U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40527072

Date: JUNE 25, 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 senior sourcing 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 that the Petitioner established he was an advanced degree professional, but had not demonstrated 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 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. 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) the proposed endeavor has both substantial merit and national importance; (2) the individual is well-positioned to advance their proposed endeavor; and (3) 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

The Petitioner is a senior sourcing specialist for [redacted] His past positions include roles as a procurement/sourcing co-op, data analyst, operations intern, and supply chain intern. He states his endeavor is "[t]o develop a comprehensive initiative focused on enhancing the resilience of supply chains in underserved and economically disadvantaged regions across the United States." He claims his endeavor "will utilize advanced data analytics and Six Sigma methodologies to identify and address specific inefficiencies in procurement processes, ensuring a stable and reliable supply of essential goods and services." His ultimate goal is to bolster local economies, improve resource access, and contribute to more significant economic and social equity nationwide.

The Service Center Operations (SCOPS) concluded the Petitioner qualifies for the underlying EB-2 classification as an advanced degree professional but that he did not establish his eligibility under the *Dhanasar* analytical framework. Specifically, they found that the Petitioner satisfied the first *Dhanasar* prong but did not meet the second and third prongs requiring him to show he was well positioned to advance his proposed endeavor and 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.

Upon de novo review of the record, we agree that the Petitioner did not satisfy *Dhanasar's* second and third prongs and so has not established eligibility for a national interest waiver. However, for the reasons discussed below, we also conclude that the Petitioner has not sufficiently demonstrated his proposed endeavor's national importance under the first prong and will, therefore, withdraw SCOPS' determination on this issue.[2]

A. Substantial Merit and National Importance

The first 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. In determining whether the proposed endeavor has national importance, we consider its potential prospective impact. *Matter of Dhanasar*, 26 I&N Dec. at 889. 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.

We agree that the proposed endeavor has substantial merit. The record contains sufficient documentation, including the Petitioner's proposed plan, articles, and other background material to show that the endeavor falls within one or more of the areas contemplated by *Dhanasar*. However, the Petitioner has not met his burden to demonstrate that his endeavor's prospective impact rises to the level of national importance.

[2] While we do not discuss every piece of evidence individually, we have reviewed and considered the record in its entirety.

The Petitioner claims that his endeavor will advance supply chain resilience and enhance U.S. national security, economic competitiveness, and critical infrastructure reliability through the application of blockchain technology and advanced procurement analytics, particularly in underserved regions. However, the record lacks sufficient details regarding his claimed models and methods, as well as his use of them, to provide the level of focus or documentation necessary to support his claims of broader impacts in the field, region, or nation to rise to the level of national importance.

While he outlined a six-phase development plan to implement his proposed endeavor, his plan provided only high-level objectives and brief summaries without adequate details as to how he would specifically accomplish such objectives under each phase. The Petitioner also does not clearly explain, and the record does not establish, how any impact produced would be direct and significant enough to rise to a nationally important level. General conclusory statements without a sufficiently direct evidentiary tie between the proposed endeavor and the claimed impacts are insufficient. The Petitioner must support his assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376.

Additionally, the Petitioner claims that his supply chain resilience model, which reportedly integrates predictive analytics and blockchain technology, is designed to address supply chain vulnerabilities by enhancing transparency, forecasting demand more accurately, and ensuring that inventory levels are optimized to meet local needs effectively. But again, aside from these broad claims, he has not provided sufficient or specific details about this or any other models, methods, or proposed research, including what they specifically involve, how they differ or are an improvement over what is already available in the industry, or show how they would offer original innovations that contribute to advancements or otherwise have broader implications for the industry. *See Matter of Dhanasar*, 26 I&N Dec. at 889.

The Petitioner also relies heavily on the importance of the supply chain management field, as well as its alignment with federal priorities, to claim his endeavor's national importance. He submits various industry articles and reports discussing, for example, issues involving the supply chain, forecasting demand, the Just-in-Time (JIT) inventory system, use of artificial intelligence (AI) in supply chain management, various county related data, and the supply chain industry generally. He also points to federal initiatives like Executive Order 14017 on "America's Supply Chains" and the Defense Production Act (DPA). However, these generalized articles and reports do not mention the Petitioner or his proposed endeavor, or otherwise establish how the Petitioner's specific endeavor would have a nationally important impact. And while we recognize the value of the supply chain industry and the positive benefits that advanced technologies like blockchain and procurement analytics might have on it, working in an important field alone is insufficient to establish the national importance of the proposed endeavor. *Id*. (providing that, in determining national importance, the focus is on "the specific endeavor that the foreign national proposes to undertake"). The Petitioner must still demonstrate his endeavor's potential prospective impact in that area of national importance, which he has not done.

Because the Petitioner has not established his proposed endeavor's national importance as required by *Dhanasar's* first prong, we will withdraw SCOPS' determination.

B. Well Positioned to Advance the Proposed Endeavor

In determining whether a petitioner meets *Dhanasar's* second prong, "we consider factors including, but not limited to: the individual's education, skills, knowledge, and record of success in related or similar efforts; a model or plan for future activities; any progress towards achieving the proposed endeavor; and the interest of potential customers, users, investors, or other relevant entities or individuals." *Id.* at 890.

SCOPS concluded the Petitioner did not demonstrate he is well positioned to advance the proposed endeavor, as required by the second prong. On appeal, the Petitioner argues that his education, experience, research contributions, and stakeholder support demonstrate he is well positioned to advance his proposed endeavor. However, upon de novo review, we agree with SCOPS' determination.

The Petitioner states, and the record reflects, that he has a bachelor's degree in economics and a master's degree in industrial management. The Petitioner also provided evidence of his publications and citation history, as well as various certifications he holds such as the Certified Advanced Supply Chain Professional (CASP), Professional Scrum Master I, and Microsoft Office Specialist: Excel 2013. While we acknowledge the Petitioner's educational credentials and certifications, which are one positive factor for consideration, the Petitioner has not demonstrated that his academic accomplishments are sufficient to demonstrate he is well positioned to advance his proposed endeavor.

The Petitioner also asserts that SCOPS failed to adequately consider the impact of his past work as a basis for predicting future success. He points to his research papers on supply chain resilience and procurement analytics published during his academic and professional career and argues that they have been cited and recognized in the field. He claims that they further validate his expertise and contributions. However, a review of the record reveals that at the time of filing, his three published articles received 79 citations total with his highest cited article receiving 40 citations, the second highest cited article receiving 38 citations, and his third article receiving only 1 citation.[3] The Petitioner has not shown through evidence in the record that his published work has been frequently cited by independent researchers, otherwise served as an impetus for progress in the field, or that it has affected or has generated substantial positive discourse in the broader supply chain industry. The evidence does not otherwise demonstrate that his work constitutes a record of success or progress in his area of research. While we recognize that research must add information to the pool of knowledge in some way in order to be accepted for publication, presentation, funding, or academic credit, not every individual who has performed original research will be found to be well positioned to advance his or her proposed endeavor. Rather, we examine the factors set forth in *Dhanasar* to determine whether, for instance, the individual's progress towards achieving the goals of the proposed research, record of success in similar efforts, or generation of interest among relevant parties supports such a finding. *Id.*

[3] We note that the evidence submitted in response to SCOPS' Request for Evidence (RFE) reflects that the Petitioner's citation count *decreased* from the counts submitted with his initial petition. His citation record post-RFE shows his three articles received 66 citations total, with his two highest cited articles receiving 29 citations each, and his third article receiving 8 citations.

Furthermore, while the Petitioner also highlights various past achievements while working for his employers, such as efficiency gains and increases in annual revenue, these factors are not sufficient to demonstrate that he is well positioned to advance his endeavor. In support of his claim, he submits various recommendation letters, which provide general descriptions of the Petitioner's past projects and praise the Petitioner's skills and achievements. While some of the letters reference how the Petitioner's work has benefited their respective companies or broadly assert that the Petitioner's work has contributed to the field, the letters do not further elaborate on or sufficiently explain how the Petitioner's work has been utilized in the field or otherwise constitutes a record of success. Moreover, the lack of specificity in the letters do not show how his work has affected the field or industry demonstrating a history of accomplishment, well positioning himself to advance his proposed endeavor. Again, we look to a variety of factors in determining whether a petitioner is well positioned to advance their proposed endeavor, and any record of successes is but one factor among many that may contribute to such a finding.

The Petitioner also states that his endeavor is in the second phase of his six-part development plan. But he has submitted little evidence of his purported progress, including documentation showing how he plans to fund his endeavor and any interest from relevant parties. Although he claims the letter from [redacted] demonstrates stakeholder interest in his proposed endeavor, the letter is conclusory and does not specifically state an interest by the South Carolina government in implementing the Petitioner's future work as he claims.[4]

Accordingly, on this record, the evidence is insufficient to demonstrate that the Petitioner is well positioned to advance his proposed research endeavor. As such, he has not established that he satisfies *Dhanasar's* second prong.

III. CONCLUSION

Because the Petitioner did not establish his proposed endeavor's national importance and that he is well positioned to advance the proposed endeavor, he has not demonstrated eligibility for a national interest waiver. Further analysis of his eligibility under *Dhanasar's* third prong, therefore, would serve no meaningful purpose. *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.

[4] We also note that [redacted] letter contains various grammatical and spelling anomalies, which raises additional questions about the origin of the letter and, therefore, its probative value.