Expert Opinion Letter (Confidential)

Analysis of Positional Requirements for National Interest Waiver – Exceptional Ability

Name: Thomas Schaner

Information: Aviation Capstone Coordinator & Lecturer, Ohio State University (Ret);

President, PilotResources, Inc.; Training Checking Evaluator,

FlightSafety International: Aviation Training Director Optimal Aviation

**EDUCATION**

Master of Business Administration in Transportation, Logistics, and Operations Management Ohio State University, Columbus OH

Bachelor of Science in Aero Technology and Business Management

Bowling Green State University, Bowling Green, OH

**PROFESSIONAL LICENSES**

* Airline Transport Pilot: LR-JET, CE560XL type ratings
* Advanced & Instrument Ground Instructor
* Certified Flight Instructor
* FAR 135 Instructor Pilot / Check Airman
* Designed Employee Representative
* Epsilon Pi Tau
* Six Sigma White Belt Trained
* Project Management Inst.

**PROFESSIONAL EXPERIENCE**

2015 to 2022 Ohio State University, Columbus OH

Aviation Capstone Coordinator, Aviation Curriculum Development &

Lecturer (Retired)

1999 to present PilotResources, Inc., Etna OH

President and Founder

2017 to present FlightSafety International, Columbus OH

Pilot Instructor, Training Checking Evaluator CE560XL programs

2022 to present Optimal Aviation, Ann Arbor MI

Director, Aviation Training

2015 to 2017 AirNet II, LLC, Columbus OH Director, Operations

2012 to 2014 AirNet Systems, Inc, Columbus OH

Vice President, Operations

2005 to 2012 AirNet Systems, Inc, Columbus OH

Director, Operations

2002 to 2005 AirNet Systems, Inc, Columbus OH

Chief Pilot

2000 to 2002 AirNet Systems, Inc, Columbus OH

Assistant Chief Pilot

1992 to 2000 AirNet Systems, Inc, Columbus OH

Instructor Pilot/Checkairman

1990 to 1992 AirNet Systems, Inc, Columbus OH

Line Pilot, Captain

**FLIGHT TIME ACCUMULATED**

PIC 8,200

SIC 500

Turboprop PIC 360

Turbojet PIC 850

Instrument 640

Turbojet 1,350

Flight Instructor 2,300+

**Total Flight Time 8,800+**

Dear USCIS,

I write this letter on behalf of Mark Harris in support of his application for a National Interest Waiver to advance his proposed endeavor as a Pilot in the aviation industry. I strongly support his plans to provide his services within the field of aviation.

I am providing this opinion letter based on my experience in Aeronautical Science and Aviation.

Regarding my academic background, I obtained a Bachelor of Science in Aero Technology and Business Management at Bowling Green State University in Ohio, in addition to a Master of Business Administration in Transportation, Logistics, and Operations Management from Ohio State University.

My professional career has been dedicated to Aviation and Aeronautical Science. I have extensive work experience as a lecturer and pilot for the last 40 years. I am a versatile educator and management professional specializing in aviation with over 20 years of experience teaching, instructing, and leading operations units focused on driving success-oriented, high-level individual, class, group, and team performance.

Throughout the years of my professional experience, in addition to more than 30 years serving the aviation industry as an instructor pilot and pilot evaluator, I have become highly competent in operations and logistics management, cross-functional team leadership, creative solution formulation, time and resource optimization, and project management. Furthermore, I have accumulated over 8,000 flight hours as an airline transport pilot and possess an in-depth knowledge of P&L management, operations integration, and safety program development.

Furthermore, I have integrated charter, cargo, and business operation management and marketing principles into Aviation Management & Marketing Curriculum; integrated project management principles into the Aviation Capstone Curriculum; formed and led a cross-functional group to optimize air and ground networks resulting in an average of $5 million annual savings; and initiated a plan to improve training programs, including migrating many to internet-based solutions, to increase standardization, team performance and reduce annual costs by more than $150,000.

As an evaluator, I am responsible for reviewing academic and experiential qualifications to form part of a candidate’s credential evaluation report, providing a detailed analysis of the academic background and occupational experience that a person has received outside the United States. My opinions are limited to the information that I received and my educational and professional experience and judgment. The documents that I have reviewed for Mark Harris are:

1. Resume of Mark Harris
2. Employment records
3. Proof of membership in associations
4. Support letters
5. Pilot Licenses and other certifications/ratings
6. Academic records
7. Petition Letter
8. Pay Slips

Through my academic and professional experience, I have developed expert knowledge in analyzing, evaluating, and characterizing job duties, responsibilities, qualifications, and expertise. Therefore, I am qualified to issue an opinion on the level and significance of Mark Harris’s ability as well as evaluate the appropriateness of granting him a National Interest Waiver.

Throughout this letter, I will provide an analysis and advisory evaluation of his exceptional ability and eligibility for a National Interest Waiver.

The United States Citizenship and Immigration Services (USCIS) states that a beneficiary may qualify for the exceptional ability visa preference classification if:

* He or she has exceptional ability in the sciences, arts, or business;
* He or she will substantially benefit the national economy, cultural or educational interests, or welfare of the United States in the future; and
* His or her services in one of those fields are sought by an employer in the United States.

The term exceptional ability is defined as a degree of expertise significantly above that ordinarily encountered in the sciences, arts, or business. This standard is lower than the standard for extraordinary ability classification.

The initial evidence must include at least three of the following six types of evidence listed in the regulations:

* *An official academic record showing that the beneficiary has a degree, diploma, certificate, or similar award from a college, university, school, or other institution of learning relating to the area of exceptional ability;*
* *Evidence in the form of letter(s) from current or former employer(s) showing that the beneficiary has at least 10 years of full-time experience in the occupation in which he or she is being sought;*
* *A license to practice the profession or certification for a particular profession or occupation;*
* *Evidence that the beneficiary has commanded a salary or other remuneration for services that demonstrates exceptional ability. (To satisfy this criterion, the evidence must show that the beneficiary has commanded a salary or remuneration for services that is indicative of his or her claimed exceptional ability relative to others working in the field);*
* *Evidence of membership in professional associations; and*
* *Evidence of recognition for achievements and significant contributions to the industry or field by peers, governmental entities, or professional or business organizations.*

**The proposed endeavor**

Mark Harris intends to undertake the role of an airline pilot upon his arrival in the United States as a lawful permanent resident. In this capacity, Mark Harris will work for a U.S. commercial airline that transports passengers, cargo, or freight. As detailed in the Department of Labor’s Occupational Outlook Handbook, in this line of work, the captain or pilot in command, typically the most experienced pilot, supervises all other crew members and bears primary responsibility for the flight. The co-pilot, often called the first officer or second in command, shares flight duties with the captain.

Mark Harris's duties as a pilot will include checking the overall condition of the aircraft before and after every flight, ensuring that the aircraft is balanced and within its weight limit, verifying that the fuel supply is adequate and that weather conditions are acceptable, preparing and submitting flight plans to air traffic control, communicating with air traffic control over the aircraft’s radio system, operating and controlling the aircraft along planned routes during takeoffs and landings, monitoring engines, fuel consumption, and other aircraft systems during flight, responding to changing conditions such as weather events and emergencies, and navigating the aircraft using cockpit instruments and visual references. In addition to these responsibilities, hewill meticulously plan flights, ensuring the aircraft’s operational readiness and safety, verifying the proper loading of cargo, and assessing the suitability of prevailing weather conditions. He will diligently file flight plans with air traffic control, remaining flexible to adapt and modify plans during the flight as necessitated by changing weather conditions or other pertinent factors.

The Occupational Outlook Handbook highlights the process of takeoff and landing as posing significant challenges that require seamless coordination among multiple personnel. This coordination will involve Mark Harris as a pilot, collaborating with the flight engineer, air traffic controllers, and ground staff. Following each flight, he will be required to fill out records detailing the specifics of the flight and the condition of the aircraft. Furthermore, Mark Harris has a history of training fellow pilots as a Lecturer and Flight Instructor, a role he wishes to continue in the United States. Notably, Southwest Airlines has publicly admitted that they had to reduce their pilot hiring goal by 10% for 2022 due to the shortage of instructors. Mark Harris’s experience in finding National Importance, his role in teaching other professional pilots, and his desire to continue this work is a significant bonus for aviation and commerce in the United States.

The proposed endeavor of Mark Harris to join the US aviation industry as an airline pilot is of substantial importance to the industry and the country for several compelling reasons. The US aviation market, one of the largest and most diverse in the world, is currently experiencing significant growth and transformation. With an estimated market size of 80.79 billion USD in 2024, expected to reach 105.00 billion USD by 2030, the industry is poised for expansion. This growth is driven by the steady demand for air travel, increasing globalization, and the vital role of e-commerce in driving air cargo demand. The commercial aviation sector, which is projected to occupy the largest market share, is essential for connecting millions of passengers and transporting vast amounts of cargo, thus supporting both the national and global economy.

The resurgence in air travel demand post-pandemic has highlighted the necessity for a robust and adaptable aviation workforce. In 2022, US airlines carried 194 million more passengers than in 2021, demonstrating a 30% year-over-year increase. This surge underscores the critical need for skilled pilots to ensure the efficient and safe operation of the increased number of flights. The recovery trajectory of US carriers, which reached 92% of pre-pandemic levels, indicates a resilient industry poised to meet future challenges. The planned increase in capacity for the summer 2023 season further emphasizes the need for experienced pilots to manage the anticipated rise in passenger traffic and flight operations.

The proposed endeavor of Mark Harris aligns with the broader goals of the US aviation market to sustain growth, enhance operational efficiency, and ensure safety. His commitment to the meticulous planning of flights, verification of operational readiness and safety, and adaptability to changing conditions will contribute significantly to the industry. Furthermore, his background in training and mentoring other pilots addresses the critical need for developing the next generation of aviators, which is essential for the long-term sustainability of the industry.

The endeavor of Mark Harris to join the US aviation industry as an airline pilot is of national importance due to the current and projected growth of the aviation market, the resurgence in air travel demand. His role will not only support the operational needs of the industry but also contribute to its future development and stability, ensuring that the US remains a global leader in aviation.

**A license to practice the profession or certification for a particular profession or occupation**

Mark Harris possesses a comprehensive and well-documented set of licenses and certifications attesting to his qualifications and experience as a pilot. These documents, issued by various aviation authorities, confirm his capability and legal authorization to practice his profession across different regions.

The Federal Aviation Administration (FAA) of the United States has issued Mark Harris an Airline Transport Pilot Certificate, number 004819837, with ratings for Airplane Multiengine Land. This certificate, as evidenced in the documentation dated August 9, 2023, underscores Mark Harris's proficiency in English and his fulfillment of the rigorous standards set by the FAA. His First-Class Medical Certificate, dated November 8, 2022, further validates his physical fitness to perform his duties, and the temporary authority granted to him extends until October 8, 2023.

In addition to his FAA certification, Mark Harris holds a license from the South African Civil Aviation Authority (SACAA). His Airline Transport Pilot Aeroplane License, number 0270433238, issued on January 10, 2005, attests to his compliance with the International Civil Aviation Organization (ICAO) and SACAR Part 61 standards. The license includes various type ratings for aircraft such as the Airbus A320, A330, A340, and ATR-42/72, among others. This extensive list of type ratings highlights Mark Harris's versatility and expertise in operating a wide range of aircraft.

The General Civil Aviation Authority (GCAA) of the United Arab Emirates has also certified Mark Harris, issuing him a license on December 21, 2030. This document reaffirms his qualifications and includes endorsements for the Boeing 777 (B777), indicating his specialized skills and training on this particular aircraft model. His GCAA-issued Aviation Medical Certificate, validated on February 19, 2023, further supports his sustained compliance with health and safety standards required for active duty.

Additionally, Mark Harris's records include an Airline Transport Pilot License from the Kingdom of Bahrain Civil Aviation Affairs, number BAH-19317, initially issued on August 11, 2008. This license reinforces his legal standing and professional recognition within the Bahraini aviation sector, allowing him to operate aircraft such as the Airbus A320, A330, and A340.

These licenses and certifications collectively demonstrate that Mark Harris has met and continues to meet the stringent regulatory requirements of multiple aviation authorities. His extensive array of certifications, medical clearances, and type ratings reflect a high level of professional competence and dedication to maintaining the highest standards in aviation safety and operational excellence.

**Evidence in the form of letter(s) from current or former employer(s) showing that the beneficiary has at least 10 years of full-time experience in the occupation in which he or she is being sought**

Mark Harris has demonstrated an exceptional ability in his field as a pilot, with a career spanning over two decades. This narrative consolidates evidence from various letters provided by his current and former employers, attesting to his extensive experience and expertise in aviation.

D.J. van Staden, the Person Responsible for Flight Operations at Comair Limited, offers a detailed account of Mark Harris's tenure at Fugro Airborne Surveys. From April 29, 2002, to June 3, 2003, Mark Harris served as a line pilot under the supervision of D.J. van Staden, who was the Chief Pilot at that time. D.J. van Staden highlights Mark Harris's professionalism, proactivity, and problem-solving skills. Mark Harris exhibited exemplary performance both in-flight and on the ground, consistently delivering high standards of safety and efficiency.

Leonard Edwards, the Training Manager at Flight Training College of Africa, corroborates Mark Harris's early career experience. Mark Harris was employed as a flight instructor and lecturer from February 1, 2001, until April 28, 2002. Leonard Edwards notes Mark Harris's involvement in both ground school and practical flight training, underscoring his comprehensive understanding of aviation education and operations.

Mark Harris's long-term commitment to his profession is further confirmed by Oliver Grohmann, SVP Group HR Business Partnership and L&T at Emirates. According to Oliver Grohmann, Mark Harris has been employed full-time with Emirates since June 18, 2010. Currently serving as a Captain in the Flight Deck Crew Department, Mark Harris is responsible for operating the B777 aircraft. Oliver Grohmann emphasizes Mark Harris's continued dedication and competence, as reflected in his current gross monthly salary of Dhs. 43,815.

Additionally, Muneera Bubshait, an HR Officer at Gulf Air, provides further validation of Mark Harris's extensive experience. Mark Harris was employed by Gulf Air from February 2, 2006, to June 16, 2010, as a Senior First Officer in the Airbus Fleet Management Department based in Bahrain. Muneera Bubshait certifies that Mark Harris's tenure at Gulf Air involved significant responsibilities, reinforcing his role as a seasoned pilot.

Estelle Seager, the Human Resource Manager at Solenta Aviation (Pty) Ltd, confirms that Mark Harris was employed by Solenta Aviation from June 13, 2003, to December 16, 2005. This period of employment further contributes to Mark Harris's more than ten years of full-time experience in the aviation industry.

Collectively, these letters from Mark Harris's current and former employers substantiate his exceptional ability and extensive experience as a pilot, fulfilling the requirement for the EB2 Exceptional Ability category.

**Evidence of membership in professional associations**

Mark Harris has demonstrated a consistent commitment to his profession through active membership in prominent professional associations, underscoring his dedication to aviation safety and industry standards. His involvement with these organizations not only highlights his professional credibility but also his engagement with the broader pilot community.

Mark Harris has been an active member of the Airline Pilots' Association of South Africa (ALPA-SA) since March 14, 2003. ALPA-SA, as confirmed by Margie Viljoen, General Manager of ALPA-SA, is a registered trade union for pilots holding valid Commercial and Airline Transport Pilot licenses. The association is affiliated with the International Federation of Airline Pilots' Associations (IFALPA), making it part of a global network that represents over 100,000 pilots from more than 70 countries. This affiliation ensures that ALPA-SA members, including Mark Harris, are kept informed about international aviation safety standards and industry developments. Margie Viljoen also confirms Mark Harris's membership in good standing, with his membership number being 5421.

The International Federation of Airline Pilots' Associations (IFALPA) is an international not-for-profit organization that serves as the global voice of pilots. It aims to promote the highest level of aviation safety worldwide and advocates for the piloting profession. IFALPA provides representation, services, and support to its members and the aviation industry at large. The federation's mission aligns with Mark Harris's professional values, further evidenced by his long-term membership in ALPA-SA, an IFALPA-affiliated organization.

These memberships not only validate Mark Harris's professional status but also reflect his active participation in and contribution to the aviation community. His continuous involvement with these associations signifies his commitment to upholding high standards in aviation safety and his dedication to professional development within the field.

**Evidence of recognition for achievements and significant contributions to the industry or field by peers, governmental entities, or professional or business organizations**

Mark Harris has received numerous accolades and commendations from peers, colleagues, and industry professionals, highlighting his significant contributions to the aviation field. These recognitions underscore his exceptional skills, leadership qualities, and unwavering commitment to excellence in his profession.

* Ali Hammoud, a Canadian airline pilot and Airbus A320 Captain, has known Mark Harris for over 20 years. Their careers have paralleled, progressing from light aircraft to heavy jets with Gulf Air in Bahrain. Ali Hammoud attests to Mark Harris's high integrity and professionalism, emphasizing that these qualities make him a valuable addition to any employer, community, or country. Ali Hammoud highlights their longstanding professional relationship and mutual respect, noting Mark Harris's adherence to the highest standards of the aviation industry.
* Antoni Nel, First Officer at South African Airways, has had the opportunity to work closely with Mark Harris during his time at Pro-Flite flying school. Antoni Nel recalls Mark Harris's enthusiasm and dedication as an instructor and manager, praising his responsible and mature approach to aviation. Antoni Nel's recommendation for the South African Airways cadet pilot training scheme underscores Mark Harris's potential and passion for flying, recognizing his ability to positively impact the aviation community.
* Captain Waleed Ahmed, a senior captain with Gulf Air, has worked with Mark Harris on the Airbus 340/330/320 family during his tenure from February 2, 2006, to June 16, 2010. Captain Waleed Ahmed commends Mark Harris's teamwork, positive attitude, and ability to handle external challenges effectively. His letter highlights Mark Harris's exceptional ability to thrive in any organization, making him an asset to the industry.
* Conor Doherty, a B747 Captain with UPS Airlines, describes Mark Harris as an outstanding professional who brings a perfect blend of operational skill and leadership to the flight deck. Having flown with Mark Harris multiple times, Conor Doherty emphasizes his calm operational style, superb communication skills, and dedication to maintaining the highest standards of safety and efficiency. Conor Doherty's detailed account of Mark Harris's contributions during their time at Emirates highlights his significant role in improving operational performance and team cohesion.
* Captain Courtnay Gooden, formerly of Emirates Airlines and now an FAA Designated Check Airman, has known Mark Harris since 2012. Their collaboration on complex international flights demonstrated Mark Harris's high competence in situational awareness, workload management, and leadership. Captain Courtnay Gooden's endorsement underscores Mark Harris's exceptional professional attitude and ability to excel in demanding environments.
* Captain John P. O'Neill, now with American Airlines, first met Mark Harris at Emirates in 2010. Captain John P. O'Neill's recommendation highlights Mark Harris's rapid progression to Captain and his ability to handle the responsibilities of commanding the B777. Their shared experiences in professional and personal settings reveal Mark Harris's exemplary character and professional acumen. Captain John P. O'Neill confidently asserts that Mark Harris would be an invaluable asset to any aviation organization.
* Leonard Edwards, an Airline Captain and South African Civil Aviation Authority Designated Examiner, worked with Mark Harris at Flight Training College from 2001 to 2002. Leonard Edwards praises Mark Harris's high standards, dedication to students, and role in designing and expanding the ATPL program. His endorsement highlights Mark Harris's dynamic ideas and instrumental role in the school's success.
* Captain Roland Jones of Solenta Aviation attests to Mark Harris's dedication and professionalism during his tenure from June 2003 to December 2005. Captain Roland Jones recounts Mark Harris's progression from a Cessna Caravan Captain to a Line Check Captain on the ATR fleet, and his role as a Base Manager in West Africa. Captain Roland Jones emphasizes Mark Harris's ability to handle diverse responsibilities with professionalism and proactivity, making him a valuable asset to any aviation company.

These testimonials collectively underscore Mark Harris's exceptional contributions to the aviation industry, his leadership qualities, and his unwavering commitment to maintaining the highest standards of safety and professionalism.

**Evidence that the beneficiary has commanded a salary or other remuneration for services that demonstrates exceptional ability**

Mark Harris has consistently commanded a salary that reflects his exceptional ability and esteemed position within the aviation industry. The salary figures, as illustrated by various sources and documents, indicate his high standing relative to others working in the field of aviation.

According to the Pilot Average Salary report in the United Arab Emirates for 2023, the average yearly salary for a pilot is 315,000 AED, with a range from 151,000 AED to 494,000 AED. This range accounts for housing, transport, and other benefits, offering a comprehensive view of the compensation pilots receive. Mark Harris's remuneration has consistently been at the higher end of this spectrum, demonstrating his exceptional qualifications and experience.

Pay slips from Emirates for the period of August 2022 to January 2023 provide detailed insights into Mark Harris's earnings. In August 2022, his total payments amounted to 62,609.75 AED, including a basic salary of 43,815.00 AED and various allowances such as crew meal allowance and education support. After deductions, his net pay for August was 59,696.14 AED. In subsequent months, Mark Harris's pay remained substantial, with his net pay amounting to 42,721.02 AED in September 2022, 46,511.77 AED in October 2022, 48,265.45 AED in November 2022, 50,579.36 AED in December 2022, and 43,925.15 AED in January 2023.

These figures illustrate that Mark Harris's salary consistently exceeds the average pilot salary in the UAE, further underscoring his exceptional status. His earnings are significantly higher than the median salary of 296,000 AED and are aligned with the highest reported salaries, indicating his superior experience and capabilities in the aviation industry.

The salary comparison by experience levels further highlights Mark Harris's exceptional ability. Professionals with more than 20 years of experience, like Mark Harris, can expect to earn around 472,000 AED annually, which is indicative of the high regard in which they are held within the industry. Mark Harris's compensation aligns with this level, reflecting his extensive experience and the high value placed on his expertise.

The evidence of Mark Harris's salary and remuneration clearly demonstrates his exceptional ability and distinguished position within the aviation field. His earnings not only surpass the average and median salaries for pilots in the UAE but also align with the highest compensation brackets, underscoring his significant contributions and exceptional skills.

**Conclusion**

Mark Harris has demonstrated exceptional ability in the field of aviation, meeting the requirements set forth by the USCIS for evaluation of requests for Exceptional Ability. The comprehensive evidence provided clearly supports his qualifications and underscores his significant expertise and contributions to the industry.

Evidence from current and former employers confirms that Mark Harris has accumulated over 10 years of full-time experience in his occupation. For instance, D.J. van Staden from Comair Ltd attests to working with him from April 2002 to June 2003, and other documentation extends his professional experience well beyond this period, showcasing a consistent and successful career trajectory. He holds multiple licenses and certifications to practice his profession as a pilot, which is a critical requirement. His licenses from various aviation authorities, including the South African Civil Aviation Authority and the Federal Aviation Administration, affirm his qualifications and adherence to the highest standards of professional practice.

Mark Harris's salary and remuneration records further substantiate his exceptional ability. His compensation consistently exceeds the average salary for pilots in the United Arab Emirates, placing him in the upper echelons of his profession. This high level of remuneration reflects his exceptional skills, experience, and value to his employers. In addition, he is a member of professional associations, such as the Airline Pilots' Association of South Africa (ALPA-SA), since March 2003. Membership in such esteemed organizations is indicative of his commitment to the profession and recognition by his peers.

Furthermore, Mark Harris has received significant recognition for his achievements and contributions to the aviation industry. Letters from colleagues and superiors highlight his leadership, problem-solving abilities, and dedication to safety and excellence in aviation operations. Notably, his roles have often involved mentoring and instructing other pilots, reflecting his advanced expertise and the respect he commands in the field.

Based on these comprehensive and robust pieces of evidence, it is clear that Mark Harris possesses a degree of expertise significantly above that ordinarily encountered in the aviation industry. His extensive experience, professional certifications, high remuneration, active membership in professional associations, and recognition from peers all underscore his exceptional ability. Therefore, Mark Harris meets the requirements set forth by the USCIS for the Exceptional Ability visa preference classification and his expertise will substantially benefit the national economy, cultural or educational interests, or welfare of the United States in the future.

**Mark Harris will work in an area of substantial merit and national importance**

The proposed endeavor of Mark Harris to integrate into the US aviation industry as an airline pilot **holds significant potential for employing US workers and generating substantial positive economic effects**. As the US aviation market continues to grow, the need for skilled professionals to support this expansion becomes increasingly critical. The sector's growth is expected to create numerous job opportunities, not only for pilots but also for related positions such as air traffic controllers, maintenance personnel, and ground staff. The influx of experienced pilots like Mark Harris will facilitate the training and mentoring of new aviators, thereby strengthening the domestic workforce and enhancing the overall capability of the aviation industry. The economic benefits of this endeavor extend beyond direct employment. A thriving aviation industry contributes to broader economic growth through increased connectivity, tourism, and trade. Enhanced air travel facilitates business operations and boosts tourism, which in turn supports hospitality, retail, and service industries. The positive ripple effects of a robust aviation sector can be felt across various segments of the economy, driving innovation, attracting investment, and fostering regional development. Mark Harris's participation in this dynamic industry will play a role in sustaining and accelerating these economic contributions, ensuring that the US remains competitive in the global market.

In addition to economic impacts, the proposed endeavor **will broadly enhance societal welfare**. The presence of highly skilled pilots like Mark Harris ensures the highest standards of safety and efficiency in air travel. This contributes to the public’s trust in air transportation, encouraging more individuals to choose flying as a preferred mode of travel. Reliable and efficient air travel enhances the quality of life by providing people with greater mobility, access to distant locations, and opportunities for cultural exchange. Moreover, the safety record of the aviation industry, upheld by skilled professionals, is a cornerstone of societal well-being, reducing the risks associated with air travel and ensuring peace of mind for passengers.

The societal benefits also encompass environmental considerations. Experienced pilots contribute to more efficient flight operations, which can lead to reduced fuel consumption and lower greenhouse gas emissions. This aligns with the broader goals of sustainable development and environmental stewardship. Mark Harris's expertise in meticulous flight planning and operational efficiency supports these objectives, demonstrating the aviation industry’s commitment to minimizing its environmental footprint while meeting the growing demand for air travel.

The proposed endeavor of Mark Harris in the US aviation industry **carries national and global implications within the field of commercial aviation**. As the aviation sector is a critical component of national infrastructure and global connectivity, the integration of experienced pilots like Mark Harris is of paramount importance. Commercial aviation is not only a cornerstone of economic activity but also a key driver of international trade, tourism, and cultural exchange. The expertise and skills brought by Mark Harris will enhance the efficiency and safety of air travel, contributing to the overall robustness of this essential industry.

In the national context, the aviation industry plays a significant role in the United States economy. It supports millions of jobs, facilitates business operations, and connects remote regions with major economic hubs. Mark Harris's involvement in this sector ensures that the highest standards of aviation safety and operational efficiency are maintained. The aviation industry can continue to expand and meet the growing demand for air travel, by ensuring that there are sufficient qualified pilots thereby supporting economic growth and development.

On a global scale, the implications of Mark Harris's endeavor extend to international aviation standards and practices. The aviation industry is inherently global, with interconnected networks that span across continents. The movement of skilled pilots like Mark Harris between countries facilitates the exchange of best practices, safety protocols, and operational innovations. This cross-pollination of knowledge enhances global aviation standards, contributing to safer and more efficient air travel worldwide. Mark Harris's participation in the US aviation industry will not only benefit the national market but also have a positive ripple effect on global aviation practices. Furthermore, the aviation industry is a critical player in the global fight against climate change. The industry is under increasing pressure to reduce its carbon footprint and adopt more sustainable practices. Mark Harris's expertise in flight planning and fuel efficiency can contribute to these efforts, promoting more environmentally responsible aviation operations. By optimizing flight routes and improving operational efficiencies, he can help reduce greenhouse gas emissions, aligning with global sustainability goals and demonstrating the industry's commitment to environmental stewardship.

The proposed endeavor of Mark Harris in the US aviation industry **impacts several matters of national importance**, as described by various government entities and national initiatives. The aviation sector is frequently highlighted in national strategies due to its critical role in economic growth, national security, and environmental sustainability.

The Federal Aviation Administration (FAA) and the Department of Transportation (DOT) recognize the aviation industry's importance to the national economy and security. The FAA's NextGen program, a multibillion-dollar initiative, aims to modernize the national airspace system to make air travel more efficient, safe, and environmentally friendly. Mark Harris's endeavor aligns with the goals of NextGen by bringing experienced pilots who can adeptly navigate and implement new technologies and procedures designed to enhance airspace efficiency and safety.

The Department of Homeland Security (DHS) also considers the aviation sector a vital component of national security. The DHS has initiatives focused on securing the nation’s transportation systems, including the Transportation Security Administration's (TSA) efforts to safeguard civil aviation. Mark Harris's extensive experience and adherence to stringent safety protocols will contribute to maintaining high security standards in the US aviation industry, supporting the DHS's objectives of preventing and mitigating threats to national security.

The White House's focus on infrastructure, as outlined in the American Jobs Plan, includes significant investments in upgrading the nation's transportation infrastructure, including airports and air traffic control systems. The presence of skilled and experienced pilots like Mark Harris is essential for maximizing the benefits of these investments. His role in ensuring safe, efficient, and reliable air travel directly supports the broader goals of the American Jobs Plan by enhancing the efficiency and capacity of the US aviation sector.

Furthermore, the aviation industry is integral to the US's climate action plans. The Biden Administration’s climate agenda includes commitments to reduce greenhouse gas emissions and promote sustainable transportation solutions. The FAA's Aviation Climate Action Plan sets out strategies for achieving net-zero greenhouse gas emissions from the US aviation sector by 2050. Mark Harris's expertise in fuel-efficient flight operations and sustainable aviation practices will contribute to these efforts, helping the industry meet its environmental targets and demonstrating the US's leadership in global climate action.

In addition to these national initiatives, the aviation industry's role in connecting communities and fostering economic development is recognized by the Economic Development Administration (EDA). The EDA's investment priorities include infrastructure and innovation that drive regional and national economic growth. By facilitating efficient and safe air travel, Mark Harris's endeavor supports these priorities, contributing to regional connectivity and economic resilience.

The proposed endeavor of Mark Harris, aimed at enhancing the aviation sector in the United States, **possesses substantial merit and national importance**. The aviation industry is a critical component of the US economy, playing a vital role in business, entrepreneurialism, technology, and national security. Mark Harris's endeavor to contribute to this sector as an experienced and skilled pilot aligns with various national initiatives and has significant prospective impacts.

The aviation industry drives economic growth, facilitates international trade, and connects communities across the nation and the globe. Mark Harris's extensive experience in piloting and aviation safety will enhance the operational efficiency and safety of US airlines, thereby contributing to the overall reliability and competitiveness of the industry. This endeavor not only supports economic stability but also promotes the United States' position as a global leader in aviation. Moreover, the endeavor aligns with the Federal Aviation Administration's NextGen program, which seeks to modernize the national airspace system. Integrating new technologies and procedures aims to make air travel more efficient, safe, and environmentally friendly. Mark Harris's expertise will be instrumental in implementing these advancements, ensuring that the aviation sector meets the high standards set by the NextGen program.

The Department of Homeland Security recognizes the aviation industry's crucial role in national security. The sector's protection against threats is a priority, and experienced professionals like Mark Harris play a key role in maintaining these security standards. His adherence to stringent safety protocols supports the Transportation Security Administration's efforts to safeguard civil aviation, directly impacting national security. Additionally, the proposed endeavor aligns with the Biden Administration's climate action goals, including the FAA's Aviation Climate Action Plan. This plan aims for net-zero greenhouse gas emissions from the US aviation sector by 2050. Mark Harris's knowledge of fuel-efficient flight operations and sustainable aviation practices will contribute to achieving these environmental targets, supporting national and global climate action efforts.

The economic development priorities outlined by the Economic Development Administration highlight the importance of infrastructure and innovation in driving regional and national growth. By ensuring efficient and safe air travel, Mark Harris's contributions support these priorities, fostering regional connectivity and economic resilience. His role is crucial in maximizing the benefits of investments in transportation infrastructure, as emphasized in the American Jobs Plan.

Therefore, the proposed endeavor of Mark Harris demonstrates substantial merit and national importance across multiple areas, including business, technology, national security, and environmental sustainability. His contributions are aligned with key national initiatives, ensuring a significant prospective impact on the aviation sector and beyond. His expertise and dedication to enhancing the US aviation industry underscore the critical nature of his proposed endeavor, making it a valuable asset to the nation's economic and strategic goals.

**Mark Harris is well-positioned to advance the proposed endeavor**

The second prong of the Dhanasar framework shifts the focus from the proposed endeavor to Mark Harris himself. To determine whether he is well-positioned to advance the proposed endeavor, several factors are considered, including his education, skills, knowledge, record of success in related efforts, a model or plan for future activities, progress towards achieving the proposed endeavor, and the interest of potential customers, users, investors, or other relevant entities.

Mark Harris possesses an extensive background in aviation, with over two decades of experience as a pilot. His educational credentials, combined with his extensive training and certifications from various aviation authorities, establish a strong foundation for his expertise. He holds an Airline Transport Pilot License (ATPL), the highest level of aircraft pilot certification, which underscores his advanced skills and knowledge in aviation. His successful career trajectory, marked by various positions of increasing responsibility, demonstrates his capability and dedication to the field.

Throughout his career, Mark Harris has consistently demonstrated a record of success in similar endeavors. He has held key roles in major airlines, where he was responsible for critical flight operations, safety management, and pilot training. His leadership in these roles has contributed to the operational efficiency and safety standards of the airlines he served. His accomplishments include implementing advanced flight procedures and safety protocols that have significantly improved flight safety and operational performance.

Mark Harris has developed a comprehensive plan for his future activities in the United States. His model includes leveraging his extensive experience to enhance aviation safety and operational efficiency. He plans to collaborate with major US airlines, regulatory bodies, and aviation safety organizations to implement best practices and innovative solutions. His proactive approach includes continuous professional development and staying abreast of the latest advancements in aviation technology and safety standards. Progress towards achieving the proposed endeavor is evident in the interest and support of potential stakeholders. He has garnered interest from major airlines and aviation organizations in the United States, recognizing his expertise and the value he brings to the industry. His reputation as a highly skilled and experienced pilot has attracted attention from potential collaborators and employers who are eager to benefit from his knowledge and capabilities.

Mark Harris is exceptionally well-positioned to advance the proposed endeavor in the US aviation sector. His extensive education, skills, and knowledge, combined with a proven record of success in related efforts, provide a solid foundation for his contributions. His comprehensive plan for future activities and the demonstrated interest of potential stakeholders further underscore his readiness to make a significant impact. His expertise and dedication to enhancing aviation safety and operational efficiency make him a valuable asset to the industry and align perfectly with the objectives of the proposed endeavor.

**Waiving the job offer and labor certification requirements for Mark Harris would be beneficial to the U.S.**

The third prong of Dhanasar requires the petitioner to demonstrate that, on balance, it would be beneficial to the United States to waive the requirements of a job offer and, consequently, of a labor certification. This analysis involves evaluating several factors, including the nature of Mark Harris's qualifications and the proposed endeavor. Given his extensive experience and specialized skills, it would be impractical for him to secure a job offer or for the petitioner to obtain a labor certification in a conventional manner. Mark Harris's unique expertise in aviation safety and operations is not easily found within the pool of available U.S. workers.

Even assuming the availability of other qualified U.S. workers, the United States would still significantly benefit from Mark Harris's contributions. His extensive experience and proven track record in enhancing aviation safety and operational efficiency bring a level of expertise that can greatly complement and advance the existing capabilities within the U.S. aviation industry. His role is not to displace U.S. workers but rather to provide specialized knowledge and leadership that can enhance the overall safety and efficiency of aviation operations in the United States.

The national interest in Mark Harris's contributions is sufficiently urgent to warrant forgoing the labor certification process. The U.S. aviation industry is a critical component of the national economy and security, and the ongoing challenges, including the need for enhanced safety measures, underscore the urgency of incorporating highly skilled professionals like Mark Harris. His expertise in implementing advanced flight procedures, training pilots, and improving safety protocols is essential to addressing these challenges promptly and effectively.

Furthermore, the nature of Mark Harris's qualifications and the proposed endeavor make it clear that his contributions are of such national importance that bypassing the traditional labor certification process is justified. His work in enhancing aviation safety and operational efficiency directly aligns with national initiatives aimed at improving transportation safety and infrastructure. These contributions are crucial to maintaining the United States' leadership in global aviation and ensuring the safety and efficiency of air travel for millions of passengers.

In conclusion, considering Mark Harris's unique qualifications, the substantial benefits of his contributions, and the urgency of addressing national aviation challenges, it is evident that waiving the requirements of a job offer and labor certification is beneficial to the United States. His specialized expertise and commitment to improving aviation safety and efficiency make him an invaluable asset to the U.S. aviation industry, justifying the need for an exception to the standard labor certification process.

**Conclusion**

In my opinion, Mark Harris meets the three requirements set forth by the USCIS to evaluate requests for a National Interest Waiver. The first requirement states that the foreign national's proposed endeavor must have both substantial merit and national importance. Mark Harris’s proposed work in the U.S. aviation industry encompasses critical areas such as aviation safety, operational efficiency, and pilot training. These areas are integral to the national interest, given the pivotal role that aviation plays in the U.S. economy and security. The proposed endeavor's potential to enhance aviation safety and efficiency underscores its substantial merit and national importance, particularly in addressing the current challenges within the industry.

The second requirement necessitates that the foreign national is well-positioned to advance the proposed endeavor. Mark Harris’s extensive experience, comprehensive skill set, and proven track record in the aviation sector unequivocally position him to succeed in this endeavor. His qualifications include years of experience as a pilot, flight instructor, and safety officer, along with a history of implementing advanced safety protocols and operational improvements. The recognition and endorsements he has received from industry peers and professional organizations further attest to his capability and readiness to make significant contributions to the proposed endeavor.

The third requirement involves demonstrating that it would be beneficial to the United States to waive the job offer and labor certification requirements. Given the unique nature of Mark Harris’s expertise and the pressing need for advancements in aviation safety and efficiency, it is impractical to follow the conventional job offer and labor certification process. His contributions would significantly benefit the United States by addressing critical gaps in the aviation industry, enhancing safety protocols, and ensuring the efficient operation of air travel. The urgency of these contributions, coupled with the substantial positive impact they would have on the national aviation infrastructure, justifies waiving the traditional requirements.

In summary, Mark Harris’s proposed endeavor demonstrates substantial merit and national importance. His qualifications and experience position him uniquely to advance this endeavor, and the benefits to the United States of waiving the job offer and labor certification requirements are clear and compelling. His work in aviation safety and operational efficiency aligns with national priorities, making his contributions invaluable to the continued growth and security of the U.S. aviation industry.

The foregoing is an analysis and advisory evaluation of Mark Harris’s request for a National Interest Waiver based on documents provided by him as well as information based on my research. The documents are represented to be authentic copies of the original documents.

To the best of my knowledge, I have no reason to doubt the authenticity and accuracy of these documents.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

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Description automatically generated

Thomas Schaner

Aviation Capstone Coordinator & Lecturer

July 9, 2024

**References:**

* https://www.statista.com/topics/4324/the-pilot-shortage/#topicOverview
* https://www.oliverwyman.com/our-expertise/insights/2023/oct/north-american-pilot-shortage-shows-smaller-gap.html
* https://www.forbes.com/sites/marisagarcia/2018/07/27/a-perfect-storm-pilot-shortage-threatens-global-aviation-even-private-jets/#17d363c31549
* http://alpak.or.kr/about/
* https://www.mordorintelligence.com/industry-reports/north-america-aviation-market
* https://www.bls.gov/opub/mlr/2017/article/economic-productivity-in-the-air-transportation-industry.htm
* https://www.cnn.com/travel/article/airline-pilot-shortage-united-states/index.html
* https://abc7news.com/travel/pilots-worry-national-shortage-puts-passengers-in-danger/5011277/
* https://wjla.com/features/examining-the-national-airline-pilot-shortage
* https://www.faa.gov/air\_traffic/publications/media/2016-economic-impact-report\_FINAL.pdf
* https://www.flightglobal.com/airlines/pilots-face-career-anxiety-after-coronavirus-disruption/138759.article
* https://www.faa.gov/about/office\_org/headquarters\_offices/arp/
* https://my.ibisworld.com/us/en/industry-specialized/od4996/industry-at-a-glance
* https://www.boeing.com/resources/boeingdotcom/market/assets/downloads/BMO\_2021\_Report\_PTO\_R4\_091321AQ-A.PDF
* https://www.iata.org/en/services/consulting/safety-operations/
* https://www.tncaviation.com/
* https://my.ibisworld.com/us/en/industry/48111b/industry-at-a-glance
* HCI-Aero\_Paper\_Conf\_Info (nasa.gov) retrieved from https://human-factors.arc.nasa.gov/publications/HCIAero2014\_Bilimoria.pdf
* IATA - Value of Air Cargo retrieved from https://www.iata.org/en/programs/cargo/sustainability/benefits/
* Boeing forecasts demand for commercial aviation personnel retrieved from https://services.boeing.com/news/2022-boeing-pilot-technician-outlook
* https://www.uscis.gov/working-in-the-united-states/permanent-workers/employment-based-immigration-second-preference-eb-2
* https://www.forbes.com/sites/jeremybogaisky/2023/04/10/the-pilot-shortage-is-playing-in-havoc-with-air-travel-here-are-some-remedies/?sh=16f7458dfcd2
* https://www.oliverwyman.com/our-expertise/insights/2021/mar/after-covid-19-aviation-faces-a-pilot-shortage.html#:~:text=In%20North%20America%2C%20with%20an,13%20percent%20of%20total%20demand.
* https://www.zippia.com/advice/airline-industry-statistics/
* https://www.airlines.org/impact/
* https://www.faa.gov/nextgen
* https://my.ibisworld.com/us/en/industry/48121/at-a-glance
* https://www.faa.gov/pilots/training
* https://my.ibisworld.com/us/en/industry/48111b/at-a-glance
* https://my.ibisworld.com/us/en/industry-specialized/od4996/at-a-glance
* https://afdc.energy.gov/fuels/sustainable\_aviation\_fuel.html#:~:text=Sustainable%20aviation%20fuel%20(SAF)%2C,how%20the%20fuel%20is%20produced.
* https://www.nartp.com/
* https://www.mordorintelligence.com/industry-reports/north-america-aviation-market