U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40474254

Date: DEC. 9, 2025

Appeal of Service Center Operations (SCOPS) Decision

Form I-140, Immigrant Petition for Alien Workers (National Interest Waiver)

The Petitioner, a relationship manager, seeks employment-based second preference (EB-2) immigrant classification as a member of the professions holding an advanced degree, as well as a national interest waiver of the job offer requirement attached to this classification. *See* Immigration and Nationality Act (the Act) section 203(b)(2), 8 U.S.C. § 1153(b)(2).

SCOPS denied the petition, concluding the record did not establish the Petitioner's eligibility for the requested national interest waiver. The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3.

The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

I. LAW

To qualify for the underlying EB-2 visa classification, a petitioner must establish they are an advanced degree professional or an individual of exceptional ability in the sciences, arts, or business. Section 203(b)(2)(A) of the Act. An advanced degree is any U.S. academic or professional degree or a foreign equivalent degree above that of a bachelor's degree. 8 C.F.R. § 204.5(K)(2). A U.S. bachelor's degree or foreign equivalent degree followed by five years of progressive experience in the specialty is the equivalent of a master's degree. *Id.*

If a petitioner establishes eligibility for the underlying EB-2 classification, they must then demonstrate that they merit a discretionary waiver of the job offer requirement "in the national interest." Section 203(b)(2)(B)(i) of the Act. *Matter of Dhanasar*, 26 I&N Dec. 884, 889 (AAO 2016), provides the framework for adjudicating national interest waiver petitions. *Dhanasar* states that U.S. Citizenship and Immigration Services (USCIS) may, as matter of discretion,[1] grant a national interest waiver if the petitioner demonstrates that:

[1] *See Flores v. Garland*, 72 F.4th 85, 88 (5th Cir. 2023) (joining the Third, Ninth, Eleventh, and D.C. Circuit Courts of Appeals in concluding that USCIS' decision to grant or deny a national interest waiver is discretionary in nature).

- The proposed endeavor has both substantial merit and national importance;
- The individual is well-positioned to advance their proposed endeavor; and
- On balance, waiving the job offer requirement would benefit the United States.

Id.

II. NATIONAL INTEREST WAIVER

SCOPS determined that the Petitioner qualified for the underlying EB-2 classification as a member of the professions holding an advanced degree. We agree with this determination. Therefore, the remaining issue is whether the Petitioner established eligibility for a national interest waiver under the *Dhanasar* framework.

The first *Dhanasar* prong, substantial merit and national importance, focuses on the specific endeavor that the individual proposes to undertake. The endeavor's merit may be demonstrated in a range of areas such as business, entrepreneurialism, science, technology, culture, health, or education. *Dhanasar*, 26 I&N Dec. at 889. In determining whether the proposed endeavor has national importance, we consider its potential prospective impact. *Id.* We agree with SCOPS' conclusion that the proposed endeavor has substantial merit as it falls within the range of areas of substantial merit, namely business and entrepreneurialism. *Id.* However, while the Petitioner has established that the proposed endeavor has substantial merit, the record does not establish its national importance.

The Petitioner states his proposed endeavor in the United States is to increase financial literacy and enhance financial inclusion in the United States through the development of comprehensive insurance and financial advisory services. The Petitioner points to his "extensive experience in accountancy, financial advisory, and insurance management," indicating that he aims to design strategies and initiatives to improve access to essential financial tools, increase financial security, and promote sustainable economic growth. He asserts that his proposed endeavor holds national importance because it aligns with U.S. government initiatives related to financial education and consumer protection, thereby contributing to the country's economic resilience and stability. The Petitioner indicates that he would collaborate with "public authorities, private sectors, and civil society" as well as partner with local organizations and educational institutions to create a network providing services tailored to community needs. He explains this would reduce economic disparities and promote equitable access to financial resources.

The Petitioner also states that his proposed endeavor would address the costs of financial illiteracy, including "lost cost savings opportunities, increased debt burdens, and systematic inequalities" to create a more informed citizenry capable of making sound economic decisions through "educational programs and policy support." The Petitioner provides a business plan, asserting this represents "a comprehensive approach to improving financial literacy and inclusion across the United States. He claims that these business plans would make a "meaningful contribution to the economic resilience and financial well-being of underserved communities." The Petitioner further indicates that there is a "wealth of opportunities" to fund his proposed endeavor emphasizing potential support from the U.S. Department of the Treasury, private sector contributions, philanthropic investments, the Consumer Financial Protection Bureau (CFPB), and the Financial Literacy and Education Commission (FLEC).

SCOPS later issued a request for evidence (RFE) stating that although the Petitioner emphasized the importance of his field he did not sufficiently establish his proposed endeavor would provide new training processes and methodologies that would broadly influence the broader financial services sector. SCOPS indicated that the Petitioner's business plan lacked market analysis, information about his proposed services, financial forecasts, or future staffing plans. As such, SCOPS asked for additional evidence to establish the potential prospective national impact of the Petitioner's proposed endeavor including a more detailed description of his proposed endeavor and why it had national importance, and how it would have national implications within his field, the significant potential to employ U.S. workers or have substantial positive economic effects, broadly enhance societal welfare, and/or impact a matter that a government entity described as having national importance.

In response, the Petitioner stated that his proposed endeavor would address key challenges in "fraud prevention, financial literacy, and economic inclusion" by leveraging the use of artificial intelligence (AI). The Petitioner indicated that by utilizing AI tools, culturally competent outreach, and personalized financial advisory services his proposed endeavor would close financial literacy gaps, promote investment preparedness, foster financial inclusion, address low emergency savings among Americans and high rates of unbanked households, promote fraud prevention, and reduce reliance on government aid. He also asserted that his endeavor would empower small businesses and underserved communities through "targeted financial education and digital tools." He indicated that his endeavor would establish a "nationwide financial education network" fostered through strategic partnerships with local financial institutions and community organizations. In addition, the Petitioner contended that his proposed endeavor would develop "Islamic finance" in the United States, promote economic inclusivity, attract international investment, and propagate ethical financial practices by expanding "Sharia-compliant financial services."

In denying the petition and concluding the Petitioner did not demonstrate the national importance of his proposed endeavor, SCOPS determined that the Petitioner did not sufficiently describe his proposed endeavor. Further, SCOPS indicated that the Petitioner did not demonstrate that his employment in the United States would affect the U.S. economy more broadly as claimed.

On appeal, the Petitioner contends that SCOPS misinterpreted the scope and impact of his proposed endeavor and overlooked the implications of his expertise. The Petitioner asserts that his endeavor would address several areas of national importance, including financial literacy and inclusion, economic development and job creation, systematic risk reduction utilizing actuarial analysis and AI, and ethical investment and the attraction of international capital using his "expertise in Islamic banking." The Petitioner emphasizes a letter submitted from an executive at his former employer in Pakistan discussing how he combatted insurance fraud in his former position and expanded retirement and life insurance planning. The letter further details the Petitioner's "success in maturing insurance coverage for 80% of his clients." The Petitioner asserts this represents "compelling evidence of his capacity to execute a similar, nationally important endeavor in the U.S."

In *Dhanasar* we said that, in determining national importance, the relevant question is not the importance of the field, industry, or profession in which a petitioner may work; instead, we focus on "the specific endeavor that the foreign national proposes to undertake." *Dhanasar* at 889. We therefore "look for broader implications" of the proposed endeavor, noting that "[a]n undertaking may

have national importance for example, because it has national or even global implications within a particular field." *Id.* We also stated that "[a]n endeavor that has significant potential to employ U.S. workers or has other substantial positive economic effects, particularly in an economically depressed area, for instance, may well be understood to have national importance." *Id.* at 890.

First, the Petitioner submitted vague assertions regarding the nature of his proposed endeavor making it difficult to determine whether it would likely have potential prospective national importance. For instance, the Petitioner did not describe in detail the strategies and initiatives he would design, nor how they would specifically improve access to essential financial tools, increase financial security, and promote sustainable economic growth. Likewise, the Petitioner discussed "the strategic development of insurance and financial advisory services," yet he did not explain with specificity these services, nor how they would have a potential prospective national impact on "fraud prevention, financial literacy, and economic inclusion." Further, the Petitioner emphasized that he would leverage AI to bring about asserted national level impacts on the major national issues but again did not discuss in detail or document how AI would be used or what innovations his proposed endeavor would bring to the financial and insurance industries. In fact, the Petitioner questionably did not mention the use of AI tools in support of the petition. The Petitioner must resolve inconsistencies and ambiguities in the record with independent, objective evidence pointing to where the truth lies. *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988).

The Petitioner also refers to a "nationwide financial education network" and "strategic partnerships with local financial institutions and community organizations." However, yet again, we are left with little information on the specific nature of this proposed nationwide educational network or the institutions or organizations with whom he plans to partner. In addition, it is also not clear how the Petitioner's proposed endeavor would have a potential prospective national level impact on developing "Islamic finance" and he does not indicate what constitutes "Sharia-compliant financial services." The Petitioner further did not sufficiently explain how the promotion of "Islamic finance" and "Sharia-compliant financial services would nationally benefit the United States on a large scale.

The Petitioner provides a wide array of potential prospective national level impacts he claims would result from his vaguely stated endeavor each which are major national level issues, including financial literacy and inclusion, economic development and job creation, systematic risk reduction utilizing actuarial analysis, the attraction of international capital, low savings among Americans, high rates of unbanked households, fraud prevention, reliance on government aid, among others. It does not appear plausible that the Petitioner's largely undefined proposed endeavor would have a national level impact on so many different major national level issues touching various large industries. Generalized conclusory statements that do not identify a specific impact to the field have little probative value. *See e.g., 1756, Inc. v. U.S. Att'y Gen.*, 745 F. *See also*, Supp. 9, 15 (D.D.C. 1990) (holding that an agency need not credit conclusory assertions in immigration benefits adjudications).

The Petitioner relies largely on his previous experience as evidence of the potential prospective national importance of his proposed endeavor, emphasizing his extensive experience in accountancy, financial advisory, and insurance management; and on appeal, he points to a letter from his former employer in Pakistan discussing "his success in maturing insurance coverage for 80% of his clients." However, while we recognize that the Petitioner gained experience while employed abroad, a

petitioner's expertise and record of success is a consideration under *Dhanasar*'s second prong, which "shifts the focus from the proposed endeavor to the foreign national." *Id.*

The issue here is whether the Petitioner has demonstrated the national importance of a specific proposed endeavor. However, the Petitioner does not sufficiently detail and document how his work in finance and insurance in the United States would be materially different from any other similarly experienced employee working in this field, leaving doubt as to likelihood of its potential prospective national impact. It is not clear how the Petitioner's success with clients in Pakistan is illustrative of a potential prospective national impact on the large financial and insurance industries, among other sectors of the economy discussed by the Petitioner. For instance, the Petitioner asserted that financial illiteracy alone costs the United States $438 billion per year; as such, without detailed discussion of his proposed endeavor and its specific impacts, he has not been established how he would have a national level impact on so many major national issues.

To further illustrate, the Petitioner discusses other financial literacy programs implemented by educational institutions, including [redacted] However, it is not clear how the Petitioner's proposed endeavor compares to these initiatives or how his proposed endeavor would be set apart or innovative, as claimed, to effectuate a national level impact. Similarly, the Petitioner emphasizes a "wealth of opportunities" to fund his proposed endeavor from the U.S. Department of the Treasury, private sector contributions, and "philanthropic investments," among other sources, but he does not indicate whether he will likely receive such funding, from what source if he did, in what amounts, and for what specific purpose it would be used. A petitioner must support assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376.

Lastly, the record does not establish that the Petitioner's endeavor "has significant potential to employ U.S. workers or has other substantial positive economic effects, particularly in an economically depressed area." *Dhansar* at 890. The Petitioner vaguely indicated that his proposed endeavor would have a national level impact on economic development and job creation and empower small businesses and underserved communities. However, again, the Petitioner submitted little information on how his proposed endeavor would have these asserted impacts. The Petitioner refers to a business plan outlining "a comprehensive approach," yet there is no such detailed business plan including probative information such as financial or job projections. The Petitioner did not submit specific and targeted business plans but provides generic assertions about impacting numerous aspects of the economy, each which could be reasonably deemed separate, large, industries. Although any basic economic activity resulting from the Petitioner's work has the potential to positively impact a local economy, he has not provided sufficient explanation of the prospective national impact directly attributable to his proposed work or established how his endeavor would impact an economically depressed area.

For all the reasons discussed, the evidence does not establish the national importance of the proposed endeavor as required by the first prong of the *Dhanasar* precedent decision.

III. CONCLUSION

As the Petitioner has not met the requisite first prong of the *Dhanasar* analytical framework, we conclude that he has not established he is eligible for or otherwise merits a national interest waiver as

a matter of discretion. Since the identified basis for denial is dispositive of the Petitioner's appeal, we decline to reach and hereby reserve the Petitioner's eligibility and appellate arguments under *Dhanasar*'s second and third prongs. *See INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) (per curiam) (holding that agencies are not required to make "purely advisory findings" on issues that are unnecessary to the ultimate decision).

ORDER: The appeal is dismissed.

NOTICE: This constitutes the final decision in this matter. The filing of a motion will not postpone the effect of the decision. 8 C.F.R. § 103.5(a)(1)(iv). Aliens who are not lawfully present, or who are otherwise inadmissible or deportable, may be subject to the commencement of removal proceedings under section 240 of the Act through the issuance of a Form I-862, Notice to Appear. Those proceedings may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.