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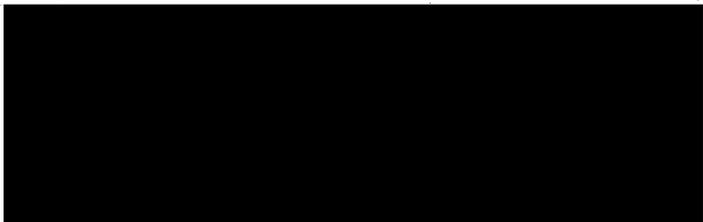
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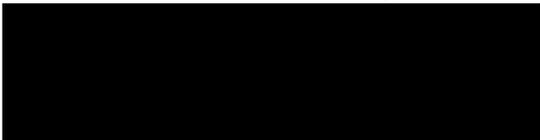


FILE: LIN 04 052 51719 Office: NEBRASKA SERVICE CENTER Date: MAY 04 2007

IN RE: Petitioner: [Redacted]  
Beneficiary: [Redacted]

PETITION: Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to Section 203(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

*Maura Deadrick*  
fr Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The Director, Nebraska Service Center, denied the employment-based immigrant visa petition, which is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner seeks classification as an "alien of extraordinary ability" in the sciences, pursuant to section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A). The director determined the petitioner had not established the sustained national or international acclaim necessary to qualify for classification as an alien of extraordinary ability.

On appeal, counsel challenges the director's analysis but fails to submit any evidence to address the director's concerns. We concur with the director that the petitioner has not sufficiently established his eligibility.

Section 203(b) of the Act states, in pertinent part, that:

(1) Priority Workers. -- Visas shall first be made available . . . to qualified immigrants who are aliens described in any of the following subparagraphs (A) through (C):

(A) Aliens with Extraordinary Ability. -- An alien is described in this subparagraph 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 to the United States will substantially benefit prospectively the United States.

Citizenship and Immigration Services (CIS) and legacy Immigration and Naturalization Service (INS) have consistently recognized that Congress intended to set a very high standard for individuals seeking immigrant visas as aliens of extraordinary ability. *See* 56 Fed. Reg. 60897, 60898-9 (November 29, 1991). As used in this section, the term "extraordinary ability" means a level of expertise indicating that the individual is one of that small percentage who have risen to the very top of the field of endeavor. 8 C.F.R. § 204.5(h)(2). The specific requirements for supporting documents to establish that an alien has sustained national or international acclaim and recognition in his or her field of expertise are set forth in the regulation at 8 C.F.R. § 204.5(h)(3). The relevant criteria will be addressed below. It should be reiterated, however, that the petitioner must show that he has sustained national or international acclaim at the very top level.

This petition seeks to classify the petitioner as an alien with extraordinary ability as a professor. The regulation at 8 C.F.R. § 204.5(h)(3) indicates that an alien can establish sustained national or international acclaim through evidence of a one-time achievement (that is, a major, international recognized award). Barring the alien's receipt of such an award, the regulation outlines ten criteria, at least three of which must be satisfied for an alien to establish the sustained acclaim necessary to qualify as an alien of extraordinary ability. The petitioner has submitted evidence that, he claims, meets the following criteria.<sup>1</sup>

*Documentation of the alien's receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor.*

The director concluded that the petitioner had not submitted any evidence relating to this criterion. On appeal, counsel asserts that the petitioner's inclusion in *Marquis' Who's Who* serves to meet this criterion. While the evidence of this inclusion was submitted initially and in response to the director's request for additional evidence, counsel did not suggest until appeal that the evidence was submitted to meet this criterion.

The petitioner submitted a letter advising him that as a "biographee" in *Who's Who in the World*, his cost for the publication would be only \$315 plus shipping and handling. In addition, the petitioner was offered a chance to purchase a mahogany wall plaque to "commemorate" his inclusion in the volume, which includes more than 50,000 other brief biographies. The petitioner was also invited to purchase *Who's Who in the 20<sup>th</sup> Century*, containing only 3,800 names, but the petitioner was advised that he would not be included in this edition.

Appearing as one of tens of thousands of other successful individuals in a frequently published directory is not evidence indicative of or consistent with national or international acclaim. The petitioner has not established that nationally or internationally recognized awards typically require the awardee to purchase the plaque acknowledging the award. Given the information as a whole, it appears that the *Who's Who* series is a type of "vanity press" designed principally for profit.

In light of the above, the petitioner has not established that he meets this criterion.

*Documentation of the alien's membership in associations in the field for which classification is sought, which require outstanding achievements of their members, as judged by recognized national or international experts in their disciplines or fields.*

The petitioner submitted a "Diploma of the Active Member" for the International Informatization Academy (IIA) indicating that he was "elected the active member" of the IIA in 1994. The Internet materials for the IIA provide:

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<sup>1</sup> The petitioner does not claim to meet or submit evidence relating to the criteria not discussed in this decision.

IIA is registered as public [sic] –scientific organization in Byelorussia, Bulgaria, Germany, Georgia, Israel, Italy, Kazakstan [sic], Canada, Latvia, Netherlands, Pussia [sic], USA, Ukraine, France, Swizerland [sic] and many other countries. With support of the header [sic] of the states and governments, governors and majors of the cities in of [sic] their peculiarities national and regional Academies of Informationology and functional departments are created (with the rights of departments).

[The] Academy has not a vertical, but horizontal administration structure and orginize [sic] its work on principle of equality and independent of the members, and also on the basis of allocation [of] local informational – cellural [sic] self-man: agement [sic] with allocation and complete independence [sic] and legal independence to national and regional Academies of Informationology functional departments and structural divisions.

\* \* \*

In 1995 [the] International Informatization Academy got the General Consulting Status of [the] Economic and Social Council of [the] UN. There's no precedent for the history of academies of the world. This means that leadership of [the] Academy can attend and present IIA, its structures, scientific programms [sic] and IIA members at the most important events of [the] UN, attend meetings of any commissions, committees, and departments and also meetings of [the] General Assambly [sic] and others.

The petitioner also submitted the "Statute" for the IIA, indicating that it is an independent self-governing public association "of like-minded scientists, professional, state and public figures in the field of information theory, analytical activity and production work in all fields of science and informatization of the society."

The petitioner has not established the significance of the IIA's affiliation with the United Nations. For example, the record contains no evidence regarding how many Non-governmental Organizations (NGOs) have similar status. Regardless, at issue are the membership requirements for IIA. Nothing in these official materials suggests that IIA requires outstanding achievements of its members or discusses the membership process.

The petitioner also submitted a letter from Dr. [REDACTED] President of the Open Systems Section of the IIA. Dr. [REDACTED] asserts:

Membership in the IIA is strictly limited to individuals of the highest merit. Candidates must to have [sic] a Doctorate degree or equivalent, and must be outstanding in his field of expertise.

All candidates to the honored title Academician or Associate Academician (Full or Fellow Member) must first be presented by a member of the I.I.A.; then they have to pass a strict election process and be elected on the basis of individual accomplishments. Each application is individually inspected by experts in the same field as the nominee to verify that the applicant is in fact a leader in his field.

A doctoral degree and nomination by a current IIA member are not outstanding achievements. While Dr. ██████ asserts generally that a prospective member must demonstrate individual accomplishments, he does not provide any information on what the IIA considers an accomplishment. For example, demonstrating a certain number of years of experience or published articles is not an outstanding achievement. Without the official bylaws of the IIA explaining the precise requirements for membership and the selection process as well as the credentials of the judges, we cannot determine whether the IIA requires truly outstanding achievements of their members as judged by recognized national or international experts in the field.

*Published materials about the alien in professional or major trade publications or other major media, relating to the alien's work in the field for which classification is sought. Such evidence shall include the title, date, and author of the material, and any necessary translation.*

Initially, the petitioner asserted that he meets this criterion because his work is included in "Mathematics in USSR: 1958-1967." Counsel asserts that this publication lists six of his articles as the most important articles in Soviet Mathematics for that ten-year period. The petitioner submitted a translation of the text from Volume 2, pages 1155 – 1156, but not the original Russian text. The translation lists six of the petitioner's works but contains no other discussion of the petitioner and his work. The petitioner also submitted a review of the petitioner's 1995 book. We note that three other book reviews appear on the same page, which appears to be page 5,265. The petitioner also submits what are purported to be the results of a search of math reviews on the Internet through MathSciNet. These appear to be compiled results as opposed to prints of the actual information downloaded from the Internet. In response to the director's request for additional evidence, the petitioner submitted copies of the text from the actual bound review compilations. Each compilation of reviews is thousands of pages long with a handful of reviews per page.

The director concluded that the petitioner had not demonstrated that the compilations of reviews were "equivalent (in exclusivity, content or circulation) to the criterion's requirements." On appeal, counsel asserts that "Mathematics in USSR: 1958-1967" included only the most important publications in math during those years and that the articles were selected by two world-renowned mathematicians based on a review of all of the papers reviewed in the *Mathematical Referative Journal*. The unsupported assertions of counsel do not constitute evidence. *Matter of Obaigbena*, 19 I&N Dec. 533, 534 (BIA 1988); *Matter of Laureano*, 19 I&N Dec. 1 (BIA 1983); *Matter of Ramirez-Sanchez*, 17 I&N Dec. 503, 506 (BIA 1980). Regardless, the petitioner did not submit a copy of the original foreign-language text, just a translation. Even if we accepted the translation without a copy of the original document, the

translation only indicates that the petitioner's articles were cited without any discussion. Inclusion in a list of citations is not published material primarily "about" the petitioner and his work.

The remaining reviews are in large thousand-page compilations of reviews. The petitioner has not demonstrated that these reviews are remarkable in the field. Rather, they would appear to cover a significant number of books and articles in the field. While the evidence submitted to meet a given criterion need not establish eligibility in and of itself, evidence that does not set the alien apart from others in his field cannot serve to meet a given criterion. To hold otherwise would render the statutory requirement of national or international acclaim meaningless.

Finally, on appeal, counsel notes that some of the petitioner's references, all of whom were, at one point, within the petitioner's immediate circle of colleagues, attest to relying on, and presumably citing, the petitioner's work in their own written work. The actual citations, however, are not part of the record. Regardless, articles which cite the petitioner's work are primarily about the author's own work, not the petitioner. As such, they cannot be considered published material about the petitioner.

In light of the above, the petitioner has not established that he meets this criterion.

*Evidence of the alien's participation, either individually or on a panel, as a judge of the work of others in the same or an allied field of specification for which classification is sought.*

The director concluded that the petitioner meets this criterion and we concur.

*Evidence of the alien's original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field.*

The director acknowledged that the petitioner had contributed to his field but determined that the petitioner had not submitted independent evidence establishing the major significance of those contributions. On appeal, counsel asserts that the reference letters submitted establish the major significance of the petitioner's work and implies that it is appropriate to rely on the admittedly subjective opinions of the references to meet this criterion as more objective evidence was submitted to meet other criteria.

We agree that expert letters can be an important part of a successful petition filed under this classification and we will review the letters below. That said, the opinions of experts in the field, while not without weight, cannot form the cornerstone of a successful claim of sustained national or international acclaim. CIS may, in its discretion, use as advisory opinions statements submitted as expert testimony. *See Matter of Caron International*, 19 I&N Dec. 791, 795 (Comm. 1988). However, CIS is ultimately responsible for making the final determination regarding an alien's eligibility for the benefit sought. *Id.* The submission of letters from experts supporting the petition is not presumptive evidence of eligibility; CIS may evaluate the content of those letters as to whether they support the alien's eligibility. *See id.* at 795-796. CIS may even give less weight to an opinion

that is not corroborated, in accord with other information or is in any way questionable. *Id.* at 795; *See also Matter of Soffici*, 22 I&N Dec. 158, 165 (Comm. 1998) (citing *Matter of Treasure Craft of California*, 14 I&N Dec. 190 (Reg. Comm. 1972)).

In evaluating the reference letters, we note that letters containing mere assertions of widespread acclaim and vague claims of contributions are less persuasive than letters that specifically identify contributions and provide specific examples of how those contributions have influenced the field. Moreover, simply listing the petitioner's publications and conferences adds nothing to the record, as copies of those works are already in the record. Finally, letters from *independent* references who were previously aware of the petitioner through his reputation and who have applied his work are the most persuasive. Ultimately, evidence in existence prior to the preparation of the petition carries greater weight than new materials prepared especially for submission with the petition. An individual with sustained national or international acclaim should be able to produce unsolicited materials reflecting that acclaim.

During the 1960's, the petitioner was employed at the Central Scientific Research Institute of Complex Automation (CSRICA). Dr. [REDACTED], formerly a senior scientific research and Head of Reliability at CSRICA, discusses the petitioner's work there. Dr. [REDACTED] asserts that the petitioner "is a true pioneer in the field of queuing theory," making him a useful consultant for Dr. [REDACTED]'s own work on reliability problems. Dr. [REDACTED] asserts generally:

[The petitioner] has continued to make significant contributions in to the field by development of innovative and uniquely effective methods allowing the great improvement of current technologies. Most importantly, the ideas developed by [the petitioner] have quickly become accepted throughout the field, making [him] essentially one of the most influential trendsetter[s] in reliability and queuing methods, which allows me to use his recent publications in teaching future professionals.

While we do not question Dr. [REDACTED]'s credibility, his statements would carry more weight if supported by letters from independent mathematicians acknowledging the petitioner's influence and evidence of wide and frequent citation. Significantly, the review of the petitioner's 1995 book, "Controlled Queuing Systems," does not acknowledge the petitioner as one of the pioneers of this area. Rather, the review concludes that the petitioner's book is "useful," but not the first book for results on queuing theory. Even the "Publisher's Note" on AddAll.com, designed to promote the petitioner's book, asserts that his book is the first completely devoted to controlled queuing systems but does not identify the petitioner as a pioneer in this field. None of the reviews of the petitioner's other works provide any accolades for him.

Dr. [REDACTED] a professor at the Georgia Institute of Technology in Atlanta, asserts that he was previously familiar with the petitioner's work and recently met him at a conference in Russia and again when the petitioner lectured at Georgia Tech. Dr. [REDACTED] asserts that the petitioner's book on controlled queuing systems "is a culmination of many of his research findings, and gives a nice survey

of basic issues in queuing control with an emphasis on new results for systems with multiple classes of customers." Dr. ██████ asserts that the area of research is very challenging and that the petitioner's book and related papers "characterize certain classes of monotone optimal control policies." Dr. ██████ concludes that this work has implications in computer and communication networks as well as manufacturing and other systems.

The petitioner also submitted a letter from his collaborator at CSRICA, Dr. ██████. Dr. ██████ asserts that they developed the optimal priority rule, later known as the cu-rule, which establishes an optimal processor-sharing rule and is now included in Computer Science textbooks. The record does not contain copies of pages from widely used textbooks crediting the petitioner with this rule. Dr. ██████ a colleague of the petitioner's since 1968, opines that this rule "saved billions of dollars to the nowadays information systems and telephone communications." Dr. ██████ discusses why this rule is significant but does not explain how the cu-rule has been incorporated into current information and telecommunications systems. For example, he does not identify an information or telecommunications systems provider that licensed the petitioner's innovations or otherwise utilized his rule.

Dr. ██████, a former colleague at CSRICA, asserts that the petitioner proposed a new approach for simulation of complex industrial processes, "event simulation method," used at CSRICA and which "later became a very popular [sic]." Dr. ██████ does not provide any examples of the petitioner's approach being used outside CSRICA.

Professor ██████ asserts that in the 1960's, he had "personal contacts, valuable discussions and advices of development [sic]" with the petitioner and that the petitioner helped shape the ideology of Professor ██████'s own book. Professor ██████ further asserts that she continued to follow the petitioner's work after emigrating to Israel, noting that his reviews continued to include work by emigrated or out of favor mathematicians. While this fact may reflect well on the petitioner's character, it does not appear to relate to the significance of his own work to the field.

From 1963 through 1973 the petitioner headed a laboratory at the Research Institute of Control and Economics of The Ministry of Defense Industry (NIISUE) and in 1973 he headed a laboratory at the Moscow Research Institute of Network Scheduling. Dr. ██████ a colleague at both locations, asserts that the petitioner oversaw the design and development of the simulation system, considered "as the most successive and extremely important achievement of the scientific departments of NIISUE." At the Moscow Institute of Network Scheduling, the petitioner oversaw the development of statistical problem solving in the scope of the software package TRANSPORT. The Ministry of Equipment Design and Management Systems recommended the package, which incorporated the petitioner's ideas, as an advanced tool for use in the management of transportation problems.

Since 1973 the petitioner has held a professor position at the Gubkin State Oil and Gas University in Moscow in addition to holding temporary visiting positions at universities in Russia and the United States. Dr. ██████ Chair of the Applied Mathematics and Computer Modeling Department

at Gubkin Russian State Oil and Gas University, asserts that the petitioner is investigating the development of methods and computer tools for stability analysis and performance evaluation and control of elements characteristic of computer communication networks. Dr. [REDACTED] lists the petitioner's publications and presentations but fails to explain how these projects have influenced the field. Similarly, Dr. [REDACTED], Chair of the Probability Theory and Mathematical Statistics Department at the Peoples' Friendship University of Russia, lists the courses the petitioner taught and research projects with which he has been involved, but fails to explain how this work has influenced the field.

Dr. [REDACTED] asserts that the petitioner is currently researching numerical solutions of stochastic processing networks, which presents difficult problems that few researchers can address. Dr. [REDACTED] does not, however, explain how the petitioner's research in this area has already influenced the field in a major way.

Dr. [REDACTED] now a professor at Kettering University in Michigan, indicates that he collaborated with the petitioner while the petitioner was a visiting professor there. Dr. [REDACTED] lists their projects and explains their applications but fails to explain how this work has already influenced the field.

Professor [REDACTED] discusses the petitioner's work with risk evaluation over the last ten years. Specifically, Professor [REDACTED] discusses the importance of this area of research and asserts that in 1999, the petitioner gave an important talk in which the petitioner "gave [a] strong mathematical notion of risk, introduce[d] different characteristics or it[s] measurement and show[ed] how it is possible to use it in different applications." Professor [REDACTED] does not explain, however, how this work has already influenced the field.

Finally, from 1998 through 2001, the petitioner claims to have served as the Country Team Leader for a project for the International Association for the Promotion of Co-operation of Scientists from the New Independent States<sup>2</sup> (INTAS). The project, Architecture Design and Resource Allocation in Computer Communications Networks, was coordinated by Dr. [REDACTED] in Israel. The petitioner and Dr. [REDACTED] in Moscow, are both listed as "partners." Dr. [REDACTED] asserts that the petitioner was "the head one of the Russian team [sic]." Dr. [REDACTED] asserts that his laboratory at the Institute of Control Sciences "dealt with the creation of the System for reservation and selling airline tickets (SIRENA)." He further indicates that he was the General Constructor of the first Soviet real Air-ticket network. Dr. [REDACTED] does, however, acknowledge that the petitioner played leading roles at conferences contributing to this system, through organizing and presenting his work at these conferences. Dr. [REDACTED] concludes that the petitioner's "pioneering results concerning optimal priority rules for queuing systems were used in the System of Air-Tickets Reservation and Selling (SIRENA)."

The petitioner's field, like most science, is research-driven, and there would be little point in publishing research that did not add to the general pool of knowledge in the field. According to the

<sup>2</sup> The full name of "INTAS" was discovered at [www.intas.be/](http://www.intas.be/) [accessed on May 2, 2007].

regulation at 8 C.F.R. § 204.5(h)(3)(v), an alien's contributions must be not only original but of major significance. We must presume that the phrase "major significance" is not superfluous and, thus, that it has some meaning. To be considered a contribution of major significance in the field of science, it can be expected that the results would have already been reproduced and confirmed by other experts and applied in their work. Otherwise, it is difficult to gauge the impact of the petitioner's work. The above letters are all from individuals who have interacted with the petitioner to at least some degree, with most of the letters coming from direct collaborators. While Dr. [REDACTED] and Professor [REDACTED] appear to have initially learned of the petitioner from his work, they do not provide explicit examples of how the petitioner has influenced their own work. While the record contains a list of alleged citations, the director advised the petitioner that a self-serving unsupported list of citations was insufficient. The citation indices submitted reflect no more than three citations for any one article and do not cover any of his work after 1976. While the petitioner provided reviews contained in a compilation of thousands of similar reviews, he has not demonstrated that his work is widely and frequently cited as would be expected if the petitioner is the founder of queuing theory as claimed.

In light of the above, the petitioner has not demonstrated that he meets this criterion.

*Evidence of the alien's authorship of scholarly articles in the field, in professional or major trade publications or other major media.*

The petitioner's curriculum vitae lists (1) eight book chapters, (2) seven text books and teaching materials, (3) 50 of the petitioner's 140 journal articles and conference presentations and (4) four translations into Russian. The petitioner listed several alleged citations to his work, including 19 of his 1975 article that appeared in Volume 12, page 43 of *Itogi Nauki I Techniki, Teorija Veroyatn* on controllable queuing systems. The petitioner submitted copies of several of his own articles and books and the reviews discussed above. The director requested evidence that the petitioner's work had been cited. In response, the petitioner submitted citation indices for the petitioner's work in the 1960s and 1970s reflecting no more than 3 citations for any one article. Notably, the citation index lists only three citations of the petitioner's 1975 article that appeared in Volume 12, page 43 of *Itogi Nauki I Techniki, Teorija Veroyatn*, which is inconsistent with the petitioner's claim that this article has been cited 19 times.

The director acknowledged that the petitioner had an extensive publication record, but cited the Occupational Outlook Handbook, published by the Department of Labor, for the principle that university faculty typically perform research and publish their conclusions. The director noted that the petitioner had not corroborated his claim to be cited and concluded that the petitioner had not established that he meets this criterion.

On appeal, the petitioner submits no new evidence of citations. Instead, counsel asserts that the quantity of the petitioner's publications is sufficient and that the director erred in "asking that each piece of evidence independently satisfy the requirement for sustained international acclaim."

While the evidence submitted to meet a given criterion need not unequivocally establish national or international acclaim, the evidence must at least be indicative of or uniquely consistent with such acclaim if that statutory standard is to have any meaning. Where publication is inherent to the alien's field, we must look for additional evidence that sets the alien's publication record apart from that of his peers. The petitioner began his career in the 1960's and has been publishing consistently since that time. The petitioner has not demonstrated that this number of publications is unusual for a mathematics researcher with such a long career.

The petitioner claims to have been cited. As stated by the director, going on record without supporting documentary evidence is not sufficient for purposes of meeting the burden of proof in these proceedings. *Matter of Soffici*, 22 I&N Dec. 158, 165 (Comm. 1998) (citing *Matter of Treasure Craft of California*, 14 I&N Dec. 190 (Reg. Comm. 1972)). Moreover, the regulation at 8 C.F.R. § 103.2(b)(2) requires the submission of primary evidence unless such evidence is demonstrably unavailable or does not exist. The director specifically requested evidence of citation and noted the lack of this evidence in the final denial. The petitioner had not addressed this valid concern.

In light of the above, the petitioner has not established that he meets this criterion.

*Evidence that the alien has performed in a leading or critical role for organizations or establishments that have a distinguished reputation.*

The petitioner initially claimed to meet this criterion through his service (1) on an editorial board, (2) as co-chair and member of organizing committees for conferences, (3) as head of a laboratory for both the Research Institute of Control and Economics (NIISUE) and the Moscow Research Institute of Network Scheduling and (4) as Country Team Leader for a single INTAS project.

The director concluded that the petitioner's role as senior faculty at Gubkin State Oil and Gas University did not set him apart from other senior faculty and that the petitioner had not established the university's reputation nationally. On appeal, counsel asserts that the director failed to consider all of the organizations and associations for which the petitioner has played a role. We will address each role.

We have already considered the petitioner's role as an editor and conference chair above in concluding that the petitioner meets the criterion set forth at 8 C.F.R. § 204.5(h)(3)(iv). To consider this role under this criterion as well would render meaningless the requirement that an alien meet at least three criteria through the submission of extensive evidence. Moreover, the petitioner has not established that these roles constituted a leading or critical role for the associations that published the journal or sponsored the conferences as a whole beyond their obvious need for volunteers to fill these roles.

We have already considered the petitioner's alleged contributions while working for the entities described above. At issue for this criterion are the roles the petitioner was selected to fill and the national reputation of the entities where he filled these roles. The record does not establish the number

of laboratories at either NIISUE or the Moscow Research Institute of Network Scheduling; thus, the number of laboratory heads is unknown. While Dr. [REDACTED] asserts that the results of the petitioner's work at both institutions were highly valued by the Ministry of Defense and the Ministry of Equipment Design and Management Systems, the petitioner has not established every laboratory head at either institution plays a leading or critical role for the institution as a whole or that the individual laboratories the petitioner headed enjoyed distinguished reputations nationally.

Finally, the record lacks any evidence suggesting that INTAS enjoys a distinguished reputation nationally or internationally. The fact that it includes representatives from more than one country does not create a presumption that the organization enjoys a distinguished reputation. Regardless, we are not persuaded that serving as a partner on one INTAS project constitutes a leading or critical role for INTAS as a whole.

In light of the above, the petitioner has not established that he meets this criterion.

The documentation submitted in support of a claim of extraordinary ability must clearly demonstrate that the alien has achieved sustained national or international acclaim and is one of the small percentage who has risen to the very top of the field of endeavor.

Review of the record, however, does not establish that the petitioner has distinguished himself as a mathematics professor to such an extent that he may be said to have achieved sustained national or international acclaim or to be within the small percentage at the very top of his field. The evidence indicates that the petitioner shows talent as a mathematics professor over a lengthy career, but is not persuasive that the petitioner's achievements set him significantly above almost all others in his field. Therefore, the petitioner has not established eligibility pursuant to section 203(b)(1)(A) of the Act and the petition may not be approved.

The burden of proof in visa petition proceedings remains entirely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. Here, the petitioner has not sustained that burden. Accordingly, the appeal will be dismissed.

**ORDER:** The appeal is dismissed.