U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40356806

Date: NOV. 25, 2025

Appeal of Service Center Operations (SCOPS) Decision

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

The Petitioner, an information technology (IT) project manager, 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).

Service Center Operations (SCOPS) denied the petition, concluding 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 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

SCOPS determined that the Petitioner qualifies for the underlying EB-2 classification as an advanced degree professional but that she did not establish her eligibility under the *Dhanasar* analytical framework. In particular, they found that the Petitioner did not demonstrate her proposed endeavor's national importance under the first prong. For the reasons set forth below, we agree with SCOPS' conclusions regarding national importance and will dismiss the appeal.[2]

The Petitioner is an IT project manager at [redacted] with over five years of IT experience. Her past positions include roles as a software developer engineer and configuration/document project manager.

The Petitioner states that her proposed endeavor in IT project management is "specifically aimed at improving counties and local regions by implementing IT solutions and technologies to streamline citizens' access to online resources provided by local government entities, local municipalities, and public service agencies."

In concluding the Petitioner did not meet the national importance requirement of *Dhanasar's* first prong, SCOPS found that the Petitioner did not establish her endeavor's potential prospective impact. In particular, they determined that, while the Petitioner's endeavor may benefit her employer's clients, she did not show that her services would have national or global implications in the field. They also found the record did not establish a strong connection between the proposed endeavor's activities and "technological infrastructure" or economic benefits on a level commensurate with national importance.

On appeal, the Petitioner argues, among other things, that SCOPS mischaracterized the nature of her proposed endeavor, failed to evaluate its "concrete alignment" with national priorities, and generally did not properly consider the evidence.

Upon de novo review, and after carefully evaluating all the evidence submitted, we agree with SCOPS' conclusion that the Petitioner has not demonstrated her proposed endeavor's national importance and, thus, has not established her eligibility for a national interest waiver.[3]

As explained in SCOPS' decision, the first prong—substantial merit and national importance—focuses on the specific endeavor that the foreign national proposes to undertake. *Matter of Dhanasar*, 26 I&N Dec. at 889. The term "endeavor" is more specific than the general occupation; a petitioner should offer details not only as to what the occupation normally involves, but what types of work the person proposes to undertake specifically within that occupation. For example, while engineering is an occupation, the explanation of the proposed endeavor should describe the specific projects and goals, or the areas of engineering in which the person will work, rather than simply listing the duties and responsibilities of an engineer. *See generally* 6 *USCIS Policy Manual* F.5(D)(3), https://www.uscis.gov/policy-manual.

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[2] SCOPS also concluded that the Petitioner met *Dhanasar's* second prong but did not satisfy the third prong.

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

Additionally, in determining whether the petitioner's 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, 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.

The Petitioner argues on appeal that SCOPS incorrectly characterized her endeavor as a general intent to work in IT or government services. In her appellate brief, she attempts to further define her endeavor as "lead[ing] the design, implementation, and security of scalable digital infrastructure platforms for local and regional government agencies, specifically to improve cybersecurity, digital access, and public service delivery." But where, as here, the Petitioner did not specifically define her proposed endeavor as such in her petition below, we cannot conclude that SCOPS mischaracterized or otherwise erred in relying on the Petitioner's description of her endeavor as expressed in her briefs, personal statement, and "Model/Plan for Future Activities." It is incumbent on the Petitioner, and it is her burden, to specifically define her proposed endeavor. *See Matter of Chawathe*, 25 I&N Dec. at 375 (providing that a petitioner bears the burden to prove by a preponderance of the evidence that they are eligible for the benefit sought). And to the extent the Petitioner attempts to reframe her endeavor now, we will not consider it for the first time on appeal. *See Matter of M-F-O-*, 28 I&N Dec. 408, 410 n.4 (BIA 2021) (declining to consider claims raised for the first time on appeal).

Turning to the issue of national importance under *Dhanasar's* first prong, the Petitioner has not met her burden to demonstrate that her proposed endeavor's prospective impact rises to the level of national importance. In particular, the record does not illustrate how her specific endeavor would sufficiently extend beyond her company and clients to impact the industry, region, or nation more broadly at a level commensurate with national importance.

The Petitioner places a considerable amount of emphasis on her recent projects while working for [redacted] and argues that her work in IT project management exemplifies national importance through its "transformative impact on regional planning, transportation infrastructure, environmental conservation, public service efficiency, and disaster preparedness." In support of her claim, the Petitioner submitted emails and various other documents related to specific projects she managed as part of her employment for her company. While these documents generally described various roles, tasks, and meetings related to the projects, they did not speak to the national importance of her specific proposed endeavor or illustrate how her endeavor would have prospectively broader impacts.[4]

Moreover, while the Petitioner claims that her IT project management role in past projects directly produced various regionally and nationally important impacts, she mainly relies on her own statements without sufficient corroborating evidence to support her assertions. For instance, she contends that she developed ADA-compliant portals central to housing and transportation outreach for the

[4] We further note that the Petitioner's past accomplishments are considerations that are more relevant under prong two. Under prong one we are concerned with the endeavor and its potential prospective impact itself. *Matter of Dhanasar*, 26 I&N Dec. at 889.

[redacted]). She avers that her comprehensive redesign of the site improved the efficiency of regional infrastructure planning, setting a national benchmark for integrated urban development strategies. She also asserts it enabled the commission to deliver more accessible, data-informed planning and development reports, thereby advancing regional growth and long-term sustainability. But, aside from her own assertions, she has provided little supporting evidence establishing that her work resulted in such broader implications. A petitioner must support assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376.

The Petitioner also submitted various articles and reports discussing, among other things, the IT sector generally, critical infrastructure and its importance, problems with the Texas water infrastructure, and topics involving retirement. But these documents provide only general background information on the aforementioned subjects and do not specifically relate to or discuss the Petitioner's specific proposed endeavor, including how her future work might impact these areas more broadly. While the Petitioner argues that the evidence shows her work directly supports federal priorities, the record does not sufficiently detail how her future activities would meaningfully impact these areas. And while we acknowledge the overall importance of the IT field generally, including the value of IT project management, 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." *Matter of Dhanasar*, 26 I&N Dec. at 889. Working in an important field, including one that is the subject of federal priorities, is insufficient to establish the proposed endeavor's national importance. The Petitioner must still demonstrate the specific endeavor's potential prospective impact in that area of national importance.

In this case, the Petitioner does not focus on the prospective impact of her specific endeavor and does not demonstrate how it, in particular, as opposed to IT project management professionals or the IT industry generally, would achieve these goals and have a broader impact on the field, region, or nation. Aside from vaguely claiming that she will work in IT project management and "implement[] IT solutions and technologies to streamline citizens' access to online resources provided by local government entities, local municipalities, and public service agencies," she has provided little detail discussing how her work will specifically accomplish such objectives and, importantly, how any impact produced would be direct and significant enough to rise to a regionally or nationally important level. Working for [redacted] in IT project management for the company's clients and generally implementing IT solutions and technologies as directed by the company's clients, does not adequately demonstrate how *her* endeavor stands to impact the broader IT field, region, or nation, or otherwise have implications rising to the level of national importance.

And while the Petitioner claims her work focuses on enhancing the accessibility of "crucial information" such as retirement benefits, public transportation services, urban development, and planning and policy initiatives, the Petitioner's claims linking her proposed endeavor to these impacts are too attenuated and lack sufficient corroborating evidence to show the proposed endeavor's prospective impact. General conclusory statements without a sufficiently direct evidentiary tie between the proposed endeavor and the claimed impacts are insufficient. Again, the Petitioner must support her assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. at 376.

The Petitioner's support letters likewise do not establish the endeavor's national importance. Insofar as these letters, the Petitioner, and other evidence in the record highlight the Petitioner's skills, personal attributes, and past accomplishments, including those related to her past projects, these are considerations under *Dhanasar's* second prong as noted above. *See Matter of Dhanasar*, 26 I&N Dec. at 890. When conducting an analysis under *Dhanasar's* first prong, we focus on the proposed endeavor itself. *Id.* at 889. And while some of the letters do broadly claim that the Petitioner will provide positive benefits for the nation, they are largely conclusory in nature and do not provide a sufficient basis for their claims. For instance, the Petitioner submitted a letter from [redacted], [redacted] LLC. Although the letter praises the Petitioner's skills, past accomplishments, and benefits provided to the company and its clients, it does not specifically discuss the Petitioner's future work and why it, in particular, would have broader implications such that it rises to the level of national importance. As such, the support letters are of little probative value in weighing the proposed endeavor's national importance.

Consequently, the record as it is currently stands does not show that any prospective benefits of the Petitioner's proposed endeavor would rise to a level of national importance as required under *Dhanasar's* first prong. Because the identified reasons for dismissal are dispositive of this appeal, we decline to reach and hereby reserve remaining issues and arguments concerning whether she has established eligibility under the remaining two *Dhanasar* prongs. *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 national importance element requisite to the first prong of the *Dhanasar* analytical framework, she has not established that she 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.