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DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 103

[CIS No. 2855–26; Docket No. USCIS–2026–0166]

RIN 1615–AD17

Signatures on Immigration Benefit Requests

AGENCY: U.S. Citizenship and Immigration Services, DHS.

ACTION: Interim final rule; request for comments.

SUMMARY: The Department of Homeland Security (DHS) is amending its regulations governing the submission of benefit requests to provide that if U.S. Citizenship and Immigration Services (USCIS) accepts a benefit request and determines later that it lacks a valid signature, USCIS may, in its discretion, reject or deny the request. This interim final rule (IFR or rule) will clarify USCIS procedures relating to the rejection or denial of benefit requests that do not meet regulatory requirements to ensure better enforcement of signature requirements.

DATES:

Effective Date: This interim final rule is effective on July 10, 2026.

Comment Date: Written comments on the interim final rule must be submitted on or before July 10, 2026.

ADDRESSES: You may submit comments on the entirety of this rule package, identified by DHS Docket No. USCIS–2026–0166 through the Federal eRulemaking Portal: *http://www.regulations.gov.* In accordance with 5 U.S.C. 553(b)(4), the summary of this rule found above may also be found at *https://www.regulations.gov.* Follow the website instructions for submitting comments. USCIS cannot accept comments contained on any form of digital media storage devices, such as CDs/DVDs and USB drives. USCIS is also not accepting mailed comments at this time. If you cannot submit your comment by using *http://www.regulations.gov,* please contact the Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by telephone at (240) 721–3000 for alternate instructions.

FOR FURTHER INFORMATION CONTACT: Office of Policy & Strategy, USCIS, DHS, 5900 Capital Gateway Drive, Camp Springs, MD 20746; telephone (240) 721–3000 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1–877–889–5627 (TTY/TDD).

SUPPLEMENTARY INFORMATION:

I. Public Participation

DHS invites all interested parties to participate in this rulemaking by submitting written data, views, comments, and arguments on all aspects of this rule. DHS also invites comments relating to the economic, environmental, or federalism effects possibly resulting from this rule. Comments must be submitted in English, or an English translation must be provided. Comments providing the most assistance to USCIS in implementing these changes will reference a specific portion of the rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change. Comments submitted in a manner other than the one listed above, including emails or letters sent to DHS or USCIS officials, will not be considered comments on the rule and may not receive a response from DHS.

Instructions: If you submit a comment, you must include the agency name (U.S. Citizenship and Immigration Services) and the DHS Docket No. USCIS–2026–0166 for this rule. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information you provide in any voluntary public comment submission you make to DHS. DHS may withhold information provided in comments from public viewing it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy and Security Notice available at *http://www.regulations.gov.*

Docket: For access to the docket and to read background documents or comments received, go to *http://www.regulations.gov,* referencing DHS Docket No. USCIS–2026–0166. You may also sign up for email alerts on the online docket to be notified when comments or other documents are posted to the docket.

II. Executive Summary

DHS is adding a clarifying provision to 8 CFR 103.2(a)(7) governing the submission of benefit requests to reduce the risks that are presented by invalid signatures identified after a benefit request is accepted. Specifically, DHS is amending regulations to provide that USCIS adjudicators may, in their discretion, reject or deny the request. This amendment applies to requests submitted on or after July 10, 2026. If USCIS decides to deny a request on the basis of an invalid signature, USCIS may retain the associated benefit filing fee and consider the application fully adjudicated and the applicant ineligible for the requested benefit.

Since 2018, USCIS policy has provided that, ''[i]f USCIS accepts a request for adjudication and later determines that it has a deficient signature, USCIS will deny the request.'' [1] However, as described more fully in this rule, application and implementation of that policy has not resulted in benefit requestors having a clear understanding about how USCIS generally handles requests with questionable or invalid signatures, and USCIS officers have not always understood the scope of their authority

[1] *See* USCIS Memorandum from the Office of the Director, ''Signatures on Paper Applications, Petitions, Requests, and Other Documents Filed with U.S. Citizenship and Immigration Services'', PM–602–0134.1 (Feb. 15, 2018). *See also* USCIS, Policy Manual, Volume 1, General Policies and Procedures, Part B, Submission of Benefit Requests, Chapter. 2, Signatures, Section A, Signature Requirements [1 USCIS–PM B.2(A)], *https://www.uscis.gov/policy-manual/volume-1-part-b-chapter-2* (current as of Feb. 3, 2026).

when faced with invalid signatures. Indeed, in recent years, USCIS has experienced several instances of questionable and invalid signatures on USCIS immigration benefit requests and inconsistent implementation of policy addressing invalid signatures. Therefore, DHS is issuing this rule to codify the authority for immigration officers to exercise discretion to deny improperly signed requests. USCIS believes this codification will, in turn, better encourage compliance with signature requirements, reduce the number of rejections caused by invalid signatures, protect the integrity of the benefit request adjudication, and allow USCIS to recoup the costs associated with enforcing these requirements.

III. Background

A. Legal Authority

The general authority for the Secretary of Homeland Security (Secretary) to issue this procedural rule is found in section 103(a) of the Immigration and Nationality Act (INA), 8 U.S.C. 1103(a), which authorizes the Secretary to administer and enforce the immigration and nationality laws and establish such regulations as the Secretary deems necessary for carrying out such authority. The Secretary's authorities under the INA include the authorities and functions transferred to USCIS under the Homeland Security Act of 2002 (HSA), Public Law 107–296, 116 Stat. 2135 (codified in part at 6 U.S.C. 101 *et seq.*), related to the adjudication of immigration benefits requests, 6 U.S.C. 271(b). *See also* 6 U.S.C. 112 (vesting all functions of DHS in the Secretary). Accordingly, the Secretary has authority to issue regulations necessary for carrying out USCIS' functions related to the administration and adjudication of immigration benefits under the INA.

In addition, DHS has statutory authority under INA 287(b), 8 U.S.C. 1357(b), to require signatures on immigration benefits requests. Section 287(b) of the INA, 8 U.S.C. 1357(b), provides generally that an officer or employee of DHS may administer oaths and consider evidence concerning a person's privilege to enter or reside in the United States or concerning ''any matter that is material and relevant to the enforcement of the [INA] and the administration of [DHS]'', which includes immigration benefits requests. This statute also permits DHS to require a person to provide an unsworn signed declaration or certification, under penalty of perjury, as permitted under 28 U.S.C. 1746, in lieu of providing information under oath. Although DHS has not explicitly codified the adoption of 28 U.S.C. 1746, USCIS has generally followed the requirements of that statute in 8 CFR 103.2(a) by requiring requestors to sign benefits requests and certify through their signature, under penalty of perjury, that the benefit request and all evidence submitted with it is true and correct.[2] By conforming to the requirements of 28 U.S.C. 1746 in its benefit request system, DHS signature declarations empower requestors to attest with full legal authority, from any location without appearance before an immigration officer.

Finally, DHS issues this IFR consistent with INA 286(m), 8 U.S.C. 1356(m), which authorizes DHS to charge fees for adjudication and naturalization services at a level to ''ensure recovery of the full costs of providing all such services, including the costs of similar services provided without charge to asylum applicants or other immigrants.'' This rule is consistent with the purpose of INA 286(m), 8 U.S.C. 1356(m), because it codifies USCIS authority to deny a request and retain the fees paid to recover costs that USCIS incurs to process and adjudicate the benefit request before determining the request was not properly signed.

B. Signatures

1. Filing Requirements

DHS regulations require that a form must be executed in accordance with the form instructions. 8 CFR 103.2(a)(1). In addition, regulations provide that USCIS records the receipt date as of the actual date of physical receipt of a benefit request, a rejected request will not retain a receipt date, and a request will be rejected if not submitted with the correct fee. 8 CFR 103.2(a)(7)(ii)(D).[3] Current DHS regulations at 8 CFR 103.2(a)(2) state that ''[a]n applicant or petitioner must sign his or her benefit request.''[4] With respect to the submission of that benefit request, 8 CFR 103.2(a)(7)(ii)(A) states that USCIS will reject the request if not ''[s]igned with a valid signature.'' Further, ''a benefit request which is rejected will not retain a filing date.'' 8 CFR 103.2(a)(7)(ii). In addition, 8 CFR 103.2(a)(7)(iii) states that ''a rejection of a filing with USCIS may not be appealed.'' Finally, 8 CFR 103.2(a)(2) specifies that ''an acceptable signature on a benefit request that is being filed with the USCIS is one that is either handwritten or, for benefit requests filed electronically as permitted by the instructions to the form, in electronic format.'' As such, a properly filed USCIS benefit request means that the benefit request includes a complete and properly executed form with a valid signature, the correct fees, and the required initial evidence for intake purposes as specified in the form instructions.

2. Current Signature Requirements

USCIS considers a ''valid signature'' to generally consist of any handwritten mark or sign made by a requestor (or in certain situations a parent or legal guardian) to signify his or her knowledge and approval of the contents of the request and any supporting document(s) and that the information contained therein is true and correct. *See* 8 CFR 103.2(a)(2).[5] This requirement applies to any request filed by mail (paper) or online through the PDFi upload process. In limited contexts, USCIS considers a valid signature to include an electronic signature. When filing online through guided e-filing or PDFi via myUSCIS, a requestor's valid signature is a secure electronic signature prompted during the e-filing process. In addition, if during certain PDFi upload processes, no handwritten mark or signature is detected on the uploaded form, an individual may be prompted to provide a secure electronic signature. This option only applies to benefit requestor-filed submissions; no electronic

[2] Additionally, USCIS benefits request forms generally follow the requirements of 28 U.S.C. 1746 in the declaration that precedes the signature on USCIS forms that require a signature or an unsworn declaration made under penalty of perjury. *See, e.g.,* USCIS Form I–90, Application to Replace Permanent Resident Card (Green Card), *https://www.uscis.gov/i-90* (Jan. 20, 2025 ed.) (stating in relevant part, ''I certify, under penalty of perjury, that I provided or authorized all of the information in my application, I understand all of the information contained in, and submitted with, my application, and that all of this information is complete, true, and correct.'').

[3] USCIS general filing requirements and receipt rules have been in place for benefit request filings since at least 1964. *See* 29 FR 11956 (Aug. 21, 1964) (final rule codifying 8 CFR 103.2(a)(1) that provided that every application shall be executed and filed in accordance with the instructions on the form, applications received shall be stamped to show the time and date of their actual receipt and regarded as filed when so stamped unless returned as improperly executed).

[4] The term ''benefit request'' means any application, petition, motion, appeal, or other request relating to an immigration or naturalization benefit, whether such request is filed on a paper form or submitted in an electronic format, provided such request is submitted in a manner prescribed by DHS for such purpose. 8 CFR 1.2.

[5] *See also* USCIS Policy Manual, Volume 1, General Policies and Procedures, Part B, Submission of Benefit Requests, Chapter 2, Signatures, Section A, Signature Requirements [1 USCIS–PM B.2(A)], *https://www.uscis.gov/policy-manual/volume-1-part-b-chapter-2* (current as of Feb. 3, 2026). Additionally, USCIS form instructions for benefits applications and requests explain the requirements for a valid signature.

signature option is currently available for attorney-filed PDFi submissions. Beyond these processes, an electronic signature is not valid and only a requestor's handwritten signature is valid.

For handwritten signatures, USCIS policies have evolved with the increased use of facsimile machines, scanners, and the internet; and an increasing number of USCIS immigration benefit requests are being e-filed or filed through the PDFi upload process, in accordance with the direction by Congress to eliminate paper filings in program administration to the extent possible. Government Paperwork Elimination Act (GPEA), Public Law 105–277, tit. XVII, section 1703, 112 Stat. 2681, 2681–749 (Oct. 21, 1998) (as codified in 44 U.S.C. 3504 note).[6] To provide flexibility and efficiency, USCIS does not generally require submission of the ''original'' document with a wet-ink signature. A scanned, copied, or faxed version of the originally signed benefit request, with the wet-ink signature on it, suffices (the regulatory text states ''handwritten'', 8 CFR 103.2(a)(2)).

3. Handling of Requests Containing Invalid Signatures

USCIS regulations presently state that a benefit request will be rejected if it is not signed with valid signature. 8 CFR 103.2(a)(7)(ii)(A). Neither the INA nor DHS regulations define the terms ''rejected'' and ''rejection''; however, for the purpose of 8 CFR 103.2(a)(7), USCIS agency practice has long defined the term ''rejected'' to mean the benefit request and fee payment are returned for failure to comply with all filing requirements without being fully considered, and can be re-filed when properly completed.[7] ''Denied,'' on the other hand, generally means that the request is fully adjudicated and considered, and the requestor is determined ineligible for the benefit sought. *Id.* Additionally, when a benefit is denied, USCIS retains the fee.[8] When USCIS denies a benefit request, the USCIS adjudicating officer will issue a decision explaining the denial. *See* 8 CFR 103.3(a)(1)(i). For certain requests, the requestor can appeal the denial. *See* 8 CFR 103.3(a)(1)(ii), (iii).

The USCIS Policy Manual provides that once USCIS receives a benefit request, including an appeal or motion, USCIS assesses whether the request meets the minimum requirements for USCIS to accept it.[9] This includes verifying that the request contains a valid signature. This initial intake assessment occurs at the USCIS Lockbox.[10] The USCIS Lockbox either accepts or rejects benefit request packets after applying a set of business rules, accepting the benefit request if it is properly filed or rejecting it if it is not. With respect to signatures, the USCIS Lockbox business rules require that the data entry operator verify if the signature appears to be valid or invalid. Specifically, per USCIS policy, the USCIS Lockbox business rules look for a ''valid signature,'' or one that is (1) handwritten, (2) on the signature line of the form, (3) a thumbprint in place of a written signature, or (4) an 'X'. Under the same business rules, an invalid signature is one that is typewritten or missing. If a requestor uses an ''X'', USCIS usually engages in some additional validation to ensure the individual consistently uses an ''X.''

If minimum requirements for acceptance are not met (*e.g.,* a missing signature), the USCIS Lockbox rejects the benefit request for improper filing and returns it to the sender. The Lockbox determines whether each benefit request meets the requirements to be accepted but it does not make adjudicative decisions. USCIS can only begin to adjudicate a benefit request after USCIS accepts the request, processes any required fees, and issues a receipt notice (or date stamp, where applicable), reflecting the date of physical or electronic receipt. USCIS does not consider benefits requests that are rejected to be properly filed.[11] If the benefit request is accepted, USCIS issues a receipt notice to the requestor and forwards the request for processing, including adjudication.

As discussed further below in Section IV.B of this preamble, the Lockbox is not able to identify all benefits requests containing invalid signatures at intake. USCIS has issued various policies over the years addressing how USCIS handles invalid signatures in such circumstances. First, USCIS issued a general signature policy on January 19, 2010, to provide, among other things, that if USCIS identifies an application or petition without the proper signature at the time of receipt, USCIS will reject the application or petition in accordance with 8 CFR 103.2(a)(7)(i) and return the filing fee. The 2010 policy clarified, however, that if USCIS discovers the improper signature after receipting, USCIS may deny the application or petition pursuant to 8 CFR 103.2(b)(8)(ii) for failure to establish eligibility for the benefit sought.[12]

USCIS next published an interim policy memorandum (PM) [13] on June 7, 2016.[14] The 2016 p.m. stated, in

[6] GPEA defines electronic signature as ''. . .a method of signing an electronic message that identifies and authenticates a particular person as the source of the electronic message; and indicates such person's approval of the information contained in the electronic message.''

[7] *See, e.g., Immigration Benefits Business Transformation, Increment I,* 76 FR 53764, 53770 (August 29, 2011) (final rule); *Registration Requirement for Petitioners Seeking to File H–1B Petitions on Behalf of Aliens Subject to the Numerical Limitations,* 76 FR 11686 (Mar. 3, 2011) (notice of proposed rulemaking) (discussing the USCIS resources required to reject and return to the petitioning employer petitions and associated fees that are not randomly selected as eligible for an H–1B cap number).

[8] INA 286(m), 8 U.S.C. 1356(m), provides that DHS may set benefit request fees to recover the costs of providing such services. DHS has interpreted ''fees for providing adjudication and naturalization services'' in section 1356(m) as meaning the fee is required for the provision of a service, in effect, an adjudication of the filed request. Historically, DHS has determined that when a request is rejected and the only service performed is to determine if it is minimally acceptable, no adjudication service occurs, no fee is due, and the fee is returned. When DHS has determined the fee should not be returned when a request is rejected it has codified retention. *See* 8 CFR 103.3(a)(2)(v)(A)(*1*) (providing that USCIS does not refund the filing fee when it rejects an appeal filed by a person or entity not entitled to file an appeal); *see also USCIS Immigration Fees and Related Procedures Required by H.R.1 Reconciliation Bill,* 91 FR 22952, 22971 (Apr. 29, 2026) (amending 8 CFR 106.2(c) to provide that the fee for Form I–589 will be retained and not returned or refunded when a filed asylum application is rejected consistent with 8 CFR 103.2(a)).

[9] *See* USCIS Policy Manual, Volume 1, General Policies and Procedures, Part B, Submission of Benefit Requests, Chapter 6, Submitting Requests, Section B, Intake Processing [1 USCIS–PM B.6(B)], *https://www.uscis.gov/policy-manual/volume-1-part-b-chapter-6* (current as of Feb. 3, 2026).

[10] The USCIS Lockbox system is a paper-based intake system for specific immigration applications and petitions. The Lockbox operations are provided by the Department of the Treasury's Financial Agency, JP Morgan. *See* U.S. Department of the Treasury, Bureau of the Fiscal Service, General Lockbox Network, *https://fiscal.treasury.gov/gln/* (last updated Jan. 20, 2026). The lockboxes, including USCIS case resolution analysts, are responsible for: data entry of applications, petitions and requests, determining whether to accept or reject forms, depositing fees, sending receipt or reject notices, physically assembling cases in accordance with the business requirements, sending the files to the appropriate USCIS offices, and transmitting the electronic data to the appropriate USCIS systems and offices.

[11] USCIS Policy Manual, Volume 1, General Policies and Procedures, Part B, Submission of Benefit Requests, Chapter 6, Submitting Requests, Section B, Intake Processing [1 USCIS–PM B.6(B)], *https://www.uscis.gov/policy-manual/volume-1-part-b-chapter-6* (current as of Feb. 3, 2026).

[12] USCIS Memorandum from Lauren Kielsmeier, ''Signatures on Applications and Petitions Filed with USCIS: Amendment of *Adjudicator's Field Manual (AFM)* Chapter 10.1(a)(2) (AFM Update AD 10–23)'', HQSCOP 70/6–P (Jan. 19, 2010).

[13] USCIS Memorandum from the Office of the Director, ''Signatures on Paper Applications, Petitions, Requests, and Other Documents Filed with U.S. Citizenship and Immigration Services'', PM–602–0134 (June 7, 2016).

[14] Prior to 2016, no general signature policy existed and policies were provided on a per form

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relevant part, that if USCIS determines the requisite signature on the request is not valid, the request will be deemed to not be signed and, pursuant to 8 CFR 103.2(a)(7), USCIS will reject the request and return it to the party responsible. The 2016 p.m. also provided that if USCIS questions the validity of the signature on a form filed by a parent for their minor child, a legal guardian for a child or incapacitated adult, or an individual on behalf of a corporation of other legal entity, it may send a Request for Evidence or other type of notice to the requestor, requesting evidence of the signatory's authority to sign documents on their behalf, or refer the file or record to the Fraud Detection and National Security Unit where appropriate. The 2016 p.m. did not address whether USCIS may, should, or will deny a request for a deficient signature.

On February 15, 2018, USCIS issued a new PM.[15] The 2018 p.m. provided, in relevant part, that if USCIS determines that the requisite signature on the request is not valid, USCIS will reject the request and return it under 8 CFR 103.2(a)(7), however, if USCIS accepts a request for adjudication and later determines it has a deficient signature, USCIS will deny the request. The 2018 p.m. also provided that USCIS may send either a Request for Evidence or a Notice of Intent to Deny to confirm that signature authority existed at the time the document was submitted, but stated that USCIS will not permit an opportunity to correct or "cure" an invalid signature. The 2018 p.m. was incorporated into the USCIS Policy Manual on March 5, 2020, and remains the operative policy to date.[16] Consistent with the 2018 p.m., USCIS form instructions also provide that if USCIS accepts a request for adjudication and then determines that it has a deficient signature, USCIS may deny the request.[17]

On March 20, 2020, USCIS announced that, due to the COVID–19 National Emergency the agency would accept all benefit forms and documents with reproduced original signatures. The announcement stated that individuals or entities that submit documents with electronically reproduced original signature must retain copies of the original documents containing the wet signature because USCIS may, at any time, request the original documents. USCIS defined "reproduced" by stating "a document may be scanned, faxed, photocopied, or similarly reproduced provided that the copy must be of an original document containing an original handwritten signature."[18] On July 25, 2022, USCIS announced that the reproduced signature flexibility announced in March, 2020, will become permanent policy.[19] Although individual form instructions could and can still provide more specific requirements, as of July 25, 2022, no USCIS form required an original signature, and a copy of the originally signed form containing the handwritten signature could be submitted as provided in the USCIS Policy Manual.

IV. Discussion

Through this IFR, DHS is amending 8 CFR 103.2(a)(7)(ii) to codify the authority for USCIS adjudicating officers to either reject or deny the request if USCIS accepts a benefits request and later determines that it contains an invalid signature. DHS is making this change for several reasons.

A. Challenges Related to Invalid Signatures

In recent years, many requestors have been submitting benefit requests to USCIS with invalid signatures. For example, USCIS has seen requests submitted with invalid signatures created by copy-pasting or affixing an image of the same signature on multiple benefit requests in contravention of USCIS policy that allows for photocopied, faxed, or scanned signatures only if the photocopy, fax, or scan is of the original document containing the handwritten wet ink signature.[20] The USCIS Administrative Appeals Office (AAO) has adjudicated 758 appeals of requests that were denied because the signature was copied from another document. In effect, these requestors are pasting a picture of the signature from one signed document onto multiple unsigned documents, which can be done by anyone and not necessarily the signatory. In one case, the authorized signatory signed a blank sheet of paper and had their subordinate copy that signature onto at least 20 Petitions for Nonimmigrant Worker (Form I–129). In another case, a consulting firm completed and filed approximately 3,000 Petitions for Immigrant Worker (Form I–140) where the signature was pasted on the Form I–140.[21]

Other types of invalid signatures that USCIS commonly sees are signatures that are stamped, applications that are signed by someone other than the requestor (attorney, preparer, or interpreter), and signatures created by signature software programs. All of these types of invalid signatures raise concerns about the integrity of the request, including falsification, fraud, or the submission of requests on an individual's behalf without their knowledge or consent.

Proper signatures are critical to document that the requestor understood the form he or she signed and all of the evidence submitted with it. *See Gui Cun Liu* v. *Ashcroft,* 372 F.3d 529, 534 (3d Cir. 2004) (it is presumed that an asylum applicant's signature on form meant he was aware of contents); *see also Matter of Valdez,* 27 I&N Dec. 496, 499 (BIA 2018) ("[A]n alien's signature on an immigration application establishes a strong presumption that he or she knows the contents of the application and has assented to them."). It is critical that the requestor certify that all of the information on a request

basis. *See, e.g.,* USCIS Update, INFORMATION TO HELP COMPLETE AND SUBMIT I–129 PETITIONS TO USCIS SERVICES CENTERS FOR FY 2008 H–1B CAP CASES (March 27, 2007).

[15] USCIS Policy Memorandum from the Office of the Director, "Signatures on Paper Applications, Petitions, Requests, and Other Documents Filed with U.S. Citizenship and Immigration Services", PM–602–0134.1 (Feb. 15, 2018).

[16] USCIS Policy Alert, "Submission of Benefit Requests", PA–2020–07 (March 5, 2020).

[17] This is the standard form instruction that USCIS has adopted for use across all forms. However, one or more USCIS forms include form instructions provide that if USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS "will deny" the request, rather than "may deny" the request. *See, e.g.,* USCIS, Form N–400 Instructions, Instructions for Application for Naturalization, *https://www.uscis.gov/n-400* (last updated Jan. 20, 2025).

[18] *See* Web Alert, USCIS Announces Flexibility in Submitting Required Signatures During COVID–19 National Emergency (last updated May 1, 2020).

[19] Web Alert, USCIS Extends COVID–19-related Flexibilities (last updated July 25, 2022).

[20] USCIS Policy Manual, Volume 1, General Policies and Procedures, Part B, Submission of Benefit Requests, Chapter 2, Signatures, Section A, Signature Requirements [1 USCIS–PM B.2(A)], *https://www.uscis.gov/policy-manual/volume-1-part-b-chapter-2* (current as of Feb. 3, 2026). In certain instances, a stamped signature may be allowed as provided by the form instructions. For example, a health department physician who is acting as a blanket-designated civil surgeon and submitting a vaccination assessment for a refugee adjusting status on the Report of Medical Examination and Vaccination Record (Form I–693) may provide an original (handwritten) or stamped signature, as long as it is the signature of the health department physician. *See* USCIS, Form I–693 Instructions, Instructions for Report of Immigration Medical Examination and Vaccination Record, *https://www.uscis.gov/i-693* (last updated Jan. 20, 2025); *see also* USCIS Policy Manual, Volume 8, Admissibility, Part B, Health-Related Grounds of Inadmissibility, Chapter 4, Review of Medical Examination Documentation, Section C, Documentation Completed by Civil Surgeon, Subsection 3, Signatures [8 USCIS–PM B.4(C)(3)], *https://www.uscis.gov/policy-manual/volume-8-part-b-chapter-4* (current as of Feb. 3, 2026).

[21] The requests were also submitted without completed preparer sections or a Form G–28, Notice of Entry of Appearance as Attorney or Accredited Representative. All requests list the same in-care-of person and the requestor address is a residential address in the United States.

is true and correct, that he or she is responsible for the information that is binding on him or her, and that the requestor is granting permission for USCIS to investigate his or her background and use the information for processing and adjudication of the request. Ultimately, a signature on a benefit request represents the requestor's authorization for USCIS to investigate and adjudicate the request, and attestation to, and accountability for the contents of the request.

USCIS signature requirements also protect against the falsification of requests and submission of requests on an individual's behalf without their knowledge or consent. *See, e.g., United States* v. *Jimenez,* 972 F.3d 1183, 1193 (11th Cir. 2020) (affirming a conviction for immigration fraud where ''business owners . . . testified their signatures had been forged on the I–140 petition or the supporting documentation, or both''); *U.S.* v. *Adcock,* 447 F.2d 1337 (2d Cir.), *cert. den.,* 404 U.S. 939 (1971) (conviction for making false statements to INS); *Abusamhadaneh* v. *Taylor,* 873 F. Supp. 2d 682, 687–88 (E.D. Va. 2012) (reversing USCIS denial of naturalization application where applicant testified that his failure to disclose his relationship with a mosque was attributable to an attorney-preparer who signed the application and erroneously advised him that he was not required to disclose the affiliation).

That the request is properly signed is also a fundamental eligibility criterion for any immigration benefit request. *See Savane* v. *DHS,* 164 F.4th 93, 99 (3d Cir. 2026) (holding that 8 CFR 103.2(a)(2) requires the applicant or petitioner to certify under penalty of perjury that the benefit request, and all evidence submitted with it, either at the time of filing or thereafter, is true and correct). Failure to properly sign the request renders the requestor ineligible for the benefit. *See id.; see also Injeti* v. *U.S. Citizenship & Immigr. Servs.,* 737 F.3d 311, 318 (4th Cir. 2013) (explaining that 8 CFR 103.2(a)(2)'s signature and certification requirement is necessary to ''facilitate USCIS' assessment of whether the applicant is eligible for the benefit sought'').

B. Screening Challenges at Intake

While it is not explicitly stated, the regulations governing USCIS receipt and acceptance of requests at 8 CFR 103.2(a)(7) imply that USCIS will be able to identify and quickly reject benefits requests that do not meet minimum submission requirements, including requests with invalid signatures, at the point of intake.[22] However, USCIS intake procedures can only detect if a handwritten signature exists (*i.e.,* not missing and not typewritten). For various reasons, those intake procedures cannot identify all invalid signatures, including signatures copied from another document, signatures from someone other than the requestor, and signatures created by a signature software program.

First, USCIS received more than thirteen million benefit requests in FY 2025.[23] As a result of the volume of forms submitted to USCIS, benefit request intake must be automated to the maximum extent possible.[24] USCIS does not currently possess and cannot readily acquire the technology to identify all invalid signatures at intake. USCIS has explored obtaining the technology to identify invalid signatures but has been unable to find a product that is scalable and sufficiently accurate to meet signature requirements, high-volume document workflows, and intake speed.

Further, signature inspection cannot be handled manually at intake with the USCIS document volume, compliance requirements, and the need to ensure timely and efficient processing. The contractors and personnel that perform intake are not trained, or, by their position description, expected to analyze signatures. In many cases, intake contractors do not have access to USCIS systems needed to compare the instant request or document with previous filings by the requestor. Indeed, as discussed above in Section IV.A of this preamble, USCIS has seen an uptick in invalid signatures that are copy-and-pasted from other documents. From an initial review at USCIS intake, it is difficult, if not impossible, to differentiate these sorts of invalid signatures from signatures that are true copies of benefit requests with a valid original signature. In both instances, they present as a copy of a handwritten signature. It is only via comparison between documents and greater scrutiny at the adjudication stage that these sorts of issues are identified and able to be addressed. As a result of these intake screening limitations and challenges, invalid signatures are often only identified by the USCIS adjudicating officer after a benefit request is accepted.

In some cases, these invalid signatures can be identified only after USCIS officers perform a detailed comparison and review of signatures across a benefit requestor's filings. For example, officers may need to compare signatures from various previous requests and use an imaging tool to see if the signatures match. Additionally, signature deficiencies are sometimes only identified after the initial adjudication of filings because comparison of the signatures could only be made after receiving additional filings. When a signature deficiency is discovered after adjudication, USCIS officers must often expend time and resources reopening and re-adjudicating the benefit request, which has a ripple effect on USCIS' ability to timely adjudicate other applications, including those from applicants that have complied with signature requirements.[25]

C. USCIS Policy and Procedures

As previously described in Section III.B.3 of this preamble, USCIS signature policies have changed multiple times since 2010. USCIS signature requirements have evolved over time, reflecting changes in technologies and operational practices. This has led to varying approaches regarding whether requests with deficient signatures may or will be denied or if applicants are given an opportunity to correct the deficient signature through a Request for Evidence as provided by 8 CFR 103.2(b)(8). As a result of these shifting approaches and recent incidents that have drawn attention to invalid signatures, DHS believes that addressing how USCIS handles deficient signatures solely through policy guidance has not provided sufficient clarity for requestors and USCIS adjudicating officers, nor has it fully addressed the challenges described in this rule. Thus, DHS is using this rule to codify options for handling deficient signatures and to provide an explanation of the rationale behind this approach.

[22] *See, e.g.,* 76 FR 53764, 53770 (discussing recordation of filing dates for benefit requests in an electronic environment and how procedures had reflected regular mail, hand delivery, and internal actions of USCIS for physically paper, stamping dates etc.).

[23] USCIS, Office of Performance and Quality, NPD, CLAIMS3, ELIS, HQRAIO, queried Jan. 2026, PAER0020178.

[24] *See U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,* 89 FR 6194, 6169, 6209 (Jan. 31, 2024) (final rule).

[25] Numerous non-precedent decisions of the USCIS AAO also illustrate the complexities involved in the identification and adjudication of deficient signatures. *See, e.g.,* In Re. –, 2025 WL 1743144 (analyzing the ''image of a signature'' that was provided in the petitioner's signature block); In Re. –, 2023 WL 5747114 (AAO July 25, 2023) (discussing a signature generated by a word processor); In Re. –, 2022 WL 11142606 (AAO Aug. 31, 2022) (discussing an employer's failure to explain inconsistent signatures); In Re. –, 2019 WL 6873927 (AAO Nov. 15, 2019) (remanding to allow the Director to address signature discrepancies in the record, among other issues).

D. Purpose and Scope of This Rule

This rule responds to these problems by codifying the discretionary authority to reject or deny benefit requests that contain invalid signatures. DHS is providing USCIS adjudicators with this discretion because, in some cases, denials may be more appropriate than rejections. As discussed above in Section IV.A of this preamble, in recent years, USCIS has seen an uptick in many invalid signatures that are only able to be identified after a benefits request is accepted, typically by the adjudicating USCIS officer and after the adjudicating officer has expended time, effort, and resources on reviewing the request, including the requestor's compliance with signature requirements. DHS believes that this increase may be because denials are not currently codified and rejection of the request under the existing regulations, 8 CFR 103.2(a)(7)(ii)(A) (2025), is not sufficient to discourage parties from exploiting USCIS limitations on signature validation at intake.

Providing in DHS regulations that USCIS may deny the request and retain the fee will better support USCIS' efforts to enforce signature requirements and protect the integrity of the immigration benefit system by discouraging requestors from engaging in signature practices that clearly contravene USCIS signature requirements. Additionally, as discussed above in Section IV.B of this preamble, USCIS officers must often spend significant time and resources on applications that are not rejected at intake but are ultimately found to contain an invalid signature. A denial allows USCIS to retain the filing fees associated with a denied request to cover the costs associated with processing the request, including adjudication resources and costs.

At the same time, this rule provides USCIS adjudicators with flexibility to simply reject the benefit request, which results in refunding the fee. This may be appropriate if, for example, the officer is able to identify the deficient signature quickly and before spending significant time, resources, and effort on the request. Rejection may also be more appropriate than a denial if the signature defect appears to simply be a product of inadvertent error or omission, rather than reflecting a pattern or practice of failing to comply with USCIS signature requirements.

Finally, this rule does not change the existing regulations or procedures for requests that USCIS identifies as lacking a valid signature at intake. USCIS will continue to reject requests that are identified at intake as lacking a proper signature and return the request and the fee to the sender. At this time, USCIS believes that this is the appropriate policy because requests that are identified at intake as lacking a valid signature (*e.g.,* missing or typewritten signatures) are able to be quickly identified without significant costs or resource expenditures by USCIS.[26]

E. Alternatives Considered

As an alternative to this rule, USCIS considered addressing the above discussed problems by requiring all adjudicating officers to immediately review each case they are assigned for the adequacy of the signature on the request at the point he or she is assigned to adjudicate the request. This procedure would catch invalid signatures before much time has passed after the request was filed, and result in a rejection before the request has been in the processing queue for some time or the officer has expended effort on preliminary actions such as scheduling biometrics submission.[27]

This sort of analysis would be burdensome to perform given the millions of filings that USCIS receives each year. In Fiscal Year (FY) 2025, USCIS processed 11,037,994 requests and 11,651,012 were pending adjudication.[28] DHS believes that requiring an initial triage of each signature on each request by USCIS adjudicating officers would be reversing the burden of properly signing a request from the requestor to the USCIS officer.[29] DHS appreciates that a requestor or a beneficiary whose request is rejected or denied many months after being submitted because of a signature may be frustrated by that rejection or denial when their request was accepted, they received a receipt notice, and they thought their request was being processed. Nevertheless, USCIS should be able to rely on the requestor to sign their request and assume they have properly done so without the need to pause work on others' requests to conduct a preliminary review of each submission to protect the requestor from their own oversight.

USCIS has also considered, but has rejected, adopting a policy of allowing requestors to "cure" any deficient signature that is identified after the request was accepted for adjudication. At the outset it is important to note that this rule does not change the policy and practice of requesting evidence to support the validity of any signature or authority of the signatory, or to request the originally signed benefit request or document when a copy of the request was filed. An officer may use the discretion provided by 8 CFR 103.2(b)(8) to request additional evidence from the requestor if the officer is not certain whether a signature is valid, such as when he or she questions if the individual who signed the request is authorized to commit the requestor or if the signature is that of the printed name above it. Likewise, if a copy of a benefit request was filed, an officer may request the original as provided by 8 CFR 103.2(b)(5) if, for example, the signature appears to be computer-generated or a stamp. If the officer determines after these further inquiries that the signature is valid, the officer will retain the request for adjudication. If the officer determines that the signature is invalid, then the officer can exercise the discretion provided by this rule to reject or deny the request.

However, it is important to distinguish 8 CFR 103.2(b)(8), which involves missing required initial evidence which can be remedied while pending, with 8 CFR 103.2(a)(7)(ii), which addresses failure to meet threshold submission requirements that result in the request not being considered at all. While there is discretion under the regulations to allow submission of required evidence post-submission, USCIS officers have no discretion to "cure" an invalid signature or deficient signature that would have rendered the filing invalid at the time of submission.

Moreover, USCIS does not believe that amending the regulations to cure a deficient signature would be appropriate. Many USCIS benefit requests involve filing deadlines that

[26] As stated previously, USCIS does not refund the filing fee when it rejects an appeal filed by a person or entity not entitled to file an appeal, under 8 CFR 103.3(a)(2)(v)(A)(*1*). Additionally, on April 29, 2026, DHS published an interim final rule titled *USCIS Immigration Fees and Related Procedures Required by H.R.1 Reconciliation Bill,* 91 FR 22952 (Apr. 29, 2026). After that rule takes effect, USCIS will not refund the filing fee when a filed asylum application is rejected at intake or otherwise. *See* 91 FR 22956.

[27] When there is not a processing backlog and the case will be processed relatively soon, a prompt review of compliance with filing requirements by USCIS adjudicators adds no efficiencies. This alternative, implemented prospectively, would also not address the over 11 million requests currently pending.

[28] USCIS, Immigration and Citizenship Data, All USCIS Application and Petition Form Types (Fiscal Year 2025, Quarter 4), *https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data* (Sep. 30, 2025).

[29] Additionally, as discussed above in Section IV.B of this preamble, in some cases USCIS officers are only able to identify invalid signatures during the adjudication process after the requestor provides additional signed documents.

have major ramifications if missed.[30] When USCIS assigns a receipt date to a deficient filing that is subject to a statutory numerical limit, that deficient filing precludes acceptance of and assignment of a numerically limited visa or status to a valid filing. An ameliorative policy would harm requestors who properly sign their filing because the deficient filing gets in line ahead of others who filed properly, receives an earlier priority date, or is granted access to a cap-subject benefit.[31] As stated previously, USCIS rejecting a request allows for refiling of the benefit request when the error can be corrected. However, where the operative priority date no longer exists or has retrogressed and visa numbers are no longer available, the requestor who used a copied or otherwise invalid signature may cause a properly filed and signed request to be excluded. Individuals who were not allowed to take advantage of an earlier filing or priority date or missed out on a cap subject benefit suffer a concrete injury because another individual, knowingly or otherwise, submitted a deficient filing just to get a foot in the door first. Therefore, DHS is making no changes to current regulations that provide no authority to "cure" a request that should have been rejected in the first instance for lack of a valid signature because the case was never properly before the agency. DHS has determined that rejection and denial are appropriate in these instances.

F. Other Impacts of This Rule

DHS has also considered other impacts that codifying the discretion for USCIS to issue denials would result in beyond USCIS retaining the fee. DHS has determined that, for all but a very few requests, retention of the fees paid for a denial and the provision of appeal rights for a denial are the only differences between rejection and denial. As stated previously, DHS realizes that many USCIS benefit requests involve filing deadlines that have major ramifications if missed, but the impacts regarding deadlines are generally the same if the request is rejected or denied. If the relevant deadline has not passed, the applicant can correct the deficiencies that resulted in the denial, complete a new request, and submit it. Following rejection, completing a new request may not be required, but the deadline impact remains the same.

DHS acknowledges that certain benefits attend to a pending request, such as eligibility for employment authorization,[32] advance parole,[33] or protection from removal (deferred action for a bona-fide or prima facie determination),[34] and when the request is no longer pending, those benefits are not available. However, absent a passed deadline, lack of a visa, or inability to meet threshold filing requirements, generally (with one exception discussed immediately below) no law or regulation precludes an individual or entity that was previously denied from submitting the same immigration benefit request again. Thus, loss of the fee, gain of an appeal, completion of a new form, and payment of a new fee following the denial are the only differences between rejection and denial.

DHS is making an exception in this rule for the Form N–600, Application for Certificate of Citizenship, and Form N–600K, Application for Citizenship and Issuance of Certificate Under Section 322. An applicant seeking a certificate of citizenship may submit only one Form N–600, Application for Certificate of Citizenship, or Form N–600K, Application for Citizenship and Issuance of Certificate Under Section 322. If a Form N–600 or N–600K is denied and the appeal period has passed, any subsequent applications are rejected. *See* 8 CFR 320.5(c), 322.5(c), and 341.5(e). Instead of filing a new application, the applicant is required to file a motion under 8 CFR 103.5. *Id.* Therefore, because a denial may have more of an impact than a rejection on Forms N–600 and N–600K, DHS is exempting these applications from this rule.

V. Regulatory Requirements

A. The Administrative Procedure Act (APA)

The APA requires DHS to provide public notice and seek public comment on substantive regulations. *See* 5 U.S.C. 553. The APA, however, provides limited exceptions to this requirement for notice and public comment, including for "rules of agency organization, procedure or practice." 5 U.S.C. 553(b)(A).

Not all rules that appear procedural are exempt from notice and comment, and the distinction between substantive and procedural rules is not a clear line. *JEM Broad. Co., Inc.* v. *FCC,* 22 F.3d 320, 326 (D.C. Cir. 1994). However, almost all procedural rules affect substantive rights to some degree and substantive rules are bounded and defined by procedural dictates. *Lamoille Valley R. Co.* v. *ICC,* 711 F.2d 295, 328 (D.C. Cir. 1983). A procedural rule cannot alter the rights or interests of parties, although it may alter the manner in which the parties present themselves or their viewpoints to the agency. *James V. Hurson Assocs., Inc.* v. *Glickman,* 229 F.3d 277, 280 (D.C. Cir. 2000). The determining factor is whether the substantive effect is enough to provide that notice and comment are needed to safeguard the policies underlying the APA. *Id.*

Applying the exception to this rule, DHS first notes that its current policy states that "[i]f USCIS accepts a request for adjudication and later determines that it has a deficient signature, USCIS denies the request." [35] With this IFR, DHS is incorporating into its regulations procedures that have been in place since 2018 and that are reflected in most USCIS forms: authority to deny, in appropriate circumstances, benefit requests that contain an invalid signature. Ensuring that DHS regulations are consistent with existing USCIS policy and guidance ensures that the general public has access to these policies through DHS regulations without needing to refer to un-codified policy guidance. Moreover, as explained further below in Section V.E of this preamble, DHS estimates that codifying this long-standing authority in DHS's regulations will result in no additional costs to impacted applicants nor the Federal government. Accordingly, DHS believes that this procedural rule, which codifies USCIS policy, does not impact requestors "to a degree sufficient to implicate the policy interests animating notice-and-comment rulemaking." *See Elec. Privacy Info. Ctr.* v. *U.S. Dep't of Homeland Sec.,* 653 F.3d 1, 6 (DCCir.2011).

Even absent the existing policy, DHS finds that the policy adopted in this IFR to address deficient signatures, qualifies as procedural because it "does not change the substantive standard by

[30] *See, e.g.,* INA 204(a)(1)(A)(iii)(II)(aa)(CC) (To qualify for a VAWA self-petition based on an abusive U.S. citizen, the survivor spouse must file a self-petition during the marriage or within two years of the termination of the marriage or the loss of immigration status of the abuser); 20 CFR 656.30(a)(b)(1) ("An approved permanent labor certification . . . expires if not filed in support of a Form I–140 petition with the Department of Homeland Security within 180 calendar days of the date the Department of Labor granted the certification); 8 CFR 208.4(a)(2) ("One-year filing deadline" . . . an applicant has the burden of proving: . . . that the [asylum] application has been filed within 1 year of the date of the alien's arrival. . . .").

[31] USCIS has anecdotal evidence of practitioners who submit a known bad signature so they can get their spot in the processing line with their plan being to fix it later.

[32] *See, e.g.,* 8 CFR 208.7(a)(1) and 8 CFR 274A.12(c)(9).

[33] 8 CFR 245.2(a)(4)(ii)(A).

[34] 8 CFR 214.204(b)(2)(iii).

[35] As discussed above, that policy is also reflected in most USCIS forms and applications. See Section III.B.3 of this preamble.

which [the agency] evaluates'' immigration benefits requests. *JEM Broadcasting,* 22 F.3d at 327. Initially, DHS notes that signature requirements, while intertwined with the eligibility requirements for the relevant immigration benefits, are fundamentally procedural because they establish the methods and procedures that USCIS and requestors must follow when seeking a benefit, but they do not govern the substance of the immigration benefit itself. Further, this IFR does not impose any new or additional signature requirements; it merely codifies USCIS discretion to reject or deny a request if USCIS determines that the request contains an invalid signature during the adjudication process. Moreover, as discussed above in Section IV.F of this preamble, with two exceptions noted in this rule, there is no substantive difference between a denial and a rejection on a requestor's future eligibility for the benefit because no law or regulation precludes the requestor from re-applying for the benefit after a denial.

DHS acknowledges that a denial, as compared to a rejection, may impose an additional burden on requestors to complete a new request and pay a new fee to re-apply after a denial. However, DHS finds that these incidental burdens do not otherwise convert this procedural rule into a substantive one for the APA's notice and comment purposes. *See Glickman,* 229 F.3d at 281 (''[A]n otherwise-procedural rule does not become a substantive one, for notice-and-comment purposes, simply because it imposes a burden on regulated parties.''). Current regulations already provide that ''[f]iling fees generally are non-refundable regardless of the outcome of the benefit request, or how much time the adjudication requires, and any decision to refund a fee is at the discretion of USCIS.'' 8 CFR 103.2(a)(1). Therefore, requestors have no right to the return of a fee. Moreover, requestors can avoid denial, loss of a fee, and the need to reapply by simply complying with USCIS signature requirements. Additionally, a requestor whose request was denied for an invalid signature may appeal the denial and, if successful, the requestor can avoid having to complete a new request. Finally, as discussed immediately above, a denial does not, itself, impact a requestor's substantive eligibility for the benefit if the requestor submits a new request.[36]

For all these reasons, individually and collectively, DHS believes that this rule qualifies as procedural and is therefore exempt from the APA's notice and comment requirements. 5 U.S.C. 553(b)(A). Although this rule is procedural, DHS nevertheless recognizes the value of public input and is publishing this rule as an IFR with request for comments.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) mandates that agencies conduct a regulatory flexibility analysis when the agency was required to ''publish [a] general notice of proposed rulemaking.'' 5 U.S.C. 603(a). DHS has determined that this rule is exempt from the notice-and-comment requirements in 5 U.S.C. 553, and, therefore, a regulatory flexibility analysis is not required.

C. Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

D. Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based companies to compete with foreign-based companies in domestic and export markets. DHS will submit this IFR to both houses of Congress and the Comptroller General before the rule takes effect.

E. Executive Order 12866 (Regulatory Planning and Review), Executive Order 13563 (Improving Regulation and Regulatory Review), and Executive Order 14192 (Unleashing Prosperity Through Deregulation)

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 14192 directs agencies to significantly reduce the private expenditures required to comply with Federal regulations and provides that ''any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.''

The Office of Management and Budget (OMB) has not designated this rule a ''significant regulatory action,'' under section 3(f) of Executive Order 12866. Accordingly, OMB has not reviewed it.

This rule is not an Executive Order 14192 regulatory action because it is being issued with respect to an immigration-related function of the United States. The rule's primary direct purpose is to implement or interpret the immigration laws of the United States (as described in INA 101(a)(17), 8 U.S.C. 1101(a)(17)) or any other function performed by the U.S. Federal Government with respect to aliens. *See* OMB Memorandum M–25–20, ''Guidance Implementing Section 3 of Executive Order 14192, titled 'Unleashing Prosperity Through Deregulation' '' (Mar. 26, 2025).

DHS is pursuing this regulatory action to clarify in its regulations how the agency will process benefit requests submitted without a valid signature. This IFR makes one change and one clarification. First, the regulation codifies the authority for USCIS to either reject or deny a benefit request that does not contain a valid signature, recognizing that not every invalid signature will be identified at intake. Second, the regulation gives USCIS the discretion to determine which result (reject or deny) is appropriate based on the facts and circumstances of each individual filing and situation, allowing the agency the ability to take such facts and circumstances into account. Current regulations do not expressly authorize any form of ''cure'' for invalid signatures; this change should impose no additional record keeping burden and should not change the outcome of submitting a benefit request without a valid signature from the outcome required by current law. This will not result in any additional costs to USCIS because the costs of denying a benefit request would be similar to the costs for rejecting that same request. Therefore, DHS estimates that this clarification and change will not result in a direct cost to USCIS or to an individual requestor.

[36] DHS acknowledges that retaining a fee and requiring a requestor to pay a new fee at the time of re-filing may impose an additional financial hardship on certain requestors, however, DHS notes that this rule does not change any fees for applications, nor does it modify the criteria for fee waivers.

USCIS adjudicators already issue denials based on deficient signatures. This IFR will codify existing procedures, providing clarification of this policy. Because USCIS is codifying existing procedures, DHS expects that neither requestors nor USCIS will incur additional costs due to this rule.

DHS assesses the costs and benefits of this rule against a baseline scenario. For this rule, DHS assesses the impacts of the rule against both the current baseline (status quo, or no action), and a pre-policy baseline (the state of the world prior to the change in policy). Under a no-action baseline, there are no expected costs of the IFR because USCIS policy already states the agency may deny a form as a result of deficient signatures; however, there are expected benefits and potential transfers. Benefits of the IFR include improved clarity for requestors regarding the risks of denial associated with deficient signatures. The potential transfers associated with this IFR are possible reductions in the number of forms received by USCIS, though we do not have evidence to suggest any reduction would be significant.

The pre-policy baseline considers the impacts when the policy was enacted and compares the effects of the IFR relative to no denials during adjudication based on deficient signatures. Under the pre-policy baseline, deficient signatures caught during adjudication would result in rejection of the form and the return of fees. In the pre-policy baseline, this results in costs to USCIS associated with adjudication that were not covered by user fees since the fees were returned to the requestor. The IFR would eliminate these costs to the Agency.[37] If a form is rejected, the requestor may be able to re-file the form if the window of opportunity to submit remains open. In the pre-policy baseline, the requestor would incur costs associated with refiling, such as opportunity costs of time to resubmit the form.[38] The requestor would be able to use the returned fee(s) to cover the form fees. However, the requestor would not be able to appeal a rejection. Under this IFR, if a form is denied for deficient signatures, the requestor can appeal the denial and challenge the invalid signature determination. This can be of use in situations where the person's place in line is important.

Because a denial results in the requestor being provided appeal rights, and rejections may not be appealed, additional Forms I–290B, Notice of Appeal or Motion, may be filed than before this rule if more requests are denied, all else staying the same. That may result in some denied requestors incurring costs associated with Form I–290B, while had they been rejected, they would only have to resubmit their rejected request. The fees associated with filing Form I–290B are transfers from the requestor to USCIS to cover the cost of adjudicating the form; the requestor will incur opportunity costs of time associated with the estimated 1.184 hours to submit Form I–290B.[39] However, requestors may also resubmit a denied request and forgo an appeal.[40]

Once the form has entered the adjudication process, it is expected that this IFR will not change how long it takes an officer to realize the form has an invalid or deficient signature. Therefore, this IFR is neither expected to affect the timing of whether a form would be denied or rejected for a deficient signature, nor expected to impact the window of opportunity for a requestor to resubmit a form. Since USCIS does not expect this IFR to affect the timing of when a form is rejected or denied for a deficient signature, we do not expect this IFR will affect the period of time a requestor is considered to have a pending request. Therefore, this IFR is not expected to affect the benefits to the requestors that attend from a pending request, such as eligibility for employment authorization, advance parole, or protection from removal.

Table 1 provides a summary of impacts due to this rule (the no action baseline) compared to the impacts of the policy (the pre-policy baseline).

TABLE 1—SUMMARY OF IMPACTS

Comparison	Costs	Transfers	Benefits
No Action Baseline vs. Interim Final Rule.	None	Clarity for requestors regarding signature requirements.	USCIS could receive fewer forms for adjudication.
Pre-Policy Baseline vs. Interim Final Rule.	Denials can be appealed or re-submitted. There is an opportunity cost of time to the requestor to submit either an appeal or to submit a new form; fees would be required for both.	Encourages properly signed applications. Covers adjudication costs of forms that contain deficient signatures.	USCIS could receive fewer resubmitted forms. Form fees associated with Form I–290B, Notice of Appeal or Motion. Form fees if the requestor chooses to submit a new form.

The denials that occur because of the existing procedure codified in this rule will be due to decisions made by an adjudicator that has reviewed a benefit request; and, USCIS fees are designed to cover the costs to the agency of processing benefit requests, including adjudication. Table 2 shows the total number of denials for signature reasons for FY 2021 to FY 2025. As discussed, Table 2 shows that the number of denials based on issues with the signature have increased significantly in recent years. The number of denials for signature reasons in the future are estimated to be around 1,200 applications annually based on historical data.

TABLE 2—THE ANNUAL NUMBER OF DENIALS FOR SIGNATURE REASONS
[FY 2021–FY 2025]

Fiscal year	Total
2021	300
2022	436
2023	727
2024	1,545
2025	2,953

[37] This is technically a negative cost to the agency, but to provide a more easily understood analysis, we include this as a benefit to the agency.

[38] We do not attempt to estimate an expected opportunity cost of time to file a form to USCIS given the large number of forms and variance in the time burden to file a form.

[39] The general filing fee for Form I–290B, unless excepted, is $800. See G–1055, Fee Schedule (Feb. 23, 2026 Edition), I–290B, Notice of Appeal or Motion at *https://www.uscis.gov/sites/default/files/document/forms/g-1055.pdf.*

[40] 40 Aside from Forms N–600 and N–600K as described above in Section IV.F of this preamble.

TABLE 2—THE ANNUAL NUMBER OF DENIALS FOR SIGNATURE REASONS—Continued

[FY 2021–FY 2025]

Fiscal year	Total
5-Year Annual Average	1,192

Source: Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Performance and Quality, NPD, ECHO, queried 1/2026, PAER0020097.

It is possible that this IFR will result in a decrease in the number of forms filed with a deficient signature. If this is the case, it means either that the agency is receiving fewer forms for adjudication, or that publication of this IFR provided sufficient notice and information about factors USCIS considers concerning signature requirements and the potential consequences of invalid signatures. The former is a reduction in transfers between requestors and USCIS; the latter is an increase in the benefits to requestors. However, the agency does not have evidence to support this hypothesis. Form instructions already include the following:

> Signature. You (or your signing authority) must properly complete your application. USCIS will not accept a stamped or typewritten name in place of any signature on this application. If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf. A legal guardian may also sign for a mentally incompetent person. If your application is not signed, or if the signature is not valid, we will reject your application. *See* 8 CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS may deny the request.'' [41]

While requestors are expected to follow the instructions on the forms they file, DHS notes that requestors are informed of the risk of lost fees as a result of deficient signatures. Therefore, we expect the number of forms received will not change in a meaningful way as a result of this rule.

DHS acknowledges that long processing backlogs exist for almost all USCIS benefit requests, and, as a result of such backlogs, an invalid signature may not be detected for months or years after the request was submitted. Such a requestor may not be able to correct his or her signature and resubmit the benefit request because the visa is no longer available, a deadline has passed, or an age parameter has been exceeded. For example, because of annual limits on U nonimmigrant visas, USCIS may not substantively review a filed Form I–918, Petition for U Nonimmigrant Status, for months or years after intake and, if such a petition is rejected and resubmitted, it will be further down the processing queue because of backlogs, based on a deficient signature that was not caught at intake. Nevertheless, a benefit requestor bears the burden of demonstrating eligibility at the time of filing, which includes properly completing the benefit request. 8 CFR 103.2(b)(1). A valid signature has always been required for the proper completion of a benefit request, and that foundational element of eligibility is not changing with this IFR. 8 CFR 103.2(a)(7). Simultaneously, the policy on what is a valid or invalid signature is not changing with this rule.

F. Executive Order 13132

This rule will not have substantial direct effects on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, DHS has determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism summary impact statement.

G. Executive Order 12988: Civil Justice Reform

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

H. National Environmental Policy Act

DHS and its components analyze proposed regulatory actions to determine whether the National Environmental Policy Act (NEPA), 42 U.S.C. 4321, *et seq.,* applies and, if so, what degree of analysis is required. DHS Directive 023–01 Rev. 01 ''Implementing the National Environmental Policy Act'' (Dir. 023–01 Rev. 01) and Instruction Manual 023–01–001–01 Rev. 01 (Instruction Manual) [42] establish the policies and procedures that DHS and its components use to comply with NEPA.

NEPA allows Federal agencies to establish, in their NEPA implementing procedures, categories of actions (''categorical exclusions'') that experience has shown do not, individually or cumulatively, have a significant effect on the human environment and, therefore, do not require an environmental assessment or environmental impact statement.[43] The Instruction Manual, Appendix A lists the DHS Categorical Exclusions.[44]

Under DHS NEPA implementing procedures, for an action to be categorically excluded, it must satisfy each of the following three conditions: (1) The entire action clearly fits within one or more of the categorical exclusions; (2) the action is not a piece of a larger action; and (3) no extraordinary circumstances exist that create the potential for a significant environmental effect.[45]

This rule is limited to amending existing DHS regulations governing the submission of benefits requests. It provides that USCIS may, in its discretion, reject or deny a request that lacks a valid signature. This rule also standardizes USCIS policy and clarifies USCIS practices relating to the rejection or denial of benefit requests that do not meet regulatory requirements to ensure clarity for stakeholders. DHS has reviewed this rule and finds that no significant impact on the environment, or any change in environmental effect, will result from the amendments being promulgated in this rule.

Accordingly, DHS finds that the promulgation of this rule's amendments to current regulations clearly fits within categorical exclusion A3 established in DHS's NEPA implementing procedures as an administrative change with no change in environmental effect, is not part of a larger Federal action, and does not present extraordinary circumstances that create the potential for a significant environmental effect. Therefore, the proposed regulatory amendments are categorically excluded from further NEPA review.

I. Paperwork Reduction Act

Under the PRA, 44 U.S.C. chapter 35, all Departments are required to submit to OMB, for review and approval, any reporting requirements inherent in a rule. USCIS anticipates that no collections of information will be directly impacted by this rule. Signatures are currently required for all submitted collections of information and instructions detailing the requirements for valid signatures along with the Agency's remedies for signatures deemed not valid will support the rulemaking. To the extent that form instructions must be revised

[41] This is the standard form instruction that USCIS has adopted for use across all forms. However, as previously noted, one or more USCIS forms include form instructions providing that USCIS will deny the request. *See* Section III.B.3 of this preamble, n. 17.

[42] The Instruction Manual contains DHS's procedures for implementing NEPA and was issued on November 6, 2014, *https://www.dhs.gov/ocrso/eed/epb/nepa* (last updated July 29, 2025).

[43] *See* 42 U.S.C. 4336(a)(2), 4336e(1).

[44] *See* Instruction Manual, Appendix A, Table 1.

[45] Instruction Manual at V.B(2)(a) through (c).

due to the changes in this rule, while not changing the information collection burden, USCIS will prepare and submit a non-substantive change worksheet for the affected forms to OMB.

List of Subjects in 8 CFR Part 103

Administrative practice and procedure, Authority delegations (Government agencies), Freedom of information, Immigration, Privacy, Reporting and recordkeeping requirements, Surety bonds.

Accordingly, DHS is amending part 103 of chapter I of title 8 of the Code of Federal Regulations to read as follows:

PART 103—IMMIGRANT BENEFITS; BIOMETRIC REQUIREMENTS: AVAILABILITY OF RECORDS

■ 1. The authority citation for part 103 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a; 8 U.S.C. 1101, 1103, 1304, 1356, 1356b, 1372; 31 U.S.C. 9701; 48 U.S.C. 1806; Public Law 107–296, 116 Stat. 2135 (6 U.S.C. 1 *et seq.*); E.O. 12356, 47 FR 14874, 15557, 3 CFR, 1982 Comp., p. 166; 8 CFR part 2; Pub. L. 112–54, 125 Stat 550; 31 CFR part 223.

Subpart A—Applying for Benefits, Surety Bonds, Fees

■ 2. Amend section 103.2 by revising paragraph (a)(7)(ii)(A) to read as follows:

§ 103.2 Submission and adjudication of benefit requests.

* * * * *

(a) * * *

(7) * * *

(ii) * * *

(A) Signed with valid signature.

(*1*) Every form, benefit request, or other document that requires a signature must be submitted with a valid signature.

(*2*) If USCIS accepts a benefit request and determines later that the request was not submitted with a valid signature, USCIS may reject or deny the request, except

(*3*) An Application for Certificate of Citizenship or Application for Citizenship and Issuance of Certificate Under Section 322 of the INA filed by an applicant seeking a certificate of citizenship may only be rejected if the only deficiency with the request is that it was not submitted with a valid signature;

* * * * *

Markwayne Mullin,

Secretary, U.S. Department of Homeland Security.

[FR Doc. 2026–09289 Filed 5–8–26; 8:45 am]

BILLING CODE 9111–97–P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 2

Official Seal

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission (''CFTC'' or ''Commission'') is adopting a final rule that revises the Commission's regulations to adopt a new seal. This final rule provides a description of the new seal and its image.

DATES: This rule is effective May 11, 2026.

FOR FURTHER INFORMATION CONTACT: Stephen Andrews, Deputy General Counsel for Regulation, *sdandrews@cftc.gov,* 202–308–7563; Dhaval Patel, Assistant General Counsel, *dpatel@cftc.gov,* 202–418–5125; Office of the General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

I. Discussion

Commission Regulation 2.1(a) provides a description of the Commission's seal. The Commission is revising Regulation 2.1(a) to adopt a new seal. The new seal has a navy background and depicts a stylized white American eagle and a navy and white shield emblazoned with 5 stripes and three stars beneath an arch of nine stars. The eagle is holding in its left talon an olive branch and in its right talon the scale of balanced justice, both in gold. These symbols are enclosed within two golden rings. Between the two rings, spanning the top, the words, in all capitals, ''COMMODITY FUTURES TRADING COMMISSION'', and, spanning the bottom, the words, in all capitals, ''UNITED STATES OF AMERICA.''

Commission Regulation 2.1(b) provides an illustration of the seal. The Commission is revising Regulation 2.1(b) to adopt a new image of the seal as illustrated below: