**TIMELINE:**

Your RFE response must be received by USCIS no later than **January 4, 2025**. We do understand your concerns, but please note that it takes time to draft high-quality documents -while we will try to draft documents as quickly as possible, we are not always able to expedite the process as we must make sure to incorporate all relevant evidence in our response.

Our goal is to draft an RFE response that will give you the best chance for approval, and we ask that you keep these dates in mind:

* In order to have enough time to draft an effective response, we should have all the materials requested in your strategy and need to begin to draft such a response no later than **December 13, 2024**. *Please note that we will likely begin preparing this document sooner than this date if we have the necessary evidence, but this is the last date by which we must have all the requested evidence needed to begin preparing the document.*
* We would like to ship your RFE response packet to USCIS no later than **December 27, 2024**.

**STRATEGY:**

**While we will remind the officer of the previously submitted evidence, we should submit additional evidence per the officer’s request.** In the first prong challenge, the officer asks for more evidence regarding **the national importance of your proposed endeavor.**  In prong 1 challenge, the officer states that the evidence does not describe clearly your proposed endeavor and the potential impacts of your work such as broader implications to the field, or substantial positive economic effects. While we will remind the officer of the documentary evidence initially submitted that establishes the national importance of your proposed endeavor, we should submit a proposed endeavor statement to further clarify your endeavor to the officer. We should also submit a national importance statement referencing new documentary evidence regarding the national importance of your proposed endeavor and discussing the wider implications your proposed endeavor will have outside the potential clients of your consultancy, the ways in which your endeavor aligns with stated U.S. interests, and/or the substantial positive economic effects of your proposed endeavor.

In the second prong challenge, the officer finds that there is insufficient evidence to further your proposed endeavor. We recommend submitting documentary evidence that can provide more information about how you plan to advance your proposed endeavor. The officer claimed that the recommendation letters are not detailed enough and do not show how you are well positioned to advance your proposed endeavor, which we will address in turn by quoting the portions of the letters and other evidence that address the officer’s concerns. We also recommend obtaining additional dependent letters of recommendation from a dependent source that confirms SPECIFICALLY how your work has gone on to influence or benefit the FIELD and broader community and how it is connected to your proposed endeavor. The officer also notes that letters from an independent source would also help make the case stronger, therefore, we would also recommend reaching out to a colleague in your field with whom you have NOT worked or collaborated and request that they provide an independent assessment of your background and achievements thus far and how your work is beneficial to the FIELD outside of your direct employment. If you are able to obtain an additional letter of interest in your services in the U.S., that would also be beneficial.

The third prong challenge is relatively generic in nature. Accordingly, we should submit an RFE response detailing the evidence submitted with your initial filing that addresses the officer’s requests while also providing new evidence to answer some of the officer’s specific challenges.

In line with the above, we have the following strategy for your consideration:

**Prong 1: The Proposed Endeavor has National Importance**

This prong has two separate parts, and the RFE challenges only the national importance of your proposed endeavor.

* We will go over the already submitted sufficient evidence to meet this prong, but we should also submit new evidence that articulates your future plans clearly to the officer, as well as explains your proposed endeavor to the officer in greater detail. This evidence should also show that your proposed endeavor has national importance and connects your proposed endeavor to both previously submitted documentary evidence as well as new evidence.

* **New evidence we should submit for this prong:**

1. **Proposed Endeavor Statement**.

* We will submit a concise Proposed Endeavor Statement. This will be a document we will provide that clearly indicates your specific proposed endeavor for the adjudicating officer so that they are able to identify the scope of your work in broader terms. **We will draft this statement for you based on the initial filing.**

1. **National Importance Statement clarifying your proposed endeavor, focusing on national importance, and providing documentary evidence to support any statements made.**

* We should also provide a National Importance Statement. **We will draft this statement for you based on the initial filing.** This document should be 3-4 pages in length and focus primarily on how your work fits into the national interests of the United States. We will state that your proposed endeavor need not be national in scope to still be considered nationally important, as defined by the controlling precedent decision. The statement should also demonstrate the prospective impact of your proposed endeavor, such as national or global implications within the field, substantial positive economic effects for the U.S., enhancing societal welfare, or if the proposed endeavor positively impacts a matter in the nation’s interest. *If there are any documents you think would be helpful in stressing the importance of your work, please send these to us so they can be included in your national importance statement (e.g. government reports, data, statistics, research etc).*

1. **Pre-existing, objective, documentary evidence showing your specific proposed endeavor is nationally important and urgently needed by the U.S.**

* In addition to the national importance statement and the proposed endeavor statement, we should submit objective, pre-existing documentation discussing the importance of your proposed endeavor and your current work. You should provide documentation of any data or statistics about the need for your specific contributions or your specific type of endeavor or how it is in line with the U.S.’ goals, especially in line with short-term U.S. national priorities.

1. **An updated model plan.**

* Your model plan will detail in further length your plans for advancing your proposed endeavor in the U.S. as described above.

1. **A letter from the Chamber of Commerce in the region in which your proposed endeavor will operate.**

* You should also contact the regional Chamber of Commerce operating in the area in which you would expand your company in line with the goals of your proposed endeavor to see if they can provide a letter to speak to how your proposed endeavor would be beneficial for the local community, any potential broader impact your proposed endeavor would have on the community, and the general need for such an endeavor in the community. **You can find the relevant Chamber of Commerce here:** **[https://www.uschamber.com/co/chambers](https://www.uschamber.com/co/chambers" \t "_blank)**

1. **A letter from a US economist in your field**

* A letter from an economist in the US that is able to talk to the work you specialize in and your proposed endeavor and how it would benefit the US and is of national importance to the US. While we do recommend trying to reach out to an Economist on your own to see if they would be willing to provide this letter, if you are unable to obtain one, some of the professional evaluation companies may also be able to provide you this type of letter as well (e.g. Carnegie evaluations – see additional details below in Prong 2). These companies generally provide different types of expert letters so it is important to specify that for the economist letter we are looking for an analysis of the economic impact of your proposed endeavor inside of the US.

**Prong 2: Well-Positioned to Advance the Proposed Endeavor**

In determining whether this prong is met, the officer considers a factor test brought on by the *Dhanasar* precedent. The factors to consider are as follows: “the individual’s education, skills, knowledge and record of success in related or similar efforts; a model or plan for future activities; any progress towards achieving the proposed endeavor; and the interest of potential customers, users, investors, or other relevant entities or individuals.” We will go over the evidence submitted for these factors and clarify that in its totality and using the preponderance of evidence standardit establishes that you are well-positioned to advance your proposed endeavor.

* **We will remind the officer of the importance of your certificates and awards and note that they show your progress towards advancing the endeavor.**
* **We will note that your recommendation letters and your interest letters were detailed and included sufficient information. However, we will use the new letters to make this point stronger.**

As mentioned above, we should collect the following additional evidence:

1. **New** **testimonial letters**: To address the officer’s concerns, we should provide new testimonial letters.

* **Letter of interest**: if possible, from a U.S.-based entity or individual who would be willing **to utilize your services or** **invest in your business**. 
  + **Independent letter of reference** should come from an independent individual (one whom you have neither worked for nor with) who is within your field and can assess your work and provide an independent assessment of your contributions and the prospective impact your work will have in the U.S. This may be an individual you know professionally, and the document should focus on evaluating your body of work and how it demonstrates a “record of success” in the field such that you will continue to have similar achievements prospectively. If you prefer to pay for one, you may contact one of these companies for a paid Expert Opinion Letter:  [https://www.silvergateevaluations.com/](https://www.profval.com/)  or https://carnegieevaluations.com/**Please note that our preferred vendor is Carnegie Evaluations and if you do proceed with them, please clearly state that this is a request to follow the Colombo and Hurd NIW RFE format and please also provide them with your Colombo and Hurd RFE case manager and attorney’s emails *(these instructions are specific to Carnegie evaluations ONLY*). As a reminder, the paid expert letters should be a last resort if you are unable to find an independent reference of your own. Please let us know if you will be obtaining a paid letter so we can ensure to provide you with some extra details to pass onto the company preparing the letters. Please also let us know if you are unable to find your own independent reference *and* are unable to obtain a paid expert letter.**
* **Dependent recommendation letter:** should come from a colleague who can confirm your contributions to prior work in specifics and, subsequently, speak of the benefits your advancements have made for the field as a whole.

1. **Financial Support or Financial Resources Evidence**
   * We would highly recommend this type of evidence – properties that could be sold to fund the proposed endeavor, investments, bank statements, and other sources of funding would be good to submit to the USCIS to prove that you are capable of funding your proposed endeavor as well. Depending on how you envision advancing your proposed endeavor, we will adjust how we describe this evidence in the RFE response.
2. **Evidence of former work in similar area as proposed endeavor**

* If you have previously done any work with a previous employer or on any projects that are similar to your proposed endeavor, please provide any documentation of this. Evidence showing you have already made an impact to your endeavor or field will help show you are well positioned to advance your proposed endeavor.

1. **Additional Objective Documentary Evidence of Impact and Achievements Not Included in Initial Filing**

**Prong 3: On balance, it is beneficial to the U.S. to waive the job offer requirement**

In determining whether this prong is met, the officer usually considers several factors (although non-exhaustive) - **1) the impracticality of obtaining a labor certification, 2) the contributions are of such value that they would benefit the U.S. even if other qualified U.S. workers are available,** **3) It is urgent to the national interest that the petition be approved without a labor certificate, 5), Whether there is potential for U.S. job creation, 6) That U.S. workers will not be adversely impacted.**

In the RFE response, we will try to show as many of these elements as are applicable to your endeavor, starting from the third factor. The third factor is more of a culmination of the first two prongs. We will need to show the officer that because you are working on a nationally important area of focus, and because you are well positioned to advance this area, the U.S. will benefit from your contributions even if there are other qualified U.S. workers available.

* First, we will **briefly summarize your achievements** under this section to show that your contributions are of such value that they would benefit the U.S. even if other qualified U.S. workers are available. And how your unique skill set makes the labor certificate process impractical.
* In the RFE response, we can extensively discuss your credentials, experience, skill set, and your status in your field, saying that your contributions are of such value that they would benefit the U.S. even if other qualified U.S. workers are available.
* We can also show from your model plan, the potential for U.S. job creation and/or that the pricing structure for your services will not adversely impact U.S. workers.
* We can demonstrate an urgent need for your endeavor through available information on labor shortages in your field, and/or whether your endeavor is related to a time-sensitive national initiative.

To be safe, we should also try to argue factors 1) and 2) if applicable. For factor 1, given the nature of your proposed employment, we will argue that it would be impractical for you to obtain a labor certification.

For factor 2, the urgency argument, we will need to show that there is an urgent national interest in your contributions to your field. This urgency argument differs from the national importance argument in that we will not only need to show that your contributions are nationally important, but also that they are **in urgent need** by the U.S. The urgency argument can also be claimed if the labor certification process prevents you from having such an impact on your field. In order to claim this point, we will need to submit documentary evidence (such as government/media/academic/industry reports showing that your current endeavor is in line with short-term national priority) and if possible, include language in your independent testimonial letter confirming the urgent national interest in your work and the letter from the Chamber of Commerce.

In addition, if you can also provide additional information regarding how your proposed endeavor will help lead to the potential creation of jobs in the U.S., it will also be very helpful to overcome the third prong challenge. You may utilize any available sources such as industry reports, media reports, government funding, and white papers establishing the national importance of your work and/or that your work can lead, or better, has already led to job creation in the U.S.

Please note the following pertinent information for your RFE response:

* + - 1. USCIS will only accept objective evidence that existed at the time your petition was filed, so we cannot submit evidence dated after your filing date. Please also be aware that while we want to collect as much evidence as possible, we may not end up using all of it in our response. Once we have all the new evidence, we will be able to better assess what will help your case the most.
      2. We request all letter and testimonial-based evidence, including the proposed endeavor statement, national importance statement, recommendation letters, and letters of interest be submitted for our review in Microsoft Word format.
      3. We recommend focusing on obtaining objective documentation in English, as the timely nature of responding to the RFE may make obtaining official translations difficult to obtain. While we will certainly make accommodations as needed, in order to ensure the timely and efficient preparation of your case submitting English PDFs of all supporting documentation would be preferable.
      4. Regarding communication with your RFE attorney and team, again given the time sensitivity of the RFE response process and in order to ensure that your RFE attorney and team are able to provide you with the utmost attention and highest quality service, we do request that all communications during the RFE response preparation process be done either via email or scheduled zoom call. This allows us to devote 100% of our attention to your case during the communication process, provides the attorney and team time to review the specific concerns you may have and wish to discuss during the meeting, have a written record of everything requested and provided throughout the process, and ensure the best possible product is provided to you.
      5. Please note that all documents MUST be hand-signed and scanned, as USCIS appears to no longer be accepting digital signatures. As such, please note that documents with typed, docu-signed, or otherwise digitally created signatures will not be accepted. This includes signatures on recommendation letters and letters of interest.

RPA-AI Articles

<https://www.ciklum.com/resources/blog/how-do-rpa-and-ai-work-together-benefits-use-case#:~:text=By%20combining%20RPA's%20process%20automation,more%20personalised%20services%20to%20customers>.

<https://www.bcg.com/publications/2017/technology-digital-operations-powering-the-service-economy-with-rpa-ai>

<https://www.goldmansachs.com/insights/articles/ai-investment-forecast-to-approach-200-billion-globally-by-2025.html>

<https://www2.deloitte.com/ro/en/pages/technology-media-and-telecommunications/articles/deloitte-global-rpa-survey.html>

<https://blog.huawei.com/en/post/2024/1/18/ai-economy-employment>