



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

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

MATTER OF E-H-, INC.

DATE: OCT. 30, 2015

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, a not-for-profit healthcare system, seeks to temporarily employ the Beneficiary and classify him as a nonimmigrant worker in a specialty occupation. *See* Immigration and Nationality Act (the Act) § 101(a)(15)(H)(i)(b), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The Director, California Service Center, denied the petition. The matter is now before us on appeal. The appeal will be sustained.

Based upon our review of the entire record of proceeding, we find that the nature, range, and requirements of the duties of the particular position establish the proffered position as a clinical-data-management statistician position. We further find that a baccalaureate or higher degree in a specific specialty, or its equivalent, is normally the minimum requirement for entry into the particular position. Accordingly, we conclude that the Petitioner has established that the proffered position qualifies as an H-1B specialty occupation under the criterion at 8 C.F.R. § 214.2(h)(4)(iii)(A)(1). We also conclude that the evidence of record regarding the Beneficiary's credentials, which include a U.S. master's degree in public health, and his related experience at Boston Medical Center and Yale University, establishes that he is qualified to perform the duties of the proffered position under 8 C.F.R. §§ 214.2(h)(4)(iii)(C) and (h)(4)(iii)(D).

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; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013). Here, that burden has been met.

ORDER: The appeal is sustained.

Cite as *Matter of E-H-, Inc.*, ID# 13947 (AAO Oct. 30, 2015)