U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 43198789

Date: JUNE 23, 2026

Appeal of U.S. Citizenship and Immigration Services (USCIS) Decision

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

The Petitioner, a skincare specialist, 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).

USCIS denied the petition, concluding the Petitioner did not establish that she is eligible for or otherwise merits a national interest waiver as a matter of discretion. The matter is now before us on appeal. 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, a petitioner must first demonstrate qualification for the underlying EB-2 visa classification as either an advanced degree professional or an individual of exceptional ability in the sciences, arts, or business. Section 203(b)(2)(B)(i) 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 a foreign equivalent degree followed by five years of progressive experience in the specialty is the equivalent of a master's degree. *Id.* Profession is defined as one of the occupations listed in section 101(a)(32) of the Act, as well as any occupation for which a U.S. baccalaureate degree or its foreign equivalent is the minimum requirement for entry into the occupation.[1] 8 C.F.R. § 204.5(k)(3).

[1] Profession shall include but not be limited to architects, engineers, lawyers, physicians, surgeons, and teachers in elementary or secondary schools, colleges, academics, or seminaries. Section 101(a)(32) of the Act.

Once a petitioner demonstrates eligibility for the underlying classification, the petitioner must then establish eligibility for a discretionary waiver of the job offer requirement "in the national interest." Section 203(b)(2)(B)(i) of the Act. USCIS may grant this discretionary waiver of the required job offer, and thus of a labor certification, when it is in the national interest to do so. *Matter of Dhanasar,* 26 I&N Dec. 884, 889 (AAO 2016), provides the framework for adjudicating national interest waiver petitions. *Dhanasar* states USCIS may, as matter of discretion,[2] grant a national interest waiver if the petitioner demonstrates that:

- 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. ANALYSIS

The Petitioner proposes to establish and operate a skincare wellness business specializing in acne and post-acne care for adolescents and adults. She indicates that her business would provide personalized esthetic services to individual clients, as well as non-clinical administrative support services to independent medical and psychology practices. The Petitioner intends to be the business' chief executive officer and work as its esthetician.

A. Member of Professions Holding an Advanced Degree

USCIS determined that the Petitioner established eligibility for the underlying EB-2 classification as a member of the professions with an advanced degree.[3] In the decision, USCIS explained that the Petitioner demonstrated that her specialist diploma in medicine from [redacted] Ukraine is the foreign equivalent of a U.S. master's degree. Upon de novo review, we disagree with USCIS that the Petitioner has established eligibility for the underlying EB-2 classification.

Although the Petitioner demonstrated having the foreign equivalent degree above that of a U.S. bachelor's degree, she has not demonstrated she qualifies as a member of the professions. The regulation at 8 C.F.R. § 204.5(k)(l) states that an EB-2 visa petition may be filed on behalf of a noncitizen "who is a member of the professions holding an advanced degree." The regulation at 8 C.F.R. § 204.5(k)(2) defines a profession as "one of the occupations listed in section 101(a)(32) of the Act, as well as any occupation for which a United States baccalaureate degree or its foreign equivalent is the minimum requirement for entry into the occupation."

[2] *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 to be discretionary in nature).
[3] The Petitioner does not claim eligibility for the EB-2 classification as an individual of exceptional ability in the sciences, arts, or business. *See* section 203(b)(2) of the Act.

In her petition, specifically Part 6, questions 1 and 2, the Petitioner states she intends to have the job title of esthetician owner, with the proposed standard occupation classification (SOC) code[4] 11-1011, which corresponds to work provided by a chief executive officer. In her statements and business plan, she provides a nontechnical job description about her proposed employment, "establish herself as a leading [s]kin [c]are [s]pecialist" and entrepreneur by owning, operating, and being an esthetician for a new personalized skincare services business for adolescents and adults in [redacted] New Jersey. In addition to personalized skin care services, her business plan dated December 2025 states that the business would "operate as a management services organization for independently owned, physician-operated and psychologist-operated professional practices, providing only non-clinical administrative and operational support such as space, equipment, scheduling logistics, and marketing." She emphasizes that "[a]ll medical decision-making, clinical supervision, diagnostic evaluations, and treatment remain solely under the authority of the licensed dermatology and psychology practices," consistent with New Jersey laws and rules.

Without further evidence, the Petitioner has not demonstrated that her intended occupation of working as an esthetician and managing her personalized skincare and management services business requires the minimum of a U.S. bachelor's degree or its foreign equivalent, or that otherwise she is a member of the professions. According to the U.S. Department of Labor, the education requirement for "Skincare Specialists" under SOC code 39-5094.00 occupations states, "[m]ost occupations . . . require training in vocational schools, related on-the-job experience, or an associate's degree." *See* U.S. Department of Labor, O*NET Summary Report for "Skincare Specialists," https://www.onetonline.org/link/summary/29-5094.00. Because the Petitioner has not established that she is a member of the professions under 8 C.F.R. 204.5(k)(2), she is not eligible to be classified as a member of the professions with an advanced degree. 8 C.F.R. § 204.5(k)(l). The Petitioner would need to address this deficiency in any future proceedings where that is required to establish eligibility. We withdraw USCIS' determination otherwise.

B. National Interest Waiver

Although the Petitioner has not established her eligibility for the underlying EB-2 visa classification and is therefore not eligible for a national interest waiver, we will address the basis for USCIS' decision, that the Petitioner did not establish her eligibility under the *Dhanasar* analytical framework.

USCIS determined that although the Petitioner established that her proposed endeavor has substantial merit, she did not show it is of national importance under *Dhanasar's* first prong. USCIS further determined that while the Petitioner established she is well-positioned to advance the proposed endeavor under *Dhanasar's* second prong, she did not demonstrate that, on balance, it would be beneficial to the United States to waive the requirements of a job offer, and thus of a labor certification under *Dhanasar's* third prong. Upon de novo review, we agree with USCIS' determination that the Petitioner did not demonstrate the national importance of her proposed endeavor.[5]

The first prong of the *Dhanasar* analytical framework, substantial merit and national importance, focuses on the specific endeavor that a petitioner proposes to undertake. The endeavor's merit may

[4] An SOC code is a statistical standard that federal agencies use to classify workers into job-related categories. *See* U.S. Bureau of Labor Statistics, "Standard Occupational Classification," https://www.bls.gov/soc/.
[5] While we may not discuss every document submitted, we have reviewed and considered each one.

be demonstrated in a range of areas, such as business, entrepreneurialism, science, technology, culture, health, or education. In determining national importance, the relevant question is not the importance of the field, industry, or profession in which the individual will work; instead, we focus on the "the specific endeavor that the foreign national proposes to undertake." *Matter of Dhanasar,* 26 I&N Dec. at 889.

As discussed above, the Petitioner intends to work as the chief executive officer and an esthetician for her proposed skincare services business. She indicates that her business will focus on acne and post-acne conditions in adolescents and adults with her personally providing non-medical esthetic services at her business in New Jersey in accordance with her existing esthetician license. In addition, her business intends to provide non-clinical management support services to independently owned and operated medical and psychologist practices specializing in the physical and emotional wellness of adults and adolescents struggling with acne and post-acne conditions. Through management organization agreements with independent medical and psychologist practices, her business would provide the practices with administrative and operational support services, including facilities, equipment, scheduling, billing, telehealth coordination, and marketing management. The business plan explains that her proposed business "will emphasize public-health awareness and community outreach to promote long-term skin health and wellness." By doing so, she asserts that her business would "directly addresses a gap that federal and professional stakeholders have identified: fragmented care between dermatology, aesthetics, and mental health for youth and adults with visible skin conditions." We agree with USCIS that the Petitioner's proposed endeavor has substantial merit.

On appeal, the Petitioner contends that USCIS' decision erred in assessing the *Dhanasar* framework by not considering the totality of the evidence for its national importance analysis. In addition, the Petitioner asserts that USCIS applied "an overly narrow interpretation of 'national importance'" and its decision is inconsistent with *Dhanasar's* "flexible framework for evaluating national interest waiver petitions, explicitly recognizing that entrepreneurs can qualify for [a national interest waiver] when their proposed endeavor has national importance." She stresses that "*Dhanasar* does not require that the endeavor already operate at a national scale; rather, it requires evidence of the *potential* for national-level impact." She claims that USCIS misinterpreted her endeavor, limiting it to a single aesthetic clinic, instead of a "scalable, replicable model with national reach" through its proposed multi-state telehealth platform; management services organization model for its administration and operational support services; it addressing national gaps in systematic dermatology and mental health services with innovative improvements to the healthcare system; and its alignment with national healthcare initiatives and priorities. She contends that her business plan clearly sets out the national importance of her proposed endeavor, pointing to documents in the record supporting her claims of national importance, including an investment commitment letter, opinion and recommendation letters, a letter of intent to collaborate with the Petitioner's proposed business from a multi-state psychologist, and industry articles and reports about national initiatives and priorities.

In determining national importance, we agree with the Petitioner that the relevant question is not the importance of the industry or profession in which the individual will work; instead, we focus on the "the specific endeavor that the foreign national proposes to undertake" and evidence documenting the "potential prospective impact" of the proposed endeavor. *Id.* Here, the Petitioner has not sufficiently documented the potential prospective impact of her proposed endeavor is commensurate with national importance, including the asserted potential broad impacts on her field; the significant potential to

employ U.S. workers; the potential substantial positive economic effects on the U.S. and New Jersey economies; the potential impacts to societal welfare through adolescent mental health wellness and preventative healthcare; and it aligning with national priorities and initiatives.

Mainly using general terms, the business plan generally describes the Petitioner's desire to improve the physical and mental health of adolescents and adults who have acne-related conditions by establishing a skincare wellness business which integrates aesthetic, dermatology, and mental health services. The business plan explains that the Petitioner has taken initial steps to establish her proposed endeavor business. Currently, the Petitioner works for her own business, [redacted], which she describes as "a New Jersey-based practice designed to deliver evidence-based, integrated skin-care services with a specialization in acne and post-acne conditions." She indicates that through this existing business, "she has begun offering personalized treatments, building a structured service model, and laying the operational foundation needed to expand into a multidisciplinary practice in future phases." She explains her intention to transfer her existing business into this proposed endeavor business, which would "build on proven treatment methods, efficient workflows, client management strategies, and educational approaches as it scales into a coordinated medical-management model."

However, while the Petitioner's statements and business plan provide a general description of her proposed plans to expand an existing business, the business plan mainly stresses the importance of the aesthetic and dermatology services fields to the U.S. economy and healthcare; the high prevalence of acne and post-acne conditions among adolescents and young adults; and the expected increase in demand for clinical care, products, and services that target acne-related conditions. For instance, the business plan explains that preventative and non-pharmaceutical skincare for adolescents and young adults are nationally significant because it prevents antibiotic use, is cost effective for insured and uninsured individuals, reduces mental health conditions, and is a growing industry. In addition, without providing details, the plan broadly asserts the business has the potential to substantially impact U.S. and local economies, including underserved communities; job creation; and advancing public health and medical technology innovation.

In addition to submitting her business plan, she submitted industry articles and reports, as well as letters from industry professionals relating to teen acne treatment and the mental health impact of skin disorders on adolescents and adults. Letters from professionals in the field emphasize the benefits of preventative and non-pharmaceutical skincare. She maintains that the industry articles and reports and letters of recommendation support her claims that the U.S. government and professional dermatology organizations recognize that skin healthcare has substantial economic and public health impacts and that improved access, advanced techniques, and aesthetic and dermatologic care have national importance beyond a business' commercial interests.

The Petitioner, however, has not offered sufficient information or insight about her proposed management services endeavor or evidence corroborating her claims that her business' activities have the potential to provide the claimed impacts. She makes assertions in her business plan and in her personal statements but has not sufficiently supported her assertions with independent and objective evidence. The Petitioner's statements are not sufficient to demonstrate her endeavor has the potential to provide the claimed broader impacts. The Petitioner must support her assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376. Also, without sufficient documentary evidence that her proposed job duties as the owner, chief executive officer,

and an esthetician of her skincare services business would impact the aesthetics and dermatology fields more broadly, rather than benefiting her business, her clients, and business partners, the Petitioner has not demonstrated by a preponderance of the evidence that her proposed endeavor is of national importance.

On appeal, the Petitioner emphasizes that her business' proposed development and implementation of telehealth and mobile platforms would help integrate dermatology, aesthetics, and mental health services, thereby having the potential to have broad impacts of national importance. The business plan describes launching a telehealth platform and mobile application in order to expand the business into a national network of acne-focused skincare and wellness centers. The platforms would coordinate services from independently licensed and operated dermatology and psychology practices for remote skincare consultations and on-going treatment engagement and education. In addition, the business plan indicates eventual plans for the platforms to add educational information and care programs through partnerships with youth wellness groups, dermatology networks, and educational institutions.

The Petitioner, however, makes broad claims lacking details or evidence supporting how the Petitioner intends to develop and implement the proposed telehealth platform and mobile application. Her general statements about developing the platforms to provide communication, education, and management tools to improve skincare health and integrate dermatology, aesthetics, and mental health services are insufficient to establish her proposed endeavor rises to the level of national importance.

We recognize the importance of the aesthetic and dermatology industries and related careers to the U.S. economy and healthcare, particularly in helping adolescents and adults who struggle with physical and mental health conditions caused by acne and chronic skin disorders. However, merely working in the aesthetic and dermatology services fields or starting a skincare services business for adolescents and adults with acne-related physical and mental health conditions is insufficient to establish the national importance of the proposed endeavor. Moreover, the growth and importance of an industry are not sufficient to meet the national importance requirement under the *Dhanasar* framework. Instead of focusing on the importance of an industry or field and its expected growth in the coming years, we focus on the "the specific endeavor that the foreign national proposes to undertake." *Matter of Dhanasar*, 26 I&N Dec. at 889. We noted that "[a]n undertaking may have national importance for example, because it has national or even global implications within a particular field, such as those resulting from certain improved manufacturing processes or medical advances." *Id.*

In contrast, the petitioner in *Dhanasar* demonstrated that he conducted research and development in the field of air and space propulsion, more specifically, hypersonic propulsion systems involving speeds above Mach 5, and he had developed a novel method for accurately calculating hypersonic airflow. *Matter of Dhanasar*, 26 I&N Dec. at 891-92. In addition, he submitted evidence reflecting that he would continue his research into designing and developing propulsion systems in nano-satellites, rocket-propelled ballistic missiles, and single-stage-to-orbit vehicles and substantial supporting evidence of how his continued research would assist the United States in maintaining its advantage over other nations in hypersonic flight, including documentation reflecting his receipt of funding from a government entity for his research. *Id*. Here, the record does not include the same level of detail and corroborating evidence to demonstrate the Petitioner's proposed endeavor has the claimed potential to substantially impact her field, the healthcare industry, societal welfare, job

creation, the local economy, or otherwise rises to the level of national importance as contemplated by *Dhanasar*.

To further support her assertions, the Petitioner submitted opinion letters from professionals in the field of dermatology and psychology. The opinions do not, however, focus on the Petitioner's specific endeavor and its potential prospective impacts on her field, the U.S. or local economies, societal welfare, or national initiatives. *See id.* at 889. The opinions lack details about the Petitioner's proposed endeavor and mainly reiterate information and language from the Petitioner's business plan to generally describe the proposed business, as well as its potential impacts.

For instance, an opinion from Dr. E-L-, an associate clinical professor of dermatology at [redacted] in New York and an adjunct associate professor of dermatology at [redacted] in New York, mainly discusses the physical and psychological impacts of chronic skin diseases and acne severity in adolescents while pointing out that the overuse and prolonged prescription of anti-biotics for acne are of clinical concern and not cost proven to be effective. Dr. E-L- opines that the Petitioner's areas of specialization, acne, are "in demand and of national importance . . . ." However, Dr. E-L-'s letter lacks details about the Petitioner's proposed endeavor. Instead, Dr. E-L- makes general statements about the Petitioner intending to promote the integrative care of dermatologists, psychologists, and aestheticians for multidisciplinary acne care, stating such integrative care would "fill[] a critical gap in the U.S. system, scales proven benefits, and aligns with current evidence supporting collaborative approaches for chronic dermatologic and psychosocial conditions in youth." Moreover, the opinion generally states, granting the Petitioner's petition would "facilitate large-scale progress and amplify health, educational, and economic benefits for U.S. youth and community."

Similarly, another opinion from Dr. M-W-, a dermatologist in Canada, discusses the effects of acne and the impacts from overuse of antibiotics to treat acne. Dr. M-W- also discusses the Petitioner's endeavor in general terms, indicating that her business would have multiple benefits, including decreased use of antibiotics, improved mental health outcomes, lower healthcare costs and long-term mental health morbidity and chronic dermatologic care needs; increased access to care for vulnerable groups through educational settings; and adaptability to regional and professional environments. Another opinion from Dr. L-K- also discusses the psychological burdens associated with common dermatological conditions, most often related to acne, and only provides a general statement of support for collaborations between schools, mental health professionals, medical providers, and cosmeticians in order to protect young adults from harm. In addition, the Petitioner submitted an opinion letter from Dr. E-G-, a physician specializing in urogynecology and pelvic reconstructive surgery. After reviewing the Petitioner's qualifications and proposed integrative approach to adolescent acne management, Dr. E-G- opines that the proposed business "possesses substantial merit, is of national importance." Similar to the other opinions, Dr. E-G- discusses the overuse of antibiotics by adolescents, the need for mental health support for adolescents suffering from acne, and the economic impacts of acne treatment.

As noted above, we acknowledge the importance of preventative and non-pharmaceutical care and mental health services for adolescents and adults with acne-related conditions, but working in the related fields, or starting a business in the fields, is not sufficient to meet the national importance requirement under the *Dhanasar* framework. The issue here is whether the specific endeavor that the Petitioner proposes to undertake has national importance under *Dhanasar's* first prong. The opinions'

lack of details about the Petitioner's proposed endeavor, and their general and broad statements about the prospective impact of the Petitioner's business are not sufficient to demonstrate the national importance of the Petitioner's proposed endeavor under the *Dhanasar* framework. The submission of letters from experts supporting the petition is not presumptive evidence of eligibility. *See Matter of Caron Int'l*, 19 I&N Dec. 791, 795 (Comm'r. 1988)*; Matter of D-R,* 25 I&N Dec. 445, 460 n.13 (BIA 2011) (discussing the varying weight that may be given expert testimony based on relevance, reliability, and the overall probative value).

In *Dhanasar*, we noted that "we look for broader implications" of the proposed endeavor and 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." *Matter of Dhanasar,* 26 I&N Dec. at 890. Here, the evidence does not suggest that the Petitioner's work establishing a skincare services business and hiring employees in a growing industry would potentially impact the aesthetic and dermatology services fields or the U.S. economy more broadly.

The business plan states that the Petitioner's business has the potential to create jobs and have other substantial positive economic effects, such as increased wages, payment of taxes, and reducing significant and recurring costs to the U.S. health system and to individuals caused from chronic dermatological conditions. To support her claims, the business plan discusses the business' location in [redacted] New Jersey with general plans to expand to a nationwide network through its management services to dermatologists and psychology practices; the business' esthetician services and fees; the Petitioner's investment of $70,000 into the business; a commitment from an individual to invest $249,000 into the business for facility expansion, equipment, and support infrastructure; a market analysis of the dermatology industry; the expected growth of the dermatology and mental health industries; and the business' projected marketing, personnel, and financial forecasts.

The Petitioner, however, has not provided independent, objective evidence sufficient to corroborate her claims that her business' activities have the potential to provide substantial economic benefits to New Jersey communities or the United States. For instance, the business plan projects that in five years the business will hire eight direct employees, pay over $473,000 in employee salaries, and generate over $71,000 in payroll taxes and over $260,000 in other taxes. The record, however, does not sufficiently detail the basis for its financial and staffing projections, or adequately explain how these projections will be realized. The Petitioner must support her assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376. Even if we were to assume everything the Petitioner claims will happen, the record lacks evidence showing that creating eight direct jobs, paying over $473,000 to employee salaries, and generating over $71,000 in payroll taxes and over $260,000 in other taxes over a five-year period rises to the level of national importance.

The Petitioner further claims that her business would help to develop skilled esthetic and administrative professionals by establishing partnerships with youth wellness groups, dermatology networks, and educational institutions to support coordinated care programs and professional training modules, thereby impacting her field more broadly. In support of her claims, she submitted letters from educational institutions where she has previously provided skincare lectures. However, in *Dhanasar*, we determined that the petitioner's teaching activities did not rise to the level of having national importance because they would not impact his field more broadly. *Matter of Dhanasar,* 26

I&N Dec. at 893. Likewise, the Petitioner's intent to transfer professional knowledge to others through professional development trainings and educational programs does not demonstrate an impact on the dermatology and esthetic fields more broadly or rise to the level of national importance as contemplated by *Dhanasar*.

The Petitioner further argues that her proposed endeavor aligns with matters that the government has described as having national importance or is the subject of national initiatives. She points to national initiatives supporting improved adolescent and adult skincare health and mental health, claiming that her business' focus in these areas aligns with the national initiatives promoting improved skincare health and mental health. For instance, the Petitioner discusses Healthy People 2030, which aims to reduce depression, anxiety, and self-harm among adolescents by strengthening mental health support services; the U.S. Surgeon General's Advisory on Youth Mental Health and Social Media, which highlights the need to combat negative self-image on digital platforms; the U.S. government designation of mental health professional shortage areas to better determine where psychological care is needed; the U.S. Center for Disease Control strategy guide for skin cancer prevention; and national initiatives to improve communication for suicide and crisis support.

In addition, she claims her proposed endeavor will contribute to the science, technology, engineering, math, and medicine (STEMM) fields in the United States. Through the digital telehealth platform and mobile application, she claims her technology innovative solutions "will facilitate data-driven treatment plans, remote consultations, and ongoing progress tracking, thereby aligning with broader STEMM objectives of innovation, knowledge transfer, and cross-sector collaboration." By integrating science, technology, and personalized care, the Petitioner claims her business "will not only improve the physical and emotional well-being of adolescents but also support workforce development, advance medical science applications, and create scalable, technology-driven models that can benefit communities across the nation."

The importance of the U.S. government initiatives, such as Healthy People 2030; the U.S. Surgeon General's Advisory on Youth Mental Health and Social Media; the U.S. government designation of mental health professional shortage areas; the U.S. Center for Disease Control strategies for skin cancer prevention; and U.S. public health initiatives related to improved communication for suicide and crisis support, is not in dispute, but their overall significance does not establish the national importance of the Petitioner's proposed endeavor in particular. While the national initiatives show that supporting improved mental health and skincare health are important to public health and societal welfare, it does not follow that an individual providing skincare services to adolescents and adults with acne-related health conditions and administrative support services to dermatology and psychology practices has national importance.

As discussed earlier, working in or establishing a business in an important field is insufficient on its own to establish the national importance of the proposed endeavor. Instead, we focus on the "the specific endeavor that the foreign national proposes to undertake" and consider the endeavor's "potential prospective impact." *Id.* The Petitioner makes general statements about her business' potential impact on national initiatives but does not quantify the proposed endeavor's expected impact in the identified areas of concern, or provide objective, probative evidence to support her contentions. Although the Petitioner has shown that supporting skincare and mental health are nationally important

issues, she has not demonstrated the potential prospective impact of her specific endeavor to such nationally important matters.

Based on the above, the Petitioner has not demonstrated that her proposed endeavor has the potential to extend beyond her skincare business and her future clients and partners to impact her field, the U.S. and local economies, job creation, societal welfare, or nationally important matters more broadly at a level commensurate with national importance. The standard of proof in this proceeding is a preponderance of the evidence, meaning that a petitioner must show that what is claimed is "more likely than not" or "probably" true. *Matter of Chawathe*, 25 I&N Dec. at 375-76. To determine whether a petitioner has met the burden under the preponderance standard, we consider not only the quantity, but also the quality (including relevance, probative value, and credibility) of the evidence. *Id.*; *Matter of E-M-*, 20 I&N Dec. 77, 79-80 (Comm'r 1989). Beyond general assertions, the Petitioner has not demonstrated by a preponderance of the evidence that the work she proposes to undertake as the owner of her proposed skincare services business offers the claimed innovations that have the potential to contribute to advancements in her industry or otherwise has potential broader implications for her field. The potential broad impacts that the Petitioner claims depend on numerous factors, and she did not offer a sufficiently direct evidentiary tie between her skincare services work and the claimed impacts.

Because the documentation in the record does not sufficiently establish the national importance of the Petitioner's proposed endeavor as required by the first prong of the *Dhanasar* precedent decision, she has not demonstrated eligibility for a national interest waiver. This identified basis for dismissal is dispositive of the Petitioner's appeal, and therefore we decline to reach and hereby reserve the Petitioner's appellate arguments regarding her eligibility under the second and third prongs. *See INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) (noting that "courts and agencies are not required to make findings on issues the decision of which is unnecessary to the results they reach"); *see also Matter of L-A-C-*, 26 I&N Dec. 516, 526 n.7 (BIA 2015) (declining to reach alternative issues on appeal where an applicant is otherwise ineligible).

III. CONCLUSION

The Petitioner has not established that she satisfies the regulatory requirements for classification as a member of the professions with an advanced degree. Furthermore, as the Petitioner has not met the requisite first prong of the *Dhanasar* analytical framework, she has not established that she is eligible for or otherwise merits a national interest waiver as a matter of discretion. The appeal will be dismissed for the above stated reasons.

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.