economics* (three), *Journal of International Economics* (three), *Journal of the European Economic Association* (five), *American Economic Journal: Macroeconomics* (four),⁶ *Economic Journal* (one), *International Economic Review* (three), *Review of Economic Dynamics* (three), and *Journal of Economic Dynamics and Control* (three).⁷ The record further indicates that the Beneficiary has reviewed papers for *European Economic Review* (one), *Journal of Development Economics* (one), *Journal of Money, Credit and Banking* (one), *International Monetary Fund Economic Review* (one), *Economic Inquiry* (one), *Economic Letters* (two), *Canadian Journal of Economics* (one), *North American Journal of Economics and Finance* (one), and *International Finance* (one). Therefore, from 2013 up until the

⁴ In the final merits analysis, the Director’s decision discussed the documentation relating to the Beneficiary’s peer review activities, published research, citation evidence, and National Bureau of Economic Research affiliation, and explained why that evidence, as part of the entirety of the record, was insufficient to demonstrate the Beneficiary’s recognition as outstanding at the international level.

⁵ One of these reviews for *American Economic Review* was completed in [] 2020 and post-dates the filing of the petition. See 8 C.F.R. § 103.2(b)(1), (12).

⁶ One of these reviews for *American Economic Journal: Macroeconomics* was completed in [] 2020 and post-dates the filing of the petition. See 8 C.F.R. § 103.2(b)(1), (12).

⁷ One of these reviews for *Journal of Economic Dynamics and Control* was completed in [] 2020 and post-dates the filing of the petition. See 8 C.F.R. § 103.2(b)(1), (12).

time of filing the petition, the Beneficiary had peer reviewed 37 manuscripts for 19 different journals in his field.

An evaluation of the significance of the Beneficiary's judging experience is appropriate to determine if such evidence is indicative of the outstanding achievement required for this classification.⁸ In many scientific and academic fields, peer review is a routine part of the process through which articles are selected for publication or presentation at conferences. Participation in the peer review process does not automatically demonstrate that an individual is internationally recognized as outstanding in his academic field.

The Petitioner argues that the Beneficiary's considerable peer review work and the rankings of the journals he served support a determination that he is internationally recognized as outstanding. The record includes journal rankings from Google Scholar indicating that many of the journals for which he has served as a peer reviewer are ranked in the top twenty in their respective subject matter sub-categories in terms of their "h-5 index," a measure related to the journals' respective impact factors. For instance, the Petitioner provided Google Scholar rankings listing *American Economic Review* as 1st, *Review of Economic Studies* as 8th, *Economic Journal* as 9th, *Journal of International Economics* as 11th, *Journal of Monetary Economics* as 12th, *Journal of Development Economics* as 13th, *American Economic Journal: Macroeconomics* as 16th, *Journal of the European Economic Association* as 17th, and *European Economic Review* as 19th among "Economics" journals.

However, the record does not contain sufficient support for the Petitioner's claim that "the review work done by [the Beneficiary] is at the highest level and is outstanding in his field." The Petitioner did not, for example, provide evidence that the specific journals that invited the Beneficiary to serve as a peer reviewer reserve those invitations for researchers who are recognized internationally as outstanding in the academic field. [REDACTED] an associate professor of economics at [REDACTED] University, who indicated that she has "known [the Beneficiary] through interactions with him at academic conferences and seminars," provided a letter in which she stated:

[The Beneficiary's] research accomplishments and reputation in International Finance and Macroeconomics have been recognized by world leading journals in Economics like the *American Economic Review*, the *Review of Economic Studies*, and the *Journal of Monetary Economics*, among others. These scientific outlets invited him to review the work of experts in his field. It is an honor to be invited to serve as a reviewer for such journals and only scientists who are recognized as international experts in their field are selected as reviewers for them.

We do not question [REDACTED]'s opinion that the Beneficiary's activities as a peer reviewer demonstrate his acknowledged expertise in economics, particularly in international finance and macroeconomics, and his stature as a valued and active researcher in this field. At issue here is the extent to which the Beneficiary's peer review activities have required, reflected, or resulted in his being recognized internationally as outstanding in his field. As noted, the Petitioner did not establish the various

⁸ See 6 USCIS Policy Manual, *supra*, at F.3(B)(1) (stating that a beneficiary's participation as a judge should be evaluated to determine whether it was indicative of the beneficiary being recognized internationally as outstanding in a specific academic area).

journals' requirements for selection of peer reviewers, and therefore we are unable to evaluate the Beneficiary's peer review activities in light of those requirements. For example, reviewing manuscripts for journals that select peer reviewers based on subject matter expertise would not provide strong support for the petition, because possessing expertise in a given field is a considerably lower threshold than being recognized internationally within the academic field as outstanding.

Therefore, although the record shows that the Beneficiary has reviewed numerous manuscripts for reputable journals, it does not demonstrate how his peer review activity compares to or differentiates him from his peers in the field. Similarly, the evidence in the record does not demonstrate that the Beneficiary has received any international recognition for his service as a peer reviewer. Without this or other evidence differentiating him from others in his field,⁹ the Petitioner has not established how the Beneficiary's peer review experience contributes to establishing that he is internationally recognized as outstanding in his academic field. 8 C.F.R. § 204.5(i)(3)(i).

In addition, the Petitioner offered a November 2015 email from a program officer with the Research Grants & Partnership Division of the Social Sciences and Humanities Research Council of Canada (SSHRC) asking the Beneficiary to assist "with an assessment of an application submitted to the Insight Grants funding opportunity by means of an online assessment. . . . We ask that you review the research project, along with the CV(s) of the applicant and co-applicants, by completing the online assessment form." A January 2016 follow-up email from the program officer to the Beneficiary noted that once assessments are completed, they "have to be sent to the adjudication committee" which issues a final recommendation. In her letter, [redacted] asserted that "SSHRC serves in Canada in a similar role to the one that the National Science Foundation serves in the United States. Only prominent scholars in their fields get invited to serve as reviewers for such prestigious granting agencies, and the fact that [the Beneficiary] has served as one is indicative of his standing as a prominent scholar in Economics." The Petitioner did not, however, provide corroborating evidence from the SSHRC indicating that it reserves invitations to provide online assessments of Insight Grants applications for "prominent scholars in their fields" or those who are recognized internationally as outstanding in the academic field. Nor has the Petitioner demonstrated that the Beneficiary's completion of an online assessment for SSHRC sets the Beneficiary apart as outstanding in his field or otherwise garners him a level of attention indicative of international recognition.

The Petitioner also provided an August 2019 Spanish language email from [redacted] to the Beneficiary requesting that he review a research proposal, but this document was unaccompanied by a certified English language translation. Any document in a foreign language must be accompanied by a full English language translation. 8 C.F.R. § 103.2(b)(3). The translator must certify that the English language translation is complete and accurate, and that the translator is competent to translate from the foreign language into English. *Id.* Regardless, the Petitioner has not submitted evidence showing that reviewing a research proposal for [redacted] signifies eminence and distinction based on international recognition.

⁹ For instance, many of the Beneficiary's references have served in editorial positions for highly regarded journals, including [redacted] who worked as a [redacted] for *American Economic Review*. Likewise [redacted] has served as an [redacted] of the *Journal of Development Economics* and as a member of the Board of Editors for *Journal of International Economics*. Additionally, [redacted] of the *IMF Economic Review*, [redacted] of the *Journal of International Economics*, and a [redacted] of *American Economic Review*.

With respect to the Beneficiary's research contributions, the record includes letters of support discussing his research projects at [redacted] University and the Petitioner.¹⁰ For example, regarding the Beneficiary's research involving [redacted], [redacted] stated that the Beneficiary "and his co-authors found that [redacted] can explain approximately 80% of the interest premium paid by emerging economies" and that "it can also increase substantially the volatility of the economies' borrowing costs." [redacted] further indicated that the Beneficiary's proposed solution for this problem "is to write [redacted] with a [redacted]: the return depends on how well (or bad) the borrowing economy is doing in other credit markets," but she did not offer specific examples of how the Beneficiary's proposed solution of [redacted] has been implemented to reduce defaults in emerging economies or has otherwise influenced his field at a level commensurate with being internationally recognized as outstanding.

Regarding the Beneficiary's research relating to debt exchanges, [redacted] a professor of economics at [redacted] University, asserted that the Beneficiary and his co-authors presented an [redacted] of [redacted] exchanges in which "opportunities for [redacted] reductions arise because they imply a decline in [redacted] risk." In addition, [redacted] explained that the Beneficiary's work showed "that even though these [redacted] are optimal at the time of the [redacted] they can be [redacted] from an [redacted] perspective." While [redacted] further stated that the Beneficiary's findings "highlight a cost of initiatives that facilitate [redacted] [redacted]," the record does not show that the Beneficiary's [redacted] has been widely affected his field or has otherwise risen to the level of a contribution that is recognized internationally as outstanding.

With regard to the Beneficiary's work involving [redacted] crises, [redacted] a professor of economics at [redacted] University, stated that he has "extensively cited publications authored by [the Beneficiary], who is internationally recognized for his significant contributions through his work pertaining to International Macroeconomics. His work in the field of [redacted] is majorly significant and extremely important and relevant." [redacted] asserted that the Beneficiary and his co-authors showed "that eliminating [redacted] could reduce the [redacted] probability considerably and result in sizable welfare gains," as well as described ways "in which a policymaker could eliminate the [redacted] problem and benefit from these gains." [redacted] did not further elaborate or discuss whether the Beneficiary's findings have been implemented beyond informing the research of others in the same field, and if so, the extent of their application. For example, he does not offer examples of policymakers who have implemented the Beneficiary's specific economic strategies. While [redacted] praised the Beneficiary's research as "important and relevant," he did not sufficiently detail in what ways the Beneficiary's findings have already advanced the state of research in the academic field or explain how the Beneficiary's work has already influenced the wider field beyond those who have directly cited his articles.

In addition, [redacted] a professor at the [redacted],¹¹ asserted that the Beneficiary "is a talented and groundbreaking economist with extraordinary ability who will

¹⁰ While we discuss a sampling of these letters, we have reviewed and considered each one.

¹¹ [redacted] noted that she previously served as a professor at the University of [redacted] where the Beneficiary received his Ph.D. She stated: "I co-chaired [the Beneficiary's] Ph.D. dissertation in Economics at the

undoubtedly continue to advance scientific breakthroughs in Economics in the United States, in particular International Macroeconomics.” She further indicated that the Beneficiary “has unique training, talent, skills, and accomplishments in International Finance and Open-Economy macroeconomics. [redacted]’s statements, however, are not sufficient to demonstrate that the Beneficiary’s findings have influenced the field of international macroeconomics in a substantial way that signifies international recognition or outstanding achievement in his field.

Furthermore, [redacted] a professor of economics at University of [redacted] [redacted] stated that the Beneficiary’s “research contributions have been published in high-ranking international journals in the field of Economics, including the *Journal of Political Economy* and the *Journal of Monetary Economics*.” While we recognize that research must add information to the pool of knowledge in some way in order to be accepted for publication, presentation, funding, or academic credit, not every research finding that broadens knowledge in a particular field renders an individual’s work as outstanding or internationally recognized in his academic area.

[redacted] also indicated that the Beneficiary has given “invited talks and seminars at the World Bank, the International Monetary Fund, and various Federal Reserve banks, among many others. Invitations to deliver these talks are limited to individuals who have demonstrated significant research accomplishments and are recognized outstanding in their field at the international level.” Merely repeating the language of the statute or regulations, however, does not satisfy a petitioner’s burden of proof. *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). The Petitioner did not, for example, provide evidence from the specific organizations that invited the Beneficiary to speak indicating that they reserve their invitations for researchers who are recognized internationally as outstanding in the academic field. The Beneficiary’s participation in invited talks and seminars demonstrates that his research findings were shared with others in his field, but without documenting the impact of his presented research, such participation is not sufficient to demonstrate that his work is recognized internationally as outstanding in the academic field.

The Petitioner also provided three letters written in 2015 in support of the Beneficiary’s [redacted] for the 2016 [redacted] Prize by the Department of Economics at [redacted] University. For instance, [redacted] a professor at the University of [redacted] indicated that the Beneficiary’s “research output in a short period of three years since finishing his Ph.D. has been impressive.” Likewise, [redacted] a senior economist with the Federal Reserve Bank of [redacted],¹² stated: “Since [the Beneficiary’s] arrival to [redacted] he has published several papers . . . and generated a new set of projects. . . . [The Beneficiary’s] work is also of great relevance for current policy discussions on the effects of [redacted] on the banking sector, domestic credit and output.” Additionally, [redacted] a professor of economics at the University of [redacted]¹³ asserted: “I rank [the Beneficiary] among the best students I enjoyed working with during my time at [redacted] His publication record and the projects he has [i]n the pipeline are a clear indication of his value and potential. I wholeheartedly support his nomination for the

University of [redacted] where he graduated in 2012. During our time at the University of [redacted] [the Beneficiary] was also my research assistant.”

¹² [redacted] noted that the Beneficiary “was enrolled in the graduate computational economics class that I used to teach at the University of [redacted]” [redacted] also indicated that he was “part of [the Beneficiary’s] dissertation committee.”

¹³ [redacted] indicated that he “served as the chair of [the Beneficiary’s] thesis committee.”

[redacted] Prize!” The aforementioned statements from [redacted], [redacted], and [redacted] however, are not sufficient to show that the Beneficiary’s work has had a meaningful impact in his academic field or has otherwise been recognized internationally as outstanding in the area of macroeconomics.

The Petitioner argues that the aforementioned letters of support show “the significance and international recognition of [the Beneficiary’s] research.” The expert testimonials offered by the Petitioner, however, do not contain sufficient information and explanation, nor does the record include adequate corroborating evidence, to show that the Beneficiary’s work is viewed by the overall academic field, rather than by a solicited few, as substantially influential or otherwise indicative of international recognition.

The record includes additional letters from [redacted] a professor in the Petitioner’s Department of Economics, and [redacted] a professor at [redacted] University, mentioning that the Beneficiary was a recipient of a 2016 [redacted] Prize. [redacted] stated: “When he was at [redacted] University, [the Beneficiary] was the 2016 economics winner of the [redacted] Prize, awarded by the [redacted].” [redacted] further indicated that that Beneficiary “has received the 2016 [redacted] Prize in Economic Science, a very prestigious award given annually to outstanding professors who are affiliated to an [redacted] university.”

In addition to the aforementioned letters from [redacted] and [redacted], the Petitioner submitted recent information from the [redacted] Universities discussing the eligibility criteria for [redacted] Prizes:

[T]he [redacted] Government established a fund to award [redacted] Prizes annually to up to five outstanding researchers or scholars who are in the early stages of their careers and at [redacted] universities. The prizes, each of which is valued at \$20,000, will be conferred in the fall of [redacted]. They are available in the areas of Physics, Chemistry, Physiology or Medicine, Literature, and Economic Science, broadly defined.

Furthermore, “to be eligible for an award, an applicant must:”

1. be normally resident in [redacted]
2. have received their doctoral degree from any recognized university in the world on or after September 1, 2016, or, if the doctoral degree has not yet been awarded, be confident that they will have completed all degree requirements by May 31 [redacted]
3. and either be planning to continue to post-doctoral studies, or hold a faculty appointment, in a recognized publicly assisted university in [redacted]

The information from the [redacted] Universities is not sufficient to demonstrate that the Beneficiary’s [redacted] Prize in Economic Science is commensurate with “major prizes or awards for outstanding achievement in the academic field.” See 8 C.F.R § 204.5(i)(3)(i)(A). The aforementioned information indicates that this provincial prize is limited to those “who are in the early stages of their careers and at [redacted] universities” rather than more experienced researchers and those who work at

universities outside of [REDACTED] The Petitioner has not offered supporting evidence showing the Beneficiary's prize's stature in the economics field or its international significance. Nor has the Petitioner shown that this provincial prize is commensurate with being recognized internationally as outstanding in the academic field.

The Petitioner also maintains that the Beneficiary's publication record renders him internationally recognized as outstanding in his field. The record indicates that, at the time of filing the petition, the Beneficiary had authored five journal articles, three working papers, and a policy paper since 2011. The Petitioner provided journal rankings from Google Scholar for two of the journals in which the Beneficiary has published his work. This information listed *Journal of Monetary Economics* as 2nd among "Economic Policy" journals and *Journal of Political Economy* as 5th among "Economics" journals.

A high ranking or impact factor reflects a publication's overall citation rate. It does not, however, show the influence of any particular author or demonstrate how an individual's research has had an impact within the field. Further, the evidence in the record does not establish that publication in a journal with a high impact factor alone is sufficient to demonstrate that a beneficiary is recognized internationally as outstanding in the academic field. As authoring scholarly articles is often inherent to the work of professors and researchers, the citation history or other evidence of the influence of the Beneficiary's articles can be an indicator to determine the impact and recognition that his work has had on the field and whether his articles demonstrate that he is internationally recognized as outstanding in the academic field.¹⁴

At the time of filing, the Petitioner submitted the Beneficiary's December 2019 Google Scholar profile showing that his research articles had received 295 cumulative citations. This information from Google Scholar further indicated that the Beneficiary's four highest cited articles, entitled [REDACTED] (2016), [REDACTED] (2018), [REDACTED] (2014), and [REDACTED] (2016) each received 110, 108, 47, and 6 citations, respectively.¹⁵ The Petitioner did not specify how many citations for each of these individual articles were self-citations by the Beneficiary or his coauthors.

The Petitioner contends that some of the Beneficiary's individual publications have been cited at a rate that renders him internationally recognized as outstanding his field. The record includes an "InCites Essential Science Indicators" chart published by Clarivate Analytics in 2019. This evidence shows "baseline" citation rates in a small number of broad fields for the years 2009 through 2019, as well citation figures by percentile for the same fields and years. The Petitioner indicates that based on this data, [REDACTED] "is in the top 0.10% of all articles published in 2016 in the general field of Economics & Business" and that [REDACTED] "is in the top 0.01% percent of all articles published in 2018 in the general field of Economics & Business."

¹⁴ See 6 USCIS Policy Manual, *supra*, at F.3(B)(1) (stating that a beneficiary's authorship of books or articles should be evaluated to determine whether they were indicative of the beneficiary being recognized internationally as outstanding in a specific academic area).

¹⁵ The Beneficiary's remaining articles were each cited three times or less.

In her letter submitted in response to the Director's notice of intent to deny (NOID), [REDACTED] stated that others "have cited [the Beneficiary's] research publications over 320 times. While the number may seem low in comparison to others who have been in the field for many more years than [the Beneficiary], I can personally attest to the significance of his research and the impact it has had on an international level in our field." [REDACTED] did not indicate how many of these additional citations occurred in papers published prior to or at the time of initial filing. *See* 8 C.F.R. § 103.2(b)(1). [REDACTED] also reiterated that the Beneficiary's 2018 article, entitled [REDACTED] "has been cited 122 times making it one of the most cited papers in the field of Economics for that year as it falls in the 0.01% of economics papers published in 2018."

The evidence demonstrates that two of the Beneficiary's individual articles have been cited at a rate that is well above average in his field. The comparative ranking of his individual papers to baseline or average citation rates, however, does not automatically establish that he is internationally recognized as outstanding in the academic field.¹⁶ The Petitioner has not demonstrated how citation to the Beneficiary's publications, individually or collectively, compares to researchers who are recognized internationally as outstanding in the field of economics.

In addition to the Clarivate Analytics metrics discussed above, the Petitioner provided "a list of recent [REDACTED] Fellows" who participated in the same fellowship program as the Beneficiary at [REDACTED] University, but a few years earlier than the Beneficiary's appointment term. From this list of 32 "recent [REDACTED] Fellows," the Petitioner selected just five individuals and presented their Google Scholar citation profiles. The Petitioner emphasized that their citation "profiles compare favorably" to the number of citations received by the Beneficiary. The submitted profiles were those of assistant professors in economics (at one public and four private U.S. universities) who had accrued total citations to their published work that ranged from 189 to 564 citations. The evidence shows that the Beneficiary had accumulated more cumulative citations than two out of the five researchers that the Petitioner specifically selected as a basis for comparison. Furthermore, while the Petitioner submitted copies of these individuals' Google Scholar profiles, it did not explain how this evidence supports a determination that any of them are internationally recognized as outstanding in the academic field.¹⁷

The Beneficiary's citation evidence indicates that he has been a productive researcher during his career thus far, and that others in the field have noticed his work by citing to his publications. However, the Petitioner did not show that the citations to the Beneficiary's research represent attention at a level consistent with being recognized internationally as outstanding in the academic field. *See* 8 C.F.R. § 204.5(i)(3)(i). Despite the Petitioner's reliance on metrics and data relating to citation rates, it did not, for instance, compare the Beneficiary's citations to others in his field of endeavor that are internationally recognized as outstanding. We have taken the Beneficiary's publication and citation

¹⁶ For instance, according to the data from Clarivate Analytics, "Economics & Business" papers published in 2019 that received only 9 citations were in the top .10%. A supporting explanation regarding the reported citation rates indicates that "a percentile indicates how a paper has performed relative to others in its field, year and document type and is therefore a normalized indicator." The publisher does not claim that such percentile figures are intended to provide information regarding a given author's standing in a particular field.

¹⁷ In the decision denying the petition, the Director pointed out that limiting "comparison to those who are early in their career" does not offer an appropriate basis for comparison. The Director stated that the Petitioner had not demonstrated how the number of citations to the Beneficiary's "work reflects that he is recognized internationally as outstanding in the academic field. You have not provided, for example, independent, objective evidence that compares his citations with those of outstanding, internationally recognized researchers in the field."

record into consideration, but the Petitioner cannot rely primarily on that record to set the Beneficiary apart from others in the field as outstanding without other persuasive evidence of his international recognition. While the Beneficiary's citations, both individually and collectively, show that the field has taken some notice of his work, the Petitioner has not established that the number of citations received by his published and presented work is sufficient to demonstrate a level of attention commensurate with being recognized internationally as outstanding. *See* section 203(b)(1)(B)(i) of the Act.

In response to the Director's NOID, the Petitioner submitted a May 1, 2020 email from []'s Director of Development welcoming the Beneficiary as an affiliate of []. Additionally, in his letter [] noted that the Beneficiary was invited "to become a Faculty Research Fellow" (FRF) at []. Dr. Aguiar further asserted that [] researchers are appointed through a highly competitive process that requires a nomination" and that "[c]andidates are evaluated based on their research records." The Petitioner also submitted information about [] from its website, which states: "Most []-affiliated researchers are either Faculty Research Fellows (FRFs) or Research Associates (RAs). Faculty Research Fellows are typically junior scholars. Research Associates, whose appointments are approved by the [] Board of Directors, hold tenured positions at their home institutions." The Beneficiary's acceptance as an [] affiliate, however, post-dates the filing of the petition. *See* 8 C.F.R. § 103.2(b)(1), (12). Regardless, the Petitioner did not provide evidence from [] showing that the Beneficiary's FRF level of appointment, which is described by [] as "typically junior scholars," required outstanding achievements. *See* 8 C.F.R. § 204.5(i)(3)(i)(B).

Furthermore, the Petitioner submitted a list it compiled of internet links to seven syllabi that identify the Beneficiary's research papers as part of the reading material for university coursework. One of these syllabi is from the Beneficiary's alma mater (University of []) and two are from courses taught by [] and Dr. [] who both served on the Beneficiary's dissertation committee. While this list indicates that the Beneficiary's research papers have received some attention in the academic field, the evidence falls short of rendering him internationally recognized as outstanding in macroeconomics.

Although the evidence indicates that the Beneficiary is a skilled researcher, the Petitioner has not established that he stands apart in the academic community through eminence and distinction based on international recognition. After consideration of the totality of the evidence of the Beneficiary's work in the field of international macroeconomics, including evidence of his [] Prize, his research articles, citations to those articles by others in the field, his service as a peer reviewer, his [] affiliation, and the opinions of experts in the field, we conclude that this documentation does not sufficiently establish that he has been internationally recognized as an outstanding researcher in the field.

III. CONCLUSION

The evidence in the record demonstrates that the Beneficiary meets at least two of the evidentiary criteria, and thus the initial evidence requirements for this classification. A review of the totality of the evidence, however, does not establish that he is internationally recognized as an outstanding professor or researcher in the academic field. The appeal will be dismissed for the above stated reasons, with each considered as an independent and alternate basis for the decision.

ORDER: The appeal is dismissed.