U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40799012

Date: MAR. 5, 2026

Appeal of Service Center Operations Decision

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

The Petitioner, [redacted], seeks second preference immigrant classification (EB-2) for the Beneficiary, a quality assurance manager, 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).

Service Center Operations (SCOPS) denied the petition, concluding that although the Beneficiary qualified for classification as an advanced degree professional and his endeavor has substantial merit, the Petitioner had not established that the Beneficiary's endeavor is of national importance, that he is well positioned to advance the proposed endeavor, or that, on balance, 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] *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).

- 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, [redacted], is a wholly owned subsidiary of [redacted], a company headquartered in France, specializing in producing engines and equipment for three major aerospace markets: civil aviation, military aviation, and space. [redacted] manufactures and supplies aircraft cabin interiors (e.g., lavatories, galleys, crew rest, cargo containers, cockpits) and its customers include [redacted] and other leading aircraft manufacturers.

The Beneficiary's endeavor is to work as a quality manager of On-Site Support (OSS) North America at [redacted] and contribute to "improvement of safety and quality control in the aerospace industry, the expansion of manufacturing operations in that industry in the United States, and the creation of U.S. jobs in the industry." The Petitioner also described the Beneficiary as "a highly qualified professional in the field of quality assurance engineering" with 25 years of employment history in the field and a master's degree in aerospace engineering from the [redacted] in Romania.

SCOPS concluded that the Petitioner did not demonstrate that the Beneficiary's endeavor is of national importance under the first prong of the *Dhanasar* analytical framework. Specifically, SCOPS determined that the impact of the Beneficiary's endeavor is confined to his employer and its clients. We agree with SCOPS for the reasons discussed below.

To evaluate whether the proposed endeavor satisfies the national importance requirement we focus on the specific endeavor that the foreign national proposes to undertake and look to evidence documenting its "potential prospective impact." *Id.* An endeavor may have national importance 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.* 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.

On appeal, the Petitioner claims that the testimonial evidence in the record attests to how the Beneficiary's quality-assurance protocols ("Red Binder") has widespread impact on the field of aerospace manufacturing and technology. The Petitioner also asserts that the Beneficiary's quality control role at the [redacted] building site in [redacted] Alabama shows national importance of his endeavor as "his work affects every [redacted] manufactured in [redacted] each destined for use in the U.S. commercial aviation sector." Furthermore, because there is "a persistent and growing shortage of commercial aircraft in the 100-150 seat range" and the Beneficiary's quality control work in [redacted] Alabama involves [redacted] aircraft configured for that specific seat range, the endeavor "directly and proportionally contributes to alleviating a critical shortage in the U.S. aviation system while reinforcing the country's industrial base."

We acknowledge that the Beneficiary offers advanced technical skills and specialized knowledge to his employer, but the Petitioner has not sufficiently demonstrated that the economic implications and technological advancements resulting from [redacted] operations would be directly attributable to the Beneficiary's particular role as a quality manager. The issue here is not the broader implications of [redacted] manufacturing of aircraft interiors, or [redacted] aircraft production, but rather the potential prospective impact of the Beneficiary's specific proposed work as a quality manager that affects the field or industry. "Benefits to a specific employer alone, even an employer with a national footprint, are not sufficiently relevant to the question of whether a person's endeavor has national importance. At issue is whether the petitioner can demonstrate that the person's own individual endeavor stands to have broader implications, such as for a field, a region, or the public at large." *See generally* 6 *USCIS Policy Manual* F.5(D)(3), https: //www.uscis.gov/policy-manual.

Although the Beneficiary's "Red Binder Protocol" may be integral to [redacted] manufacturing of aircraft interiors, specifically for the [redacted] program in [redacted] Alabama, the Petitioner has not provided any other corroborating evidence that somehow the Beneficiary's methodology widely impacted the aviation or aircraft manufacturing industry as a whole, or the how these protocols were disseminated to the industry overall beyond his employer or the employer's clients.

As a comparison, 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. *Dhanasar*, 26 I&N Dec. at 891-92. In addition, we gave significant weight to "probative expert letters from individuals holding senior positions in academia, government, and industry that describe the importance of hypersonic propulsion research as it relates to U.S. strategic interests" and "detailed expert letters describing U.S. Government interest" in Dr. Dhanasar's specific research. *Id.* at 892. Here, the Petitioner has not provided similar evidence, such as the type of expert opinion evidence or letters from government entities detailing how his endeavor impacts a matter that is a subject of national initiatives, despite claiming that that the Beneficiary's contributions and area of focus are critical to the United States and his talent in performing quality control in aerospace manufacturing is in demand.

The record includes various articles and reports highlighting the importance of the fields of science, technology, engineering, and mathematics (STEM) and aerospace engineering, such as the critical and emerging technologies list, 2021 Facts and Figures of U.S. Aerospace & Defense report, the 2020 Economic Impact of U.S. Civil Aviation, [redacted] website page printouts and general aviation safety guidelines, and news articles about the Airbus manufacturing facility in [redacted] Alabama. While USCIS recognizes specific evidentiary considerations relating to STEM fields, "the evidence must demonstrate that a STEM endeavor has both substantial merit and national importance." *See generally* 6 *USCIS Policy Manual*, *supra* at F.5(D)(4). We acknowledge the overall value of the advancement of aerospace manufacturing and safety protocols, attracting qualified professionals in related careers, and strengthening our nation's technology, particularly technology recognized as critical and emerging, but their overall significance does not establish the national importance of the Petitioner's proposed endeavor in particular and merely provides an overview of the relevant industries in which the Beneficiary proposed to work. *See id.*

Moreover, the testimonial evidence is limited to letters from the Beneficiary's work colleagues from [redacted] who make broad claims that the Beneficiary's work is of national importance. The letters generally attest to the Beneficiary's employment history with [redacted] since 2004, both in Canada and the United States, and duties associated with his various roles, including inspecting and identifying quality issues, troubleshooting investigations and rectifying problems on aircrafts, supporting any major repairs, leading stronger customer relationships and promoting quality assurance practices. The authors discuss how the Beneficiary manages the "Red Binder" process, a process of documenting and managing customer-related quality escapes that occur on the production floor, making sure that quality standards meet the certification standards set by the Federal Aviation Administration, Transport Canada, or European Union Aviation Safety Agency, and tracking all nonconformance reports in order to analyze and implement corrective actions to prevent further recurrence. One author mentions how the Beneficiary's "Red Binder" process was "successfully implemented across several key locations within [redacted]" and explains that the [redacted] aircraft program "brings in approximately $82M per year in revenue to [redacted] and the Beneficiary's quality assurance duties are essential to the company's success, especially in connection with the [redacted] programs on the OSS perimeter in North America. However, the letters do not provide persuasive and corroborating information about the endeavor's impact rising to the level of national importance.

Under the preponderance standard, we consider not only the quantity, but also the quality (including relevance, probative value, and credibility) of the evidence. *Matter of Chawathe*, 25 I&N Dec. at 376; *see also Matter of E-M-*, 20 I&N Dec. 77, 79-80 (Comm'r 1989). 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. *Dhanasar*, 26 I&N Dec. at 893. Here, the testimonial evidence does not sufficiently demonstrate how the Beneficiary's proposed endeavor stands to extend beyond his employer, its business partners, and its clientele to impact the aerospace manufacturing industry and other related fields more broadly at a level commensurate with national importance. Nor has the Petitioner shown that the Beneficiary's role, his "Red Binder" quality control protocols, or other future projects offer original innovations that contribute to advancements in the field beyond his employer and his clients.

The Petitioner also provided a letter from the vice president of economic development at [redacted] in [redacted], Alabama, where the [redacted] assembly takes place, and the director of quality assurance and product improvement at [redacted] who works directly with the Beneficiary in [redacted] Alabama. The authors claim that "approximately 200 new jobs were added at the [redacted] Alabama [redacted] facility in early 2024, as part of their expansion efforts for the [redacted] program, thus reaching a total of 1,000 new jobs created in the area, by [redacted], since 2019." They also broadly claim that without the Beneficiary's "leadership and innovation" such expansion efforts by [redacted] "would never happen" and the Beneficiary ultimately contributed to bringing jobs to [redacted] Alabama community by "fostering improvements in safety, compliance, and customer satisfaction."

However, the record lacks corroborating documents to support the Petitioner's claim that the new jobs and employment in [redacted] Alabama, are directly linked to the Petitioner's proposed endeavor. Although the Petitioner provided news articles and media reports on the [redacted] facility in [redacted], Alabama, and its contribution to the community in terms of revitalizing aerospace manufacturing and

enhanced workforce, the Petitioner has not offered a sufficiently direct connection between the Beneficiary's proposed endeavor activities and economic activities of [redacted] in [redacted] Alabama, aside from generalized claims and statements. The Petitioner must support their assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376. While any increased business activity has the potential to positively impact the economy, the Petitioner has not demonstrated how the economic activity resulting from the Beneficiary's single role as a quality manager for [redacted] would substantially impact job creation and economic growth in [redacted] Alabama, such that it rises to the level of national importance. The claims of economic benefits from the Beneficiary's endeavor are too attenuated to demonstrate "substantial positive economic effects." *Dhanasar*, 26 I&N Dec. at 890.

Accordingly, the Beneficiary's proposed work as a quality manager at the petitioning company does not meet the "national importance" element of the first prong of the *Dhanasar* framework. Therefore, the Petitioner has not demonstrated the Beneficiary's eligibility for a national interest waiver and further analysis of his eligibility under the second and third prongs outlined in *Dhanasar* 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).

III. CONCLUSION

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

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.