U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41496104

Date: FEB. 25, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner seeks employment-based second preference (EB-2) immigrant classification as a member of the professions holding an advanced degree or an alien of exceptional ability, 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).

Service Center Operations (SCOPS) denied the petition, concluding the Petitioner did not establish that a waiver of the required job offer, and thus of the labor certification, would be in the national interest. 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 establish eligibility for a national interest waiver, petitioners must 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 petitioners demonstrate:

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

Id.

[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).

II. ANALYSIS

Regarding the national interest waiver, at initial filing, the Petitioner claimed:

> As a dedicated professional in his field, [the Petitioner] will continue to contribute to the United States National Interest by applying his academic knowledge and extensive practical experience in financial services products, technologies, trends, and risks to enhance the resilience and compliance frameworks of U.S. companies. His expertise in operational risk management and internal controls is poised to elevate financial services' efficiency and security. By driving the adoption of initiatives that stimulate economic growth and reinforce the financial integrity by fostering a culture of rigorous compliance and risk mitigation and usage of technologic [sic], [the Petitioner] aims to bolster companies' financial integrity and competitive advantage. These contributions are instrumental in attracting investments in new technologies and markets, thus stimulating economic growth and reinforcing the U.S. economy's overall strength and stability . . . .

In response to SCOPS' request for evidence, the Petitioner provided a "Career Progression Plan" and indicated:

> [The Petitioner's] proposed endeavor is to design and implement a comprehensive digital governance model to modernize fraud prevention, operational oversight, and compliance infrastructure across the U.S. financial ecosystem. This national initiative will support institutions, particularly those with underdeveloped governance structures, in building resilient, data-driven frameworks for fraud detection, risk mitigation, and inclusive product design. It is a forward-looking, U.S.-orientated transformation program that responds directly to gaps identified by the GAO, the Department of Treasury, and the White House in recent oversight reports and policy directives.
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> This section defines in concrete terms the proposed endeavor [the Petitioner] intends to undertake: the development and implementation of an integrated national framework to modernize digital fraud prevention, operational risk governance, and regulatory compliance infrastructure across U.S. financial services and public-sector institutions. This initiative include the launch of diagnostic tools like the [redacted] [redacted] real-time intelligence platforms such as the [redacted], and the eventual establishment of a national [redacted] for fraud and operational risk governance. Each component of the proposed endeavor has been designed with broad national applicability, targeting sectors and populations that remain underserved or unprotected by existing systems.

The first prong relates to substantial merit and national importance of the specific proposed endeavor. *Dhanasar*, 26 I&N Dec. at 889. Regarding substantial merit, the endeavor's merit may be shown in a range of areas such as business, entrepreneurialism, science, technology, culture, health, or education. *Id.* SCOPS determined the Petitioner established the substantial merit aspect, but not national importance, of the proposed endeavor.

In determining national importance, the relevant question is not the importance of the industry or profession in which the individual will work; instead, we focus on "the specific endeavor that the foreign national proposes to undertake." *See Dhanasar*, 26 I&N Dec. at 889. Although the Petitioner provided information on various topics, such as financial management in business, financial managers, compliance and corporate governance, risk management, finance, and the Federal Reserve System, as well government reports and initiatives, the matter here is not the importance of any of these issues. Rather, the Petitioner must demonstrate the national importance of his specific, proposed endeavor "to design and implement a comprehensive digital governance model to modernize fraud prevention, operational oversight, and compliance infrastructure across the U.S. financial ecosystem."[2] In *Dhanasar*, we noted that "we look for broader implications" of the proposed endeavor and 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.

Moreover, to evaluate whether the Petitioner's proposed endeavor satisfies the national importance requirement, we look to evidence documenting the "potential prospective impact" of the work. *Id.* at 889. While he presented a "Career Progression Plan," the Petitioner did not demonstrate that his endeavor would largely influence the field and rise to the level of national importance. In *Dhanasar*, we determined the petitioner's teaching activities did not rise to the level of having national importance because they would not impact his field more broadly. *Id.* at 893. Similarly, the record does not show through supporting documentation how the Petitioner's particular endeavor sufficiently extends beyond its "strategic stakeholders" or the limited individuals who may elect to use its services, to impact the field or the U.S. economy more broadly at a level commensurate with national importance. Further, the Petitioner claims that he will deploy a "Self-Assessment Portal" to "help small businesses, community institutions, and individual users." However, the Petitioner did not establish how his portal will have national implications as opposed to the limited benefits restricted to the entities or individuals he aspires to effect.

In addition, the Petitioner emphasizes his "expertise." However, the Petitioner's knowledge, skills, and experience relate to the second prong of the *Dhanasar* framework, which "shifts the focus from the proposed endeavor to the foreign national." *Id.* at 890. The issue here is whether the specific endeavor that he proposes to undertake has national importance under *Dhanasar's* first prong.

Furthermore, the record includes recommendation letters, including an independent expert opinion letter, who opined on the Petitioner's proposed endeavor. However, while the letters claim that the Petitioner's proposed endeavor qualifies for a national interest waiver and has national importance, the letters do not sufficiently explain or argue how the Petitioner's endeavor would have broader implications for our country. Moreover, the letters address more of the substantial merit aspect of the proposed endeavor and highlight the importance of various topics or issues rather than how the Petitioner's specific proposed endeavor will have a broader impact in the field, more akin to the national importance part. *See Dhanasar*, 26 I&N Dec. at 893.

[2] The Petitioner's evidence relates to the substantial merit aspect of the proposed endeavor rather than the national importance part.

Finally, the Petitioner did not demonstrate how his proposed endeavor has significant potential to employ U.S. workers or otherwise offers substantial positive economic effects for our nation. In his "Career Progression Plan," the Petitioner makes broad claims, such as "the initiative helps reduce institutional and government costs tied to remediation, litigation, and regulatory intervention" without providing specific information. In addition, the Petitioner did not support the record to corroborate any of his general economic assertions and did not demonstrate how his plan offers substantial positive economic effects for our nation. The Petitioner did not show the benefits, if any, to the regional or national economy would reach the level of "substantial positive economic effects" contemplated by *Dhanasar*. *Id.* at 890.

Likewise, his plan asserts that he "will mobilize a flexible bench of independent specialists many currently outside the formal job market, contracted on a project or hourly basis." Besides failing to offer particulars, such as the number he intends to employ, the Petitioner did not demonstrate that the unspecified staffing levels would provide substantial economic benefits to a regional area or to the U.S. economy more broadly at a level commensurate with national importance. The Petitioner, for instance, did not establish that such employment figures would utilize a significant population of workers or would substantially impact job creation and economic growth, either regionally or nationally.

For all these reasons, the record does not show that, beyond the limited benefits to those who might utilize his services, the Petitioner's proposed endeavor has broader implications, rising to the level of having national importance or that it would offer substantial positive economic effects.

Because the documentation in the record does not establish the national importance of the proposed endeavor as required by the first prong of the *Dhanasar* precedent decision, the Petitioner has not demonstrated eligibility for a national interest waiver. Further analysis of the Petitioner's qualification under the second and third prongs outlined in *Dhanasar* would serve no meaningful purpose. Accordingly, we reserve these issues.[3]

III. CONCLUSION

As the Petitioner has not met the requisite first prong of the *Dhanasar* analytical framework, we conclude the Petitioner has not demonstrated eligibility for or otherwise merits a national interest waiver as a matter of discretion. 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.

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

[3] *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).

may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.