U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40100100

Date: NOV. 18, 2025

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, a research professor, seeks employment-based second preference (EB-2) immigrant classification as a member of the professions holding an advanced degree. Immigration and Nationality Act (the Act) section 203(b)(2), 8 U.S.C. § 1153(b)(2). The Petitioner also seeks a national interest waiver of the job offer requirement that is attached to this EB-2 immigrant classification. *See* section 203(b)(2)(B)(i) of the Act, 8 U.S.C. § 1153(b)(2)(B)(i).

SCOPS denied the petition, concluding that the Petitioner did not demonstrate he 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. 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. U.S. Citizenship and Immigration Services (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,[1] grant a national interest waiver if the petitioner demonstrates that:

- The proposed endeavor has both substantial merit and national importance;

[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 to be discretionary in nature).

- 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

For the underlying EB-2 immigrant classification, SCOPS concluded that the Petitioner qualifies as a member of the professions holding an advanced degree.[2] The issue on appeal is whether the Petitioner established that a waiver of the requirement of a job offer, and thus a labor certification, would be in the national interest. In applying the *Dhanasar* framework, SCOPS determined that the Petitioner established the substantial merit of his proposed endeavor, but nonetheless concluded he was not eligible for the requested national interest waiver because he did not demonstrate his proposed endeavor is of national importance, that he is well-positioned to advance the proposed endeavor, or that, on balance, it would be beneficial to the United States to waive the job offer requirement and thus a labor certification. Upon de novo review, we agree with SCOPS' determination that the Petitioner did not establish the national importance of his proposed endeavor under *Dhanasar's* first prong.[3]

On appeal, the Petitioner asserts that SCOPS' decision contains erroneous conclusions of law and fact and does not reflect consideration of the submitted evidence. Citing *Buletini v. INS*, 860 F. Supp. 1222 (E.D. Mich. 1994), the Petitioner claims SCOPS abused its discretion by not appropriately evaluating the evidence. In particular, the Petitioner asserts that SCOPS' decision lacked reasoned consideration and analysis of all arguments and evidence submitted in support of his endeavor's national importance. He maintains the evidence demonstrates by a preponderance of the evidence that his proposed endeavor is of national importance.

To determine whether a petitioner has met their burden under the preponderance of the evidence standard, we consider not only the quantity, but also the quality (including relevance, probative value, and credibility) of the evidence. *See 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). The court in *Buletini* did not suggest that USCIS abuses its discretion if it does not provide individualized analysis for each piece of evidence. When USCIS provides a reasoned consideration to the petition, and has made adequate findings, it will not be required to specifically address each claim a petitioner makes, nor is it necessary for it to address every piece of evidence a petitioner presents. *Amin v. Mayorkas*, 24 F.4th 383, 394 (5th Cir. 2022); *Martinez v. INS*, 970 F.2d 973, 976 (1st Cir. 1992); *aff'd Morales v. INS*, 208 F.3d 323, 328 (1st Cir. 2000); *see also Pakasi v. Holder*, 577 F.3d 44, 48 (1st Cir. 2009); *Kazemzadeh v. US. Atty. Gen.*, 577 F.3d 1341, 1351 (11th Cir. 2009); *United States v. Teixeira*, 62 F.4th 10, 25 (1st Cir. 2023) (concluding a trier of fact "need not articulate its conclusions as to every jot and tittle of evidence in making a determination"). Based on the record, SCOPS' decision is a reasoned interpretation and consideration of the evidence. The decision summarizes the Petitioner's proposed research work, acknowledges documents submitted, and weighed the evidence but determined that the evidence lacked probative

[2] To qualify for the underlying EB-2 classification as an advanced degree professional, the Petitioner submitted an academic evaluation, a diploma, and an academic transcript indicating he earned a doctor of philosophy in mechanical engineering from [redacted] in Malaysia. Based on the evidence, the Petitioner has established he is an advanced degree professional.

[3] While we may not discuss every document submitted, we have reviewed and considered each one.

value. *See Matter of Chawathe*, 25 I&N Dec. at 376. The proposed endeavor, as described, and the evidence in the record do not support the Petitioner's assertions that the potential impact of his endeavor would have a broader impact on his field or implications rising to a level of national importance, as discussed below.

The first prong of the *Dhanasar* analytical framework, substantial merit and national importance, focuses on the specific endeavor that a petitioner 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. 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." *Id.* An endeavor is more specific than a general occupation and should include details of the types of work a petitioner intends to undertake and describe specific projects and goals. *See generally* 6 *USCIS Policy Manual* F.5(D)(2), https: //www.uscis.gov/policy-manual.

For his proposed endeavor, the Petitioner states that he intends to conduct research focused on developing "new strategies to address critical challenges associated with graphene nanomaterials," in particular "nanocomposites viable for additive manufacturing technology (3D Printing)" in biomedical, aerospace, and automotive applications. For his research, he plans "to design novel exfoliation and functionalization strategies to produce the highest quality graphene" by utilizing "computational modeling, molecular dynamics simulations, design of experiments and [artificial intelligence] implementation to predict nanocomposite behaviors and properties." His short-term goal is to develop material formulations and conduct trials, with long-term goals to include commercial applications and integration of graphene nanocomposites in additive manufacturing.

In his statement, the Petitioner summarized three research project ideas to advance his proposed endeavor. The first project would focus on developing and commercializing "graphene-infused additive manufacturing processes to produce high-performance robotic components," such as structural parts, sensors, and actuators for autonomous systems. The project would have three phases over four years for exploratory research and development of graphene-infused additive manufacturing materials; integration of components into autonomous robotic systems; and commercialization of robotic components into the U.S. market. The Petitioner claims the project would provide societal and economic benefits to the United States, including development of improved robotics for industrial manufacturing, healthcare, home assistance, hospitality, and autonomous vehicles.

For the second project, he intends to develop "biocompatible graphene nanocomposites for use in customizable 3D-printed medical implants and prosthetic devices." He aims to enhance integration with biological tissues, improve mechanical properties and antimicrobial characteristics, improve functionality, and allow for personalized designs tailored to individual patient needs . . . ." This project would have three phases over five years, including exploratory research and development to establish proof-of-concept; optimization and preclinical validation; and commercialization and launch of customizable graphene additive manufacturing implants and prosthetics. The Petitioner claims the project would have economic and healthcare benefits, such as improving orthopedic and dental implants, upper and lower limb prosthetics, and cosmetic and athletic-related prosthetics.

For the third project, he would develop graphene nanocomposites "to enhance the performance, properties, and durability of next-generation automotive and aerospace components by integration of 3D printing." "[T]he intent is to create lightweight, strong, and efficient parts made of nanocomposites that can significantly improve performance, fuel efficiency, and sustainability in these critical sectors." Similar to the other project, this project would have three phases over four years for exploratory research and development to establish proof-of-concept; optimization and performance validation; and commercialization and launch of graphene additive manufacturing components into automotive and aerospace markets. He claims the project would have societal and economic benefits, such as development of lightweight structural components for aircraft parts; improve reliability and longevity of engines; create parts which can withstand extreme temperatures; and improve efficiency, range, and fuel consumption of hybrid and electric vehicles.

To advance his endeavor, the Petitioner plans to seek a research professor position with a U.S. university, such as Stanford University. He explains his intent to collaborate with universities and industry leaders, including those in additive manufacturing, materials science, and material manufacturers. In addition, he intends to circulate his research work through peer-reviewed publications and present at conferences.

While the Petitioner provides an overview of his proposed research projects, his project descriptions are brief summaries without specific details or evidence supporting his claims of their broad economic and societal impacts. The Petitioner emphasizes that his personal statement included in his request for evidence reply clearly explains the national importance of his proposed endeavor. However, the Petitioner's statement characterizes the three projects as "research project ideas," which conveys a lack of concrete research plans for his proposed endeavor. The Petitioner describes projects that differ from each other and generally convey ideas for the advancement of nanocomposites using additive manufacturing processes to drive innovation for certain industries, including the automotive, aerospace, biomedical, and renewable energy industries.

We acknowledge that the Petitioner conducting research at a U.S. university with a focus on developing and improving nanocomposites using additive manufacturing processes for the biomedical, automotive, and aerospace industries may demonstrate the substantial merit of the proposed endeavor. However, his research project ideas and evidence in the record do not support or demonstrate specific details of his endeavor's prospective potential impact nationally, or through broader implications rising to a level of national importance. The Petitioner mainly relies on his statements, without corroborating evidence, to characterize his proposed research work as valuable for advancing his field. The Petitioner has not provided evidence sufficient to support claims that his proposed research projects would advance his field more broadly.

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. *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 Petitioner has not provided the level of specific details or documentation as required under *Dhanasar* to support his claims that his proposed research projects have the potential to impact his field or other fields and industries. Moreover, the Petitioner has not detailed or established with supporting evidence his plans to introduce novel technologies or advancements that may be disseminated to or adopted by others operating in the field or industry. A petitioner must support assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376. As the Petitioner has not done so here, he has not sufficiently established that his proposed endeavor has national importance under the first *Dhanasar* prong.

The Petitioner emphasizes that his research work has had a broad impact in his field, pointing to his previous research work having been published in reputable industry publications and presented at industry conferences. While the Petitioner's previous academic research may help to understand his proposed endeavor, such previous work mainly relates to whether he is well-positioned to advance his endeavor under *Dhanasar's* second prong.

Recommendation letters in the record mainly provide general summaries of his previous research projects without mentioning or describing his proposed endeavor and the claimed novel and innovative advancements with nanocomposites. For instance, the record includes letters from colleagues who previously collaborated with the Petitioner. One colleague explains in general terms having previously discussed scientific projects with the Petitioner and provides an overview of the Petitioner's academic achievements and previous research projects. His colleague does not specifically identify the Petitioner's proposed research, but instead provides general characterizations about his research. For example, his colleague states that the Petitioner creates "innovative nanomaterials" for U.S. businesses to utilize "in flexible energy storage devices like batteries and super capacitors;" promotes "technological progress in the healthcare industry by developing biocompatible dentistry and implant components;" has conducted research with "significant applications in the automotive and aerospace industries for innovative hybrid cars and lightweight parts," and shares his research at international conferences and by publishing articles in the scientific community. In addition, his colleague makes broad claims about the potential impact of the Petitioner's research, stating his research "may contribute significantly to the development of high-performance materials that can revolutionize [U.S.] multiple sectors, thus benefiting the economy, societal, and technological advancements in the United States."

Similarly, another colleague who used the Petitioner's previous Ph.D. research for their own research work makes general statements to convey that the Petitioner's research made advancements in his field. The colleague attests to the Petitioner's experience and knowledge with a broad endorsement that the Petitioner has the ability to provide innovative technological advancements to the aerospace industry. Likewise, two independent advisory opinion letters mainly discuss the Petitioner's prior Ph.D. research focused on the "development and characterization of aluminum nanocomposites" and it having contributed to expanding knowledge in the field. The opinion letters generally reference the Petitioner's dedication to scientific research, innovative problem-solving skills, and meticulous experimental work making him a leading authority in materials science and his desire to advance his field. While the letters generally reference the Petitioner's ongoing research being of importance, they do not specifically mention the Petitioner's proposed research endeavor.

We acknowledge the Petitioner's academic research achievements and contributions, but he has not offered sufficient information and evidence based on these recommendation letters and his previous research to demonstrate his claims that his proposed research ideas have the potential to develop new nanocomposite innovations using additive manufacturing technologies that would impact the field or any other industries. These letters, while helpful to understanding his previous work and his field, mainly relate to the second prong of the *Dhanasar* framework, instead of speaking to the national importance of the Petitioner's proposed endeavor. The second prong of the *Dhanasar* framework "shifts the focus from the proposed endeavor to the foreign national." *Matter of Dhanasar,* 26 I&N Dec. at 890. The issue here is whether the specific endeavor that the Petitioner proposes to undertake has national importance under *Dhanasar's* first prong. To evaluate whether the Petitioner's proposed endeavor satisfies the national importance requirement, we look to evidence documenting the "potential prospective impact" of his work. *Id.* at 889.

The Petitioner claims that his proposed endeavor has potential implications to national government initiatives, in particular U.S. government priorities aimed at advancing the development of nanocomposites for improved fuel efficiencies and increased renewable energy sources in order to drive innovations in automotive, aerospace, biomedical, and renewable energy industries. In addition, he claims his proposed research aligns with national initiatives recognizing the importance of advancing materials science, engineering, and additive manufacturing for national security and progress in the fields of science, technology, engineering, and mathematics (STEM), which are recognized by the U.S. National Science and Technology Council as being critical and emerging. In support of his claims, the Petitioner referenced national initiatives and submitted articles and reports relating to fuel efficiency in the automobile industry, advanced polymer nanocomposites for automotive applications, green nanocomposites for energy storage, and a White House 2017 national climate task force report.

The importance of the U.S. government initiatives is not in dispute, but their overall significance does not establish the national importance of the Petitioner's proposed endeavor in particular. While USCIS recognizes specific evidentiary considerations relating to STEM degrees and 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)(2). Merely conducting research focused on advancing the development of nanocomposites using additive manufacturing is insufficient 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." *Matter of Dhanasar,* 26 I&N Dec. at 889. The Petitioner does not quantify the proposed endeavor's expected impact in the identified areas of concern, or provide objective, probative evidence to support his contentions.

We acknowledge the overall value of the advancement of biotechnologies, materials science, and additive manufacturing; and 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. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.5(D)(2). The Petitioner has not demonstrated the potential prospective impact of his specific endeavor to such nationally important matters. Moreover, the importance of an industry or field is not sufficient to meet the national importance requirement under the *Dhanasar* framework. The Petitioner has not sufficiently detailed

his proposed research or provided supporting evidence to understand how it would impact national initiatives or advance STEM technologies with sufficiently broad potential implications for his field rising to the level of national importance.

SCOPS further determined that the Petitioner did not establish that he is well-positioned to advance the proposed endeavor under *Dhanasar's* second prong, 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 under *Dhanasar's* third prong. Because the documentation in the record does not sufficiently establish the Petitioner qualifies for the first prong of the *Dhanasar* precedent decision, he 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 eligibility and appellate arguments under the second and third prongs of *Dhanasar*. *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

Because the Petitioner has not established eligibility under the requisite first prong of the *Dhanasar* analytical framework, he is not eligible for 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.