U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 37188543

Date: MAR. 24, 2025

Appeal of Texas Service Center Decision

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

The Petitioner, a veterinarian, seeks employment-based second preference (EB-2) immigrant classification as either a member of the professions holding an advanced degree or an individual of exceptional ability, 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, concluding that the Petitioner qualifies as an advanced degree professional, but he did not establish that the proposed endeavor has national importance and therefore he is ineligible for a national interest waiver. Specifically, the Director determined that the Petitioner did not provide sufficient evidence of the proposed endeavor's potential prospective impact, including broader implications, or national or global implications within the field; significant potential to employ U.S. workers; substantial economic effects, particularly in an economically depressed field; broad enhancement of societal welfare; or broad enhancement of cultural or artistic enrichment. As the Petitioner did not establish that the proposed endeavor has national importance, the Director determined that no meaningful purpose would be served in analyzing whether the Petitioner is well positioned to advance the proposed endeavor and whether it would be beneficial to the United States to waive the requirements of a job offer and labor certification. 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.

On appeal, the Petitioner asserts that his proposed endeavor has national importance. He previously mentioned that his proposed endeavor is to revolutionize livestock support service for small U.S. farmers by offering a comprehensive set of services, including emergency veterinarian care, consultations, disease prevention, herd vaccination, nutrient management, and advanced reproductive technology. The Petitioner states that the proposed endeavor will incorporate veterinary medicine into broader agricultural support services using artificial intelligence, improve animal health leading to enhanced food safety, provide farmers access to veterinary advice without geographical or financial

limitations, and reduce the risk of mass livestock loss. He also asserts that the proposed endeavor would contribute to the national workforce development through training and directly support agricultural authorities by guaranteeing the health and productivity of livestock. The Petitioner claims that his proposed endeavor will create significant employment in the veterinary services, technology, and farmworker fields; there will be a multiplier effect on revenue and local economies; small farms in underserved areas would be helped; and the direct and measurable impact on the productivity and sustainability of small farms would drive broader economic growth and social benefits. The Petitioner describes the support services, methodologies, and training services he would provide small farms. The Petitioner submits information on the role of artificial intelligence in making farming more efficient and sustainable, the Data Science of Food and Agricultural Systems program, agricultural technology, and economic loss to U.S. livestock industries from heat stress.

We adopt and affirm the Director's decision. *See Matter of Burbano*, 20 I&N Dec. 872, 874 (BIA 1994); *see also Giday v. INS*, 113 F.3d 230, 234 (D.C. Cir. 1997) (noting that the practice of adopting and affirming the decision below "is not only common practice, but universally accepted"). The Director provided the law related to the national importance requirement, listed the evidence submitted by the Petitioner, and thoroughly and accurately evaluated the Petitioner's claims and evidence related to whether the proposed endeavor has national importance. The Director correctly concluded that the Petitioner did not establish that the proposed endeavor has national importance. In making this finding, the Director mentioned that the letters of recommendation did not meaningfully demonstrate how the proposed endeavor has national importance or broader implications in the field and lacked support for their conclusions related to the prospective impact of the proposed endeavor; the business plan lacked sufficient corroborating details to support the growth projections and to address the claim that his company would have significant potential to employ U.S. workers or have other substantial positive economic impacts; and the proposed endeavor is limited to a single business and the clients it would serve. The Director discussed the Petitioner's claims related to the ripple effect of the proposed endeavor, his training programs, and technical support documents, but concluded he did not establish the broader implications for the industry or that his techniques and methodologies represent an improvement in the field. The Petitioner's arguments on appeal are similar to those made previously, and he has not provided new arguments and evidence on appeal which overcome any of the above-mentioned findings made by the Director. In conclusion, the record does not establish, by a preponderance of the evidence, that the proposed endeavor has national importance.

ORDER: The appeal is dismissed.