U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 36488722

Date: JAN. 31, 2025

Motion on Administrative Appeals Office 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, as well as a national interest waiver of the job offer requirement attached to this EB-2 classification. *See* Immigration and Nationality Act (the Act) section 203(b)(2), 8 U.S.C. § 1153(b)(2).

The Director of the Texas Service Center denied the petition, concluding that the Petitioner qualified for classification as a member of the professions holding an advanced degree, but that she had not established that a waiver of the required job offer, and thus of the labor certification, would be in the national interest. We dismissed the Petitioner's appeal and three subsequent motions. The matter is now before us on motion to reopen.

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). Upon review, we will dismiss the motion.

A motion to reopen must state new facts and be supported by documentary evidence. 8 C.F.R. § 103.5(a)(2). We may grant motions that satisfy these requirements and demonstrate eligibility for the requested benefit. Because the scope of a motion is limited to the prior decision, we will only review the latest decision in these proceedings. 8 C.F.R. § 103.5(a)(1)(i), (ii).

In our decision dismissing the Petitioner's third motion, we stated that it did not meet the requirements identified above. We indicated that while the Petitioner submitted information on the value of technology in education, she did not provide new facts to establish that we erred in dismissing her second motion.

On motion, the Petitioner asks that we consider additional evidence relating to "the national importance of the proposed endeavor." She presents articles on the importance of filling STEM jobs, improving K-12 STEM education, using online education to support student mental health, reskilling workers to boost productivity, helping workers transition to the digital economy, using online strategies to help students with disabilities, applying e-learning engagement effectively, and offering online education to reduce carbon emissions. The Petitioner claims that these articles support the

national importance of her proposed endeavor and she requests that her national interest waiver petition "be reopened and considered for approval." The determination of national importance does not focus on the importance of one's field or educational trends in general, but "focuses on the specific endeavor that the foreign national proposes to undertake." *See Matter of Dhanasar*, 26 I&N Dec. 884, 889 (AAO 2016). Here, none of the articles mention the Petitioner or her planned projects, or otherwise speak to the potential prospective impact of her specific proposed endeavor. Nor has the Petitioner offered new evidence or facts on motion to overcome the stated grounds for dismissal in our prior decision.

The Petitioner has not established new facts relevant to our latest decision that would warrant reopening of the proceedings. Consequently, we have no basis for reopening our decision. Accordingly, the motion will be dismissed. 8 C.F.R. § 103.5(a)(4). The Petitioner's appeal therefore remains dismissed, and her underlying petition remains denied.

ORDER: The motion to reopen is dismissed.