

USCIS: Are Your Signatures Valid?

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Starting March 18, the U.S. Citizenship and Immigration Services (USCIS) will require individuals who are submitting an application, petition, request, or other documents to provide a "valid" signature on forms filed with the agency. This [new policy memorandum](#) redefines the definition of a valid signature and reverses a 2016 interim memorandum that allowed signatures pursuant to a Power of Attorney (POA). USCIS found that the inconsistent acceptance of POA signatures by its officers created an evidentiary hurdle when prosecuting immigration fraud.

The policy defines a valid signature as any handwritten mark or sign. It does not need to be legible, in cursive, or in English, and may be abbreviated as long as it is consistent with how the individual normally signs his or her name. Additionally, a signature is valid even if the original signature is subsequently photocopied, scanned, or faxed.

Under the new policy, POA signatures will not be accepted after March 18, except in very limited circumstances. Individuals and employers seeking immigration benefits should be aware of what constitutes a valid signature under this new policy, since the compliance deadline begins next week.

Any individual who is filing a request or other document with USCIS must personally sign the request or document. Attorneys, accredited representatives, agents, preparers, and interpreters are excluded from the definition of individual. No other person may sign a request or document on behalf of an applicant or petitioner, unless the individual is under the age of 14 or mentally incompetent.

Corporations that wish to file immigrant or non-immigrant petitions for foreign employees—or who wish to extend the authorized stay of a current non-immigrant employee—also are required to follow this new policy. In order for corporations to sign a request or submit a document to USCIS, forms must be signed by an authorized person, as delineated in the final policy memorandum. These authorized people include:

- Executive officers
- Managing members or partners
- Legal representatives
- Authorized human resources representatives
- Executors or administrators of an estate
- Trustees or conservators
- Employees authorized to legally bind the corporations

The USCIS policy memo also indicates that these authorized signers must be employed by the petitioner or applicant. Finally, under the new policy, USCIS may reject a form based on a non-compliant signature, instead of offering the submitting party an opportunity to correct the error. Individuals and authorized signers must observe these new signature requirements in order to avoid a rejected application, which wastes precious time and money.

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