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VIA FEDEX PRIORITY

USCIS

Attn: I-140 (Box 88774)

131 S. Dearborn St., 3rd Floor

Chicago, IL 60603-5517

Form: I-140, Immigrant Petition for Alien Worker
Re: EB-2 Classification – Advanced Degree/National Interest Waiver
Petitioner: *(Name of the Petitioner)*

Dear Sir or Madam:

This letter is written in support of the I-140 EB-2 National Interest Waiver (NIW) petition (“Petition”) filed for *(Name of the Petitioner)* (“Petitioner”) pursuant to section 203(b)(2)(B) of the Immigration and Nationality Act (“INA”), 8 U.S.C. §1153(b)(2), and *Matter of Dhanasar*, 26 I&N Dec. 884 (AAO 2016).

The Petitioner is a **Computer Science** professional with **16** years of experience in **Information Technology (IT)**. The Petitioner's proposed endeavor is to **empower small and medium enterprises (SMEs) across diverse industries and economic sectors, especially those constrained by limited resources and a shortage of specialized personnel, by optimizing their IT infrastructure and establishing policies and methodologies for regulatory compliance.** The Petitioner will transform SMEs’ IT capabilities, drive long-term digital advancements, and **ultimately contribute to the United States' technological progress and economic growth.** *See Exhibit 5.*

- The proposed endeavor has substantial merit in the areas of **technology, economy, and cybersecurity** because it will:
 - Improve SMEs' technological infrastructure by implementing advanced IT management practices and engineering processes, such as process automation and 3D design, **ultimately contributing to technological evolution in the United States.**
 - Increase SMEs' productivity by developing standardized IT practices and process improvements, enabling these businesses to scale efficiently and resulting in job creation, thereby **benefiting the U.S. economy.**
 - Strengthen companies' security posture by implementing security policies, adopting ISO 27001 standards, and establishing Information Security Management Systems (ISMS), **thereby protecting sensitive data and enhancing cybersecurity.**

- The proposed endeavor has national importance because it will:
 - Revolutionize SMEs' IT sector by implementing advanced management and engineering practices and leveraging cutting-edge technologies like 3D printing and process automation, thereby **maintaining the United States as a leader in technological innovation.**
 - Foster the growth of IT departments and related industries in SMEs, such as telecommunications and software development, resulting in direct and indirect employment opportunities, thus stimulating **economic growth and stability.**
 - Protect SMEs' sensitive business data by adopting international standards and establishing robust Information Security Management Systems, thereby **ensuring national cybersecurity resilience and safeguarding critical information assets.**
 - Supply the talent the United States urgently needs under **USCIS policy's unique considerations for STEM professionals.**
- The Petitioner is qualified and well-positioned to advance the proposed work based on his expertise, education, and professional experience.
- On balance, it benefits the United States to waive the requirements of a job offer and labor certification for the Petitioner.

In this Petition, we submit probative evidence to demonstrate by a preponderance of the evidence that the Petitioner is a professional in the field of **IT** and that his work in the United States will be in the national interest. The evidence demonstrates that the Petitioner meets the criteria for the EB-2 National Interest Waiver classification.

I. The Petitioner's Proposed Endeavor in the United States

Within the Proposed Endeavor Statement enclosed as *Exhibit 5*, the Petitioner states:

My proposed endeavor is to support businesses in implementing, enhancing, and optimizing their IT management, leveraging my extensive experience in the field. This involves improving the utilization of existing infrastructure through a methodical cycle of evaluation and continuous enhancement, aligning it with the company's goals, vision, mission, and industry standards. My primary focus is empowering small and medium enterprises across diverse industries and economic sectors, especially those constrained by limited resources and a shortage of specialized personnel, by assisting them in the development and refinement of their IT infrastructure while establishing policies, methodologies, and best practices for its governance, compliance with US Government regulations, and effective utilization.

Furthermore, I plan to disseminate my work and professional experience within the industry by engaging in workshops, conferences, and consultations tailored to these enterprises. The objective is to bolster their IT departments, thereby fortifying their overall business structure and integrating technology into their operations. I will also share this knowledge through publications, entrepreneur and engineer networks, social media, and academic events to encourage its practical application in society and advancement across industries. I will complement this project by generating documentation and strengthening the productive processes of companies through the implementation of engineering processes and

continuous improvement, such as process automation, 3D design implementation, and the use of 3D printing, laser cutting, and CNC prototyping for process enhancement.

With over a decade of hands-on experience in computer systems, information technology management services, networking design and implementation, surveillance installation, cybersecurity analysis, and audits, as well as consulting, training, and implementing IT processes across various organizational levels, coupled with my academic background, I am uniquely qualified to contribute collaborative initiatives meant at advancing technological innovation. My endeavor extends beyond immediate industry demands, seeking to lay the groundwork for long-term advancements that drive efficiency, innovation, and resilience across diverse sectors, ultimately contributing to the greater landscape of technological evolution and the progress of the United States. See Exhibit 5.

II. Petitioner's Qualification for the Preference Classification Based on his Advanced Degree

The Petitioner qualifies for the preference classification because he holds a master's degree.

The Petitioner holds a **Master of Science in Mechanical Engineering** from the **Universidad Michoacana de San Nicolás de Hidalgo**, Mexico (YY), and a Master's Degree in Information Technology from the Universidad Interamericana para el Desarrollo, Mexico (YY). Additionally, the Petitioner obtained a Bachelor's Degree in Computer Systems from the Universidad Latina de America, Mexico (YY). The Petitioner's educational credentials have been evaluated as equivalent to two U.S. Masters' Degrees in Mechanical Engineering and Information Technology; and a Bachelor's Degree in Computer Information Systems, respectively. *See Exhibits 6 through 9.* Moreover, this academic background aligns precisely with the Department of Homeland Security's classification of “**Information Technology**” as a STEM field under the CIP code **11.0103**.¹

Thus, the Petitioner has established that he is a member of the professions holding an advanced degree pursuant to section 203(b)(2) of the INA, 8 U.S.C. §1153(b)(2).

III. Petitioner Qualifies for the National Interest Waiver

The Petitioner's proposed endeavor in the United States satisfies all three prongs for the National Interest Waiver determination under the *Matter of Dhanasar*.

Prong 1: The Endeavor Has Substantial Merit and National Importance

A. The Proposed Endeavor has Substantial Merit in the areas of technology, economy, and cybersecurity.

The Petitioner's endeavor holds **substantial merit** because it addresses the growing need for optimized IT management and engineering automation in SMEs across diverse industries. The Petitioner will implement a structured, six-step methodology that includes thorough diagnostics, information system optimization, cybersecurity enhancements, information management, and engineering automation. His endeavor will significantly improve business processes, productivity,

¹ “DHS STEM Designated Degree Program List,” by U.S. Immigrations and Customs Enforcement, available at: <https://www.ice.gov/doclib/sevis/pdf/stemList2023.pdf>

and security. The Petitioner will support SMEs with limited resources and specialized personnel while fostering long-term technological advancements, economic growth, and job creation. By enhancing IT infrastructure and skill sets, the Petitioner will contribute to the dynamism and competitiveness of the American economy, promoting innovation and resilience in the face of rapid technological changes. *See Exhibits 5 and 58.*

The Petitioner's endeavor has **substantial merit** because it will improve SME's technological infrastructure by implementing advanced IT management practices and engineering processes, such as process automation and 3D design, **ultimately contributing to technological evolution in the United States.** *See Exhibit 5.* Digital infrastructure is crucial for the long-term growth of SMEs. According to the World Economic Forum, **67%** of SMEs are struggling to survive due to short-term pressures, limited expertise, and resource constraints, which hinder their technology adoption. Over **85%** of organizations see new technologies and digital access as key transformation drivers. Despite upfront costs, digitization enhances efficiency, improves competitiveness, and creates scalability opportunities. Approximately 25% of SMEs find keeping up with technological demands challenging. Service-based models offer access to various technologies without managing them directly. However, SMEs face barriers such as limited resources and inadequate IT infrastructure. They also struggle with data policies, role clarity, and accessing global markets. Addressing these challenges through robust IT infrastructure is essential for their growth and sustainability. *See Exhibit 10.1.* In such a case, the Petitioner will assist SMEs in developing and refining their IT infrastructure by conducting thorough assessments of their hardware, software, information systems, and data administration processes. This will lead to the generation of comprehensive documentation and the strengthening of productive processes within these companies. Hence, the Petitioner will bolster the IT departments of SMEs, thereby fortifying their overall business structure and integrating technology into their operations. *See Exhibits 5 and 58.*

Furthermore, the Petitioner's endeavor has **substantial merit** because it will increase SMEs' productivity by developing standardized IT practices and process improvements, enabling these businesses to scale efficiently and resulting in job creation, thereby **benefiting the U.S. economy.** *See Exhibit 5.* SMEs form the backbone of the global economy, representing **90%** of all businesses and nearly **70%** of global jobs and GDP. Efficient IT management is crucial for their operations and objectives. However, SMEs face challenges in integrating IT systems, with **55%** struggling to locate data and **54%** having difficulty maintaining it due to limited IT infrastructure. SMEs often use a mix of in-house and outsourced IT solutions, with **53%** relying on both internal and external support and **43%** storing data on-premises and in the cloud. While this offers flexibility, without proper IT strategies, SMEs face security vulnerabilities, interoperability issues, and scaling limitations, impacting their market expansion and vendor management. Developing robust IT capabilities is essential to address these challenges. *See Exhibit 10.2.* Here, the Petitioner will encourage these companies to establish their IT departments, develop inventories, manage telecommunication networks, and facilitate training to enhance operational efficiency and ensure sustainable growth. Hence the Petitioner's endeavor will optimize businesses' IT management, aligned with industry standards, and drive productivity, job creation, and economic growth across multiple sectors, **thus having substantial merit.** *See Exhibits 5 and 58.*

Lastly, the Petitioner's endeavor has **substantial merit** because it will strengthen companies' security posture by implementing security policies, adopting ISO 27001 standards, and

establishing ISMS, **thereby protecting sensitive data and enhancing cybersecurity.** *See Exhibit 5.* According to **Forbes**, as businesses increasingly adopt technology, leaders must protect their companies and customers from growing cyber threats. Despite limited resources, SMEs can implement effective cybersecurity measures on a budget, demonstrating their practicality and feasibility. SMEs should take essential steps, such as managing strong, regularly updated passwords through two-factor authentication, training employees on spotting phishing emails, and safeguarding sensitive business data to reduce their vulnerability to attacks. *See Exhibit 10.3.* In such a case, the Petitioner will assist SMEs by identifying and evaluating security risks and recommending measures to protect third-party data, ensure endpoint security, and secure data access. Hence, the Petitioner's endeavor will significantly enhance the cybersecurity of SMEs, ensuring effective cyber-protection with limited resources. *See Exhibits 5 and 58.*

B. The Proposed Endeavor has National Importance.

The Petitioner's endeavor will transform IT management for SMEs by improving digital infrastructure, implementing advanced engineering, and enhancing cybersecurity. He will provide targeted training, establish best practices, and align IT strategies with company goals, helping SMEs overcome resource constraints and personnel shortages. This boosts productivity, competitiveness, job creation, and economic growth. The Petitioner's methodical approach, focused on compliance and innovation, addresses national needs. It supports U.S. government initiatives such as the U.S. Small Business Administration (SBA) and Small Business Digital Alliance (SBDA) to enhance SMEs' technological advancement, the Biden-Harris Administration's efforts to promote job creation, the Small Business Development Centers (SBDC) Program to drive economic growth, and the Federal Communications Commission's and Federal Trade Commission's efforts to improve cybersecurity and digital infrastructure in small businesses. *See Exhibits 5.*

The Petitioner's endeavor has **national importance** because it will revolutionize SMEs' IT sector by implementing advanced management and engineering practices and leveraging cutting-edge technologies like 3D printing and process automation, thereby driving innovation and technological advancement in the United States. *See Exhibit 5.* The U.S. Small Business Administration (SBA) is working to enhance small businesses' digital services and automation, building on the U.S. Digital Government Strategy. The SBA's Strategic Plan focuses on improving access to information technology and customer outreach. The SBA Information Resources Management (IRM) Strategic Plan supports these goals by optimizing IT infrastructure, identifying areas for efficiency and innovation, and investing in the IT workforce. *See Exhibit 11.1.* The SBA and Business Forward, Inc. have also launched the Small Business Digital Alliance (SBDA) to connect small businesses with essential tech resources to expand their businesses. The SBDA offers free briefings and training to help small businesses use digital tools to reach new markets, find diverse talent, improve operations, and raise capital. This public-private partnership brings together major players in the e-commerce technology space to support small business growth. *See Exhibit 11.2.* Hence, the Petitioner will support the SBA's initiatives by assisting SMEs in implementing IT management practices, optimizing existing infrastructure, and integrating new technologies. Hence, the Petitioner's endeavor will ensure these businesses leverage technology to enhance productivity and innovation, thus having **national importance.** *See Exhibits 5 and 58.*

Further, the Petitioner's endeavor has **national importance** because it will foster the growth of IT departments and related industries in SMEs, such as telecommunications and software development, resulting in direct and indirect employment opportunities, thus stimulating **economic growth and stability**. *See Exhibit 5*. Under the Biden-Harris Administration, small businesses created 1.9 million jobs in 2022. These jobs accounted for 49% of net job growth across all firms, the second-highest share on record. *See Exhibit 11.3*. To support this growth, the U.S. Small Business Administration (SBA) runs the Small Business Development Centers (SBDC) Program, offering counseling and training to small businesses. It provides high-quality, individualized business advising and technical assistance. These programs provide problem-solving support to help businesses develop new technologies, and enhance various aspects necessary for growth, management improvement, and increased productivity. *See Exhibit 11.4*. Here, the Petitioner will support SBDC's program by providing technology strategies and training to help resource-constrained businesses refine their processes. This targeted training is tailored to each company's needs. Hence, the Petitioner's endeavor will increase productivity, and boost economic growth, supporting the U.S. government's initiative to enhance SME growth through digital technology adoption. *See Exhibits 5 and 58*.

The Petitioner's endeavor has **national importance** because it will protect SMEs' sensitive business data by adopting international standards and establishing robust ISMS, thereby **ensuring national cybersecurity resilience, and safeguarding critical information assets**. *See Exhibit 5*. According to the **Federal Communications Commission**, (FCC) information technology helps small businesses reach new markets and increase productivity, but they need a cybersecurity strategy to protect their operations, customers, and data from threats. Digital information theft is now the most common fraud, so businesses must create a culture of security to boost confidence. *See Exhibit 11.5*. To enhance cybersecurity, the **Federal Trade Commission (FTC)** provides essential guidelines for protection against cyberattacks. These guidelines cover various areas including cybersecurity basics, business email imposters, email authentication, physical security, ransomware, secure remote access, tech support scams, and vendor security. These resources will help businesses and individuals safeguard their digital assets and ensure robust cybersecurity practices. *See Exhibit 11.6*. In this case, the Petitioner will contribute to the FCC's efforts by helping SMEs implement ISO 27001, 27002, and 27701 to identify and mitigate security risks. This will protect data, ensure endpoint security, and secure access through applications and cloud services, enhancing both business and national cybersecurity. *See Exhibits 5 and 58*.

Additionally, the Petitioner's commitment to **supporting businesses in optimizing their IT management** is not only a reflection of his academic and professional expertise but also aligns seamlessly with the critical needs of the nation. This endeavor takes on national importance as it directly responds to the demand for highly skilled professionals in these vital sectors, a priority emphasized in USCIS policy's specialized considerations for STEM professionals. By leveraging his background in **Information Technology**, the Petitioner's endeavor will contribute to the broader landscape of STEM professionals crucial for the country's growth and resilience. *See Exhibit 11.7*.

Lastly, beyond supporting the competitiveness and productivity of U.S. businesses, the Petitioner's proposed endeavor will benefit the U.S. economy and social development through the creation of

jobs and the benefits it will provide to **economically distressed communities**. To initially establish this proposed endeavor, the Petitioner will create a company based in **Sugar Land, Texas (Fort Bend County)**, which has **5 areas designated by law for economic redevelopment through the Opportunity Zone program**. While the Petitioner will initially start his endeavor in **Sugar Land, Texas**, he intends to expand to other areas of the United States. Thus, the proposed endeavor has national importance as it will impact the development of **Sugar Land, Texas** itself as well as the expansion of the U.S. economy. *See Exhibit 11.8.*

The proposed endeavor is nationally important because it addresses a matter that has been explicitly supported by the U.S. government through numerous regulations and initiatives. His undertaking will result in broad and significant benefits and, thus, merits USCIS approval.

The foregoing evidence demonstrates, by a preponderance of the evidence, that the Petitioner's endeavor has national importance.

Prong 2: The Petitioner is Well-Positioned to Advance the Proposed Endeavor

A. The Petitioner is well-positioned to advance the endeavor based on his education.

The Petitioner's educational credentials include the U.S. equivalent of two U.S. Masters' Degrees in Mechanical Engineering and Information Technology, respectively; and a Bachelor's Degree in Computer Information Systems. He holds a Master of Science in Mechanical Engineering from the Universidad Michoacana de San Nicolas de Hidalgo (**Mexico, YY**), a Master's Degree in Information Technology from the Universidad Interamericana para el Desarrollo (**Mexico, YY**), and a Bachelor's Degree in Computer Systems from the Universidad Latina de America (**Mexico, YY**). *See Exhibits 12 through 15.*

With these qualifications, the Petitioner's expertise falls under the STEM classification according to the Department of Homeland Security under **CIP code 11.0103 Information Technology**.² Consequently, this qualification makes him eligible to benefit from USCIS's special considerations for STEM professionals, aligning with the administration's actions aimed at attracting STEM talent to enhance the country's economic competitiveness.

Thus, the Petitioner has the requisite academic credentials to undertake his proposed endeavor in the United States.

B. The Petitioner is well-positioned to advance the proposed endeavor based on his knowledge and skills.

The Petitioner has **16** years of progressive work experience as an **IT professional**. Utilizing his expert knowledge, he played a significant role in optimizing IT management for businesses, particularly by improving the utilization of existing infrastructure and aligning it with the company's goals, vision, mission, and industry standards. *See Exhibits 5 & 16.*

At the beginning of his professional career, the Petitioner worked at **Universidad de Guanajuato – Campus Salvatierra** as an **IT Adjunct Faculty Member**, from **June 2007 to February 2012**.

² “DHS STEM Designated Degree Program List,” by U.S. Immigrations and Customs Enforcement, available at: <https://www.ice.gov/doclib/sevis/pdf/stemList2023.pdf>

He taught C programming language, oversaw diploma issuance, ensured students met graduation requirements, and ran diagnostic tests on telecommunication systems. *See Exhibit 16.*

From **March 2012 to June 2021**, the Petitioner worked at Universidad Michoacana de San Nicolas de Hidalgo as an **Administrative Auxiliar A**. He provided computer support, managed the Computer Technology office, maintained school computers, served as webmaster, and laid out telecommunication cables. *See Exhibit 16.*

Then, the Petitioner worked at **(Company)** as a **College Teacher** from **May 2017 to March 2019**, where he taught Microsoft Office Suite programs, informatics security, and C# programming language. *See Exhibit 16.*

After that, The Petitioner served at **(Company)** as an **IT Specialist and Computer User Support Specialist** from **June 2016 to June 2021**. He performed routine maintenance and software diagnostics on computers, tablets, and phones; created multi-platform web pages for clients; and ensured they were user-friendly for desktop, Android, and Apple software. *See Exhibit 16.*

The Petitioner worked at **(Company)** as a **Computer Analyst** from **March 2022 to June 2022**. He developed and integrated Spanish material into the medical computer systems, designed and implemented new software, configured hardware to assist patients in the pre and postoperative periods, evaluated and fixed software failures, implemented new updates for the IT systems, and provided remote IT support for the MD staff. *See Exhibit 16.*

Lastly, the Petitioner has been working at **(Company)** as a **Computer Analyst** since **June 2022 to the Present**. He is responsible for a range of critical IT functions including data entry, networking maintenance, IT maintenance and supervision, quality assurance assistance, and acting as a testing engineer. In addition, he oversees the maintenance of SMT machines, manages cloud backups, and provides IT consulting services. His role has been pivotal in enhancing the company's IT infrastructure, optimizing systems, and ensuring compliance with industry standards. *See Exhibit 16.*

To further substantiate his employment history, the Petitioner submits a Letter of Experience enclosed in *Exhibit 17*, from Mr. X, the President of _____ Technologies, evidencing his full-time work as a **Computer System Analyst and IT Professional** since June 14, 2022. This letter highlights his significant contributions and hands-on experience in IT management, reinforcing his capability to enhance and optimize IT systems. It addresses the urgent need for robust IT infrastructure in small and medium enterprises, thereby contributing to the resilience and innovation of the American business ecosystem.

To solidify his professional trajectory, the Petitioner presents Certificates and Letters in *Exhibits 18 through 28*, including the Petitioner's Certificate for his participation in the Establishment of Standards for the General Examination for the Graduation of the Bachelor's Degree in Computer Engineering (EGEL+D ICOMPU) from the National Evaluation Center for Higher Education, AC, in 2022; a Letter of Experience from Ms. X, evidencing the Petitioner's work experience as a Professor of the subject "Technological Tools Production" at Campus Morelia from April 2017 to June 2018; and a Letter of Experience from Dr. X, evidencing the Petitioner's work experience as Head of Telecommunications of the Unit from January to December 2008. This comprehensive

documentation demonstrates the Petitioner's extensive experience and contributions in both academic and professional settings, reinforcing his capability to implement and optimize IT systems.

To further highlight his innovative contributions, the Petitioner also presents evidence of a Sample of Work Product enclosed in ***Exhibit 29***, demonstrating his engagement in proposing new educational paradigms and resources for a model classroom. This includes integrating technologies like electronic whiteboards, videoconferencing, and augmented reality, available at AULAS MODELO (umich. mx). This sample underscores the Petitioner's forward-thinking approach and expertise in utilizing cutting-edge technologies to enhance educational environments. By applying these advanced tools and methodologies, the Petitioner showcases his ability to drive technological innovation and optimize IT infrastructure, which is crucial for the success of his proposed endeavor to support and elevate American businesses through improved IT management and practices.

Building on his professional experience, the Petitioner presents evidence of Continuing Education in ***Exhibits 30 through 49***. These include certificates from Microsoft for completing courses in Azure AI Fundamentals, Visual Tools for Machine Learning, and Security Best Practices (2023). Additional certificates from Universidad Michoacana, AulaDiser.com, and Belden IBDN highlight his training in documentary organization, web design, and IT concepts. These credentials demonstrate his commitment to current technologies and best practices, enhancing his ability to implement advanced IT management strategies and optimize business IT infrastructure.

Lastly, to bolster his employment history, the Petitioner presents Publications & Paper Journals in ***Exhibits 50 through 53***, which he co-authored. These include articles on advanced topics like " _____ " and " _____," along with letters confirming their acceptance and presentations at international conferences. These publications and presentations highlight the Petitioner's engagement in cutting-edge research and his ability to contribute valuable knowledge to his field. This scholarly work will support his endeavor to implement, enhance, and optimize IT systems and engineering practices, benefiting American businesses through technological advancements and increased competitiveness.

Overall, the Petitioner is an **IT professional** with over **16** years of experience and a deep understanding of information technology and business dynamics. His expertise enables him to help companies meet their IT needs and develop sustainable growth strategies. By leveraging his skills in engineering management, he will effectively plan, organize, and lead technology-driven activities. The Petitioner is well-positioned to optimize IT infrastructure, implement innovative solutions, and protect companies' assets, ensuring long-term growth and competitiveness in the digital landscape.

Thus, the foregoing evidence establishes, by a preponderance of the evidence, that the Petitioner is well-positioned to advance the proposed endeavor based on his knowledge and skills.

C. The Petitioner is well-positioned to advance the proposed endeavor based on his record of success.

In recognition of the Petitioner's unparalleled expertise, two peers and other experts familiar with the field and his work have submitted letters in support of the prospective impact of the endeavor

and the Petitioner's ability to continue work in the United States. These letters serve as a further illustration of the Petitioner's impressive track record in the field of endeavor. *See Exhibits 54 and 55.* Each professional has attested to the Petitioner's knowledge, skills, and abilities in the field and believes in his ability to implement his endeavor in the United States.

The Petitioner has received a letter from **Dr. X**, who has evaluated the Petitioner's record of success in the field of endeavor as well as the relevance of his undertaking in the United States. **Dr. X** established that the Petitioner led a project to enhance the institution's IT infrastructure by securing resources to upgrade computing equipment for the agro-industrial engineering program. This included acquiring CAD-capable computers, ensuring high-speed internet, and deploying wireless projection systems for multimedia content delivery. Additionally, he improved over 40 computing units in the computer center, procured printing and scanning equipment, and obtained academic software licenses for agro-industrial engineering subjects. Moreover, **Dr. X** confirms that *“the Petitioner is poised to support businesses in optimizing their IT management practices through continuous evaluation and enhancement, aligning with company goals and industry standards. I have full confidence in his ability to successfully execute his project in the United States.”* *See Exhibit 54.*

Similarly, the Petitioner has additionally received a letter from **Mr. X**. has examined the Petitioner's professional achievements in his field of expertise and has provided his assessment of the endeavor's relevance. Mr. X elaborates that Petitioner revolutionized online business promotion and automation by implementing cutting-edge solutions like e-commerce platforms and inventory tracking systems, significantly enhancing organizational efficiency and competitiveness. Mr. X also adds that *“the Petitioner initiative will empower enterprises to thrive in the dynamic landscape of the modern marketplace, contributing significantly to the technological advancement and prosperity of the United States.”* *See Exhibit 55.*

Please see *Exhibits 56 and 57* for the award and certificate that the Petitioner has earned. This evidence demonstrates that he has already succeeded in his efforts in **technological innovation and engineering strategies**. The report detailing his activities during the Mixed Scholarship for his Master's Degree in Mechanical Engineering, along with Dr. X letter evidencing the completion of his research project, highlights his dedication to advanced research and practical applications in neurotechnology and brain-computer interfaces. Furthermore, his participation in the University competition with the Power Hands project, among the best 12 projects, showcases his ability to innovate and develop impactful solutions. These accomplishments underline his expertise and commitment, which will add significant value to his endeavor to enhance and optimize IT management systems, implement engineering practices, and promote sustainable technological advancements in the United States.

Thus, the Petitioner has established, by a preponderance of the evidence, that he is well-positioned to advance the proposed endeavor based on his record of success.

D. The Petitioner is well-positioned to advance the proposed endeavor based on his model or plan for future activities in furtherance of the endeavor.

The Petitioner is submitting a detailed plan for future activities in furtherance of the endeavor to enhance IT management and implement engineering and process automation for SMEs in the United States. This comprehensive six-step plan begins with diagnosing the current IT landscape

of a company, including hardware, software, cybersecurity, and data management. The Petitioner will then optimize information systems for efficiency, strengthen cybersecurity measures by adopting international standards like ISO 27001, and enhance data management processes. Innovative engineering practices such as automating production processes and utilizing 3D design and prototyping will be introduced, followed by developing robust IT teams and processes. His endeavor will provide targeted training, create new jobs, and engage various technology-related entities, thereby fostering productivity, economic growth, and technological advancement across multiple sectors in the United States. *See Exhibit 58.*

Furthermore, the Petitioner has gathered interest in his undertaking by sharing it with colleagues in his field. The Petitioner has already drawn up a proposal for his proposed endeavor, and he has received the interest of a member of his field. *See Exhibit 59.*

The Petitioner has received a **letter of interest** from **Mr. X**, who has demonstrated interest in partnering with the Petitioner's undertaking. (**Company**), a contract-based electronic manufacturing company specializing in PCBs is eager to collaborate with Petitioner. His initiative aligns with their goals of optimizing production processes and enhancing decision-making. They aim to leverage his expertise to implement software solutions for productivity, modernized reporting, and operational excellence. The partnership seeks to elevate operational benchmarks and showcase his approach's transformative potential in America. The partnership promises improvements in cybersecurity, data integrity, and workforce training. Npi Technologies envisions him as a consultant to lead their technological transformation and equip their IT department with essential digital skills. *See Exhibit 59.*

Thus, the Petitioner has established, by a preponderance of the evidence, that he is well-positioned to advance the proposed endeavor based on his model or plan for future activities.

E. The Petitioner is well-positioned to advance the proposed endeavor based on any progress made toward achieving the proposed endeavor.

For progress towards the proposed endeavor, the Petitioner has already begun laying the groundwork in the United States by establishing _____ **Consulting LLC.**, based in **Sugar Land, Texas**. His company provides IT consulting services tailored to small and medium-sized companies, focusing on optimizing business processes through advanced IT tools to enhance productivity. The Petitioner's methodology is centered on six key axes: diagnosis and projection, information systems, cybersecurity, information management, process engineering and automation, and team development. By implementing a feedback system for continuous improvement and offering targeted training, equipment, software, and automation solutions, the Petitioner will ensure that companies are well-prepared for growth and efficiency. This structured approach, based on continuous improvement and IT process engineering, supports the Petitioner's vision of helping businesses achieve systematic advancements and sustainable growth. The establishment of the LLC and the implementation of his professional business plan underscore the Petitioner's commitment and active engagement in advancing this endeavor in the United States. *See Exhibit 60.*

Please see ***Exhibits 61 through 74*** for certificates that the Petitioner has earned. This evidence demonstrates that he has been recognized for his efforts in **advancing IT management and technological innovation** and that he has already made progress toward achieving the proposed

endeavor. The certificates confirm the Petitioner's active participation in various seminars, workshops, and congresses, highlighting his dedication to continuous learning and contribution to the field. Attending the "Impact of Your Author Profile Seminar" at Elsevier Virtual and participating as a speaker at national and international congresses underscore his commitment to sharing knowledge and expertise. Invitations to panel discussions on "Smart Cities" and workshops on advanced training, 3D mechanical modeling, and photography further demonstrate his versatility and ability to integrate diverse technological advancements into practical applications. These accomplishments reflect his proactive approach and readiness to support businesses in optimizing their IT management and technological infrastructure.

Please see *Exhibits 75 through 81* for certificates that the Petitioner has earned in organizing and collaborating in Events/Seminars in the field. This evidence demonstrates that he has been recognized for his efforts about **IT management and educational outreach** and that he has already made progress toward achieving the proposed endeavor. These certificates, including recognition for his leadership in conducting workshops on "Virtual Libraries" and contributions to workshops on Mendeley, social networks for researchers, Turnity anti-plagiarism tools, and basic office courses, showcase his commitment to advancing IT knowledge and skills. His role as an instructor and support instructor highlights his capability to educate and empower others, which helps him to support businesses in enhancing and optimizing their IT infrastructure. By sharing his expertise through various educational platforms, he has demonstrated a clear pathway to achieving his goals of fostering technological innovation and resilience in small and medium enterprises.

Please see *Exhibits 82 through 84* for the Petitioner's professional licenses that confirm he has made progress toward his proposed endeavor by developing his reputation as a competent professional in the field. The Electronic Professional Certificates granted by the General Direction of Professions from the Secretary of Public Education in Mexico, underscore the Petitioner's robust academic foundation and diverse expertise. These qualifications affirm the Petitioner's technical proficiency and enhance the credibility and value of their proposed endeavor to support businesses in implementing, enhancing, and optimizing their IT management.

Thus, the Petitioner has established, by a preponderance of the evidence, that he is well-positioned to advance the proposed endeavor based on any progress made toward achieving the proposed endeavor.

F. The Petitioner is well-positioned to advance the proposed endeavor based on the interest of potential customers, users, or other relevant entities or individuals.

Please see *Exhibit 85* for a professional in the field of endeavor looking to promise a symbiotic partnership with the Petitioner's undertaking. This letter is discussed in detail in *section D*.

We accordingly demonstrate that the Petitioner is well-positioned to advance the proposed endeavor based on his education, his knowledge and skills, his record of success, his model or plan for future activities in furtherance of the endeavor, the progress he has made toward achieving the proposed endeavor, as well as the interest of a potential customer in the field.

Prong 3: On Balance, It Would Be Beneficial to the United States to Waive the Requirements of a Job Offer and Thus, of a Labor Certification

A. It would be impractical either for the foreign national to secure a job offer or for the Petitioner to obtain a labor certification.

- i.* The Petitioner's proposed endeavor includes his academic skills in **IT Management**, his record of success in **process automation**, and his unique ability to tailor solutions to **SMEs**. This skill set is not easily adaptable to the labor certification process. *See Exhibits 5 and 58.*
- ii.* Because he will be self-employed and will establish his own company in Sugar Land, Texas. The Petitioner will work in a manner that does not adversely affect U.S. workers. In addition, it would be impractical to require him to undergo a lengthy certification process because he cannot file a labor certification and job offer on his behalf. *See Exhibit 60* as evidence of the Petitioner's business plan, **Digital Fish Consulting**.

B. Even assuming that other qualified U.S. workers are available, the United States would still benefit from the foreign national's contributions.

- i.* The Petitioner's undertaking also shows demand and urgent need. The U.S. Bureau of Labor of Statistics in the recent Occupational Handbook Outlook, states that the demand for **Information Technology** is projected to grow from 2022 to 2032, and this increase is expected to result in about **377,500** new jobs over the decade. *See Exhibit 86.* Thus, the demand for additional professionals is such that, even if other qualified U.S. workers are available, the Petitioner will not significantly impede the ability of these workers to find employment in the field.
- ii.* Additionally, the Petitioner's endeavor will have a broad and positive impact on areas of economic redevelopment. By initially establishing his company and addressing businesses located in **Sugar Land, Texas (Fort Bend County)**, which has **5 designated Opportunity Zones**, will see a **positive national impact from the Petitioner's endeavor** designated by law for economic redevelopment. beyond supporting the competitiveness and productivity of U.S. businesses. *See Exhibit 11.8.*

C. The national interest in the foreign national's contributions is sufficiently urgent to warrant forgoing the labor certification process.

- i.* The Petitioner's endeavor to support businesses in implementing, enhancing, and optimizing their IT management complements the goals of the Small Business Digital Alliance (SBDA). The SBDA connects small businesses with vital tech resources to expand their business capabilities and scale effectively. Similarly, the Petitioner focuses on improving IT infrastructure, developing governance policies, and disseminating knowledge through workshops and publications. The Petitioner will help SMEs utilize digital tools to reach new markets, enhance operations, and secure capital, emphasizing the integration of technology to foster innovation and build resilience across diverse sectors. *See Exhibit 11.2.*
- ii.* The proposed endeavor is urgent because the rapid digital transformation and increasing reliance on technology in various sectors heighten the demand for efficient and robust IT management systems. SMEs, constrained by limited resources and

specialized personnel, particularly need this support. Optimizing IT infrastructure and implementing advanced engineering processes immediately address these critical needs, enhancing productivity and competitiveness. By integrating cutting-edge technologies such as process automation, 3D designs, and CNC prototyping, SMEs can adapt to the evolving technological landscape, ensure compliance with regulatory standards, and foster sustainable growth. Advancing this endeavor right now is crucial for bolstering the resilience and innovation of the American business ecosystem, ultimately contributing to the nation's economic progress and technological leadership. *See Exhibits 5 and 58.*

- iii. The Petitioner has the talent that the United States urgently needs pursuant to the USCIS policy's unique considerations for STEM professionals and entrepreneurs. As the holder of **Information technology**, the Petitioner is well-positioned to advance his proposed endeavor in the STEM field of **IT Management**. *See Exhibit 87.*

By this legal standard, the totality of the evidence demonstrates that the United States would still benefit from the Petitioner's contributions. Because he will be providing services to **SMEs** by leveraging his expertise in the field to **enhance and optimize their IT infrastructure**, the Petitioner will be working in a manner that does not adversely affect U.S. workers. In addition, it would be impractical to require him to undergo a lengthy certification process because he cannot file a labor certification and job offer on his behalf.

Just like the petitioner in the *Matter of Dhanasar*, the **Petitioner** has a record of success in his specific field, particularly regarding **IT management**, which furthers critical U.S. interests. The Petitioner has demonstrated, by a preponderance of the evidence, that his proposed endeavor has both substantial merit and national importance, and that he is well-positioned to advance his proposed endeavor. The Petitioner therefore offers contributions of such value that, even assuming other qualified U.S. workers are available, and considering that he will be self-employed, the United States will still benefit from his contributions. As such, the Petitioner satisfies the legal standard in the *Matter of Dhanasar*.

The Petitioner has demonstrated that he satisfies the Advanced Degree and National Interest Waiver criterion. His expertise is critical to the development of _____ **Consulting**. The Petitioner's proposed endeavor will benefit the United States economically and technologically if he is allowed to pursue his endeavor.

Thus, we respectfully request approval of the Petition.

Sincerely,

Name of an Attorney.

Attorney at Law

Firm Name

_____ Bar No.