U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41750183

Date: MAR. 20, 2026

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, an accountant, 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).

SCOPS denied the petition, concluding that the record did not establish 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. 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:

- The proposed endeavor has both substantial merit and national importance;
- The individual is well-positioned to advance their proposed endeavor; and

[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).

- On balance, waiving the job offer requirement would benefit the United States.

Id.

II. ANALYSIS

A. Eligibility for Second Preference (EB-2) Classification

SCOPS concluded that the Petitioner qualifies as a professional holding an advanced degree, and the record includes an evaluation of the Petitioner's foreign education. The evaluation depicts a three-year program for a bachelor's degree in commerce and a two-year program culminating in a master's degree in business administration from India. The evaluation concludes that the education completed is equivalent to a master's degree in the United States. However, we note that the evaluation does not credibly establish that the Petitioner has a foreign equivalent master's degree to qualify as a professional holding an advanced degree.

For example, the evaluation does not analyze whether the coursework completed was substantially similar to what is required from accredited institutions of higher education in the United States but only lists courses and credits for programs of study. Further, although the evaluation lists the Electronic Database for Global Education (EDGE)[2] as a source, EDGE does not support the evaluator's conclusions. Specifically, according to EDGE, a master of arts degree in business administration is awarded upon completion of two years of study beyond three-year bachelor's degree, and it is comparable to a bachelor's degree in the United States.[3]

We use an academic credential evaluation as an advisory opinion only. Where an evaluation is in any way questionable, it may be discounted or given less weight.[4] Because the Petitioner has not received prior notice to address issues regarding his qualifications as an advanced degree professional, we will reserve the issue of EB-2 classification for consideration in future proceedings. The remaining issue to be determined on appeal is whether the Petitioner has established that a waiver of the requirement of a job offer, and thus a labor certification, would be in the national interest.

B. Eligibility for a National Interest Waiver

The Petitioner states that he is an accountant specializing in finance management. His proposed endeavor is to start a business through which he would "offer educational services on debt settlement and budgeting" in order to help families reduce financial stress by improving their financial stability and security.

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[2] USCIS considers EDGE to be a reliable source of information on foreign credential equivalencies. EDGE is a web-based resource for the evaluation of foreign educational credentials created by the American Association of Collegiate Registrars and Admissions officers (AACRAO). AACRAO is a professional association of higher education admissions and registration professionals who represent academic institutions located in over 40 countries.

[3] https://www.aacrao.org/edge/country/credentials/credential/india/master-of-arts-business-administration-computer-management-commerce-or-science (accessed March 20, 2026).

[4] *See Matter of Sea, Inc.*, 19 I&N Dec. 817 (Comm'r 1988).

Although SCOPS determined that the Petitioner's proposed endeavor has substantial merit and that he is well positioned to advance the endeavor, SCOPS concluded that the record did not establish that the endeavor is of national importance or that, on balance, it would be beneficial to the United States to grant a waiver of the job offer requirement. On appeal, the Petitioner states that he is eligible based on the evidence of record and that SCOPS did not appropriately analyze the evidence. Upon review, for the reasons discussed below, we conclude that the Petitioner has not sufficiently established his proposed endeavor and therefore does not meet the first prong of the *Dhanasar* analytical framework.

The first prong, substantial merit and national importance, focuses on the specific endeavor that the individual proposes to undertake. *Matter of Dhanasar*, 26 I&N Dec. at 889. The endeavor's merit may be demonstrated in a range of areas such as business, entrepreneurialism, science, technology, culture, health, or education. *Id.*

In determining whether the proposed endeavor has national importance, we consider its potential prospective impact. *Id.* 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." *Id.* Specifically, "endeavor" is more specific than the general occupation; the record should establish not only what the occupation normally involves, but the types of work the person proposes to undertake specifically within that occupation.[5]

The Petitioner submitted a business plan describing his intention to headquarter his business in the state of Texas, where he would develop a financial education system. The business would include creating a guide on financial subjects and providing in-person and online classes. The business plan states that his company would offer personal budgeting guidance in partnership with fintech companies, as well as debt settlement guidance "through the 'debt snowball' strategy," a debt repayment methodology centered on the concept that financial decisions are driven by behaviors. The business plan describes target end-users as families in situations of financial vulnerability, and it discusses the market for financial literacy programs, credit utilization, borrower demographics, and debt settlement services. Although the plan presents an overview of services the business would provide and the field in which it would operate, it does not describe a specific endeavor that the Petitioner will undertake through the operation of a business.

Concerning potential business partnerships, the Petitioner submitted letters of support from a financial specialist at an energy technology company, a payroll manager at an energy company, and a general ledger manager at a communications company. These letters express support for the Petitioner's initiative, offering to provide knowledge and guidance to help actualize his idea for a financial literacy program. The financial specialist supports the Petitioner's intention to teach "the debt snowball strategy," and the payroll manager appreciates that the Petitioner's initiative promotes the personal dignity of understanding one's finances. The general ledger manager approves of the Petitioner's intention to help people who live with financial pressure every day. We observe that, while the letters signify enthusiasm for the Petitioner's initiative, they do not offer insight into specific aspects of services to be offered by his business.

[5] *See generally* 6 *USCIS Policy Manual* at F.5(D)(3), https://www.uscis.gov/policy-manual/volume-6-part-f-chapter-5.

The payroll manager references a "model" that encourages better habits and an "approach" tied to tools, habits, and systems. The financial specialist is confident that the Petitioner's "program" can be scaled to schools and organizations. The record, however, does not contain documentation describing a specific educational program, model, or approach that the Petitioner will use to address any of the issues presented in the record concerning financial literacy. The letters communicate the authors' interest in collaborating with the Petitioner to develop an initiative, rather an endeavor defined by specific services to be offered through his business.

Another example of the inchoate nature of the Petitioner's proposed business is found in a letter from a nonprofit community development organization, which is similarly supportive of his proposed endeavor to design and implement a financial literacy program. The letter states that the organization based its endorsement on a review of the endeavor's description and meetings with the Petitioner, and it includes a table comparing the Petitioner's "advanced approach" to "current market offerings." The table provides vague and conclusory comparisons, such as depicting the endeavor as having a "[s]pecific focus on underserved groups," as opposed to current market offerings, which are listed as "[b]road and often non-specific targeting." This ambiguity is reflected in the remainder of the letter; it states that the Petitioner will expand the reach of his endeavor's impact by "forging partnerships with national organizations and leveraging their networks and resources," and by providing data for him to engage with lawmakers and advocate for policy changes based on his endeavor's "proven outcomes." According to this letter, the endeavor's "potential to significantly benefit the public" deserves the organization's "full support and engagement." The letter, however, does not identify any source for the endeavor's potential, such as an educational program developed by the Petitioner, rather than an indistinct intention to provide an educational service.

The specifics of his proposed endeavor are also absent from an economic impact analysis. This document, which refers to itself as a report, summarizes the Petitioner's endeavor as an educational system on budgeting and debt settlement designed for individuals experiencing economic hardship. The report states, "To estimate the potential adoption rate of the proposed financial education and debt settlement system . . . a comparative analysis was conducted using analogous behavioral and financial literacy interventions across public and nonprofit sectors." The report adds that simulations and regression modeling were applied to predict the impact of the endeavor in Texas.

Notably, apart from referencing the purported use of interventions that were "analogous" to the Petitioner's own "educational system," the report does not remark on any specific element of the Petitioner's endeavor or identify the interventions to which his educational system was compared. There is no indication that the analysis is related to a specific educational program, which calls into question the credibility of the report as evidence demonstrating the national importance of the Petitioner's proposed endeavor.

Throughout the record, the Petitioner's proposed endeavor is rendered in equivocal descriptions of a general objective to address financial literacy deficiencies through education. But the Petitioner has not provided—through either his business plan or through supporting evidence—an explanation of what specific product or service his business would provide for customers in terms of financial literacy education. This lack of specificity hinders a meaningful evaluation of his proposed endeavor's potential prospective impact. In denying the petition, SCOPS aptly called attention to the lack of

sufficient information and evidence concerning the Petitioner's proposed endeavor, concluding that the record did not demonstrate the endeavor's national importance.

On appeal, the Petitioner asserts that SCOPS failed to evaluate material evidence, including "a comprehensive description" of his endeavor, the aforementioned economic impact report,[6] and a "formal government endorsement" from a Texas state representative. A letter from this state representative, who is also a physician, references correlations between financial insecurity and negative health consequences, expressing confidence in the Petitioner's ability to advance "a nationwide financial literacy program" that offers a "scalable" and "new approach by including behavior into the design of the financial program."

The representative's description of the Petitioner's endeavor echoes the ambiguous phrasing found in the economic impact report, the letter from the community development organization, the letters of support from the companies, and the business plan. The use of language resembling or repeating the generalized descriptions of the Petitioner's endeavor found throughout the record does not suggest a full understanding of the Petitioner's proposed endeavor. This absence of any independent analysis within the letter calls into question its credibility as supportive evidence of the endeavor's national importance.

More specifically, the representative's letter states that the outcomes of the Petitioner's endeavor "go beyond theory and are backed by financial modeling and feasibility studies." However, the only feasibility study of record—the economic impact analysis—does not appear to directly relate to a specific educational program. The letter refers to the endeavor's "projected impact of over $1.1 billion in household debt . . . within five years . . . ." This projection recalls the financial model found in the business plan, which anticipates debt settlement totaling just under $1.2 billion by the business's fifth year of operation. According to the business plan, the projection is based on individual family debts averaging $100,000[7] and estimated numbers of households that the business will impact—numbers which are "based on the endeavor's capabilities for in-person and online groups, as well as through educational materials." The business plan predicts impacting 200 households in the first year of operation, with estimations progressing to 5,900 by the fifth year. The representative's letter also stresses that the endeavor will generate "more than $1.3 million in tax revenue" by its fifth year, which is reflected in the business plan's estimated generation of tax revenues totaling approximately $1.3 million in that same period. It is not clear, however, what sources or reasoning were used to estimate future tax revenue figures or the number of households the business would impact each year. It is not evident what sources were used for most of the projections depicted in the business plan, a point of obscurity that further erodes the credit of both the business plan and the letter of endorsement from the state representative. A petitioner must support assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376.

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[6] Although the economic impact report does not include details of the proposed endeavor, it does emphasize that the "endeavor has received formal support from governmental leadership, most notably from [a Texas state representative] who attested to its national importance, scalability, and alignment with public-sector priorities for financial inclusion and economic equity." The report does not elaborate on the relevance of the representative's support to the economic impact analysis.

[7] The business plan credits this average to America's Debt Help Organization at https://www.debt.org/faqs/americans-in-debt/demographics.

The business plan states that the "proposed endeavor will bring benefits not limited to customers and suppliers, but to society as a whole." The record does not contain evidence sufficient to support that assertion. The Petitioner has not submitted sufficient evidence to demonstrate that he has conceived of an endeavor that would lead to any prospective economic benefits through employment levels, business activity, or tax revenue. As such, the record does not demonstrate that the prospective benefits to the regional or national economy resulting from the Petitioner's anticipated business venture would reach the level of "substantial positive economic effects" contemplated by *Dhanasar*. *See Matter of Dhanasar* at 890.

The Petitioner has not provided sufficient evidence to demonstrate that he has developed an endeavor that would broadly improve financial literacy, reduce household debt, or otherwise have a level of impact within a particular field on a scale commensurate with national importance. The Petitioner mainly relies on the importance of financial literacy to demonstrate the importance of his overall ambition to develop a financial education system, rather than any prospective positive impact resulting from a fully articulated endeavor. It is not the proverbial value of the field in which an individual intends to work, but the particular endeavor an individual intends to pursue that we consider in assessing its national importance. *Matter of Dhanasar*, 26 I&N Dec. at 889.

And without sufficient evidence of a particular endeavor, the Petitioner has not enabled us to evaluate whether his proposal has substantial merit or national importance for purposes of determining national interest waiver eligibility. To do so, we must rely on evidence of the specific proposed endeavor to determine whether it meets the requirements of *Dhanasar's* first prong. It is the Petitioner's burden to prove by a preponderance of the evidence that he is qualified for the benefit sought. *Matter of Chawathe*, 25 I&N Dec. at 376. In evaluating the evidence, eligibility is to be determined not by the quantity of evidence, alone, but by its quality. *Id.* Here, the Petitioner has not met his burden to provide such evidence.

Additionally, in order to determine whether an individual qualifies for a national interest waiver, we must rely on the specific proposed endeavor to determine whether the individual is well positioned to advance the endeavor under *Dhanasar's* second prong. *Matter of Dhanasar* at 889-90. Because the Petitioner has not provided evidence of a comprehensive endeavor, we are unable to determine whether he meets the requirements of *Dhanasar's* second prong.[8]

Accordingly, the Petitioner has not demonstrated eligibility for a national interest waiver as a matter of discretion. Further analysis of his eligibility under the third prong of *Matter of Dhanasar* would, therefore, serve no meaningful purpose. *See INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) (stating that agencies are not required to make "purely advisory findings" on issues that are unnecessary to the ultimate decision).

ORDER: The appeal is dismissed.

[8] For the sake of brevity, we will not discuss other deficiencies in the record regarding the Petitioner's eligibility under *Dhanasar's* second prong.

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.