U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 31070169

Date: JUL. 08, 2024

Appeal of Texas Service Center Decision

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

The Petitioner, a compliance professional, 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).

The Director of the Texas Service Center denied the petition. Subsequently, the Petitioner filed a motion to reopen the decision. The Director denied the motion, concluding that the Petitioner did not meet the requirements to reopen the decision, as she did not demonstrate that her endeavor is of national importance or that it would be beneficial to waive the requirements of a job offer. The matter is now before us on appeal. 8 C.F.R. § 103.3.

When denying an application or petition, the Director must explain in writing the specific reasons for the denial. 8 C.F.R. § 103.3(a)(1)(i); *see also, Matter of M-P-*, 20 I&N Dec. 786 (BIA 1994) (finding that a decision must fully explain the reasons for denying a motion to allow the respondent a meaningful opportunity to challenge the determination on appeal). In this instance, the Director did not provide any analysis of the evidence to support the conclusions that the motion was deficient. We will therefore remand the matter to the Director for issuance of a new decision based on the record of proceedings.

ORDER: The Director's decision is withdrawn. The matter is remanded for the entry of a new decision consistent with the foregoing analysis.