U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40734197

Date: AUG. 17, 2026

Appeal of U.S. Citizenship and Immigration Services (USCIS) Decision

Form I-140, Immigrant Petition for Alien Workers (Extraordinary Ability)

The Petitioner seeks classification as an alien of extraordinary ability. *See* section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those aliens who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation. *Id.*

USCIS denied the petition, concluding the Petitioner had not established she had a major, internationally recognized award, or that she met at least three of the ten regulatory criteria to establish the initial evidentiary requirements for the classification. The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3.

The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

I. LAW

The regulation at 8 C.F.R. § 103.2(a)(2) provides that "[u]nless otherwise specified in this chapter, an acceptable signature on a benefit request that is being filed with USCIS is one that is either handwritten or, for benefit requests filed electronically as permitted by the instructions to the form, in electronic format."

USCIS considers a valid signature to be "*any handwritten mark or sign made by a person"* and it does not need to be legible or written in cursive. However, an abbreviated or other handwritten signature must be consistent with how the person normally signs their name. *See generally* 1 *USCIS Policy Manual* B.2(B) (emphasis added), https://www.uscis.gov/policymanual. A valid signature must be made by the person who is the affected party with standing to file an appeal or motion to signify that "[t]he person knows of the content of the request and any supporting documents; [t]he person has reviewed and approves of any information contained in such request and any supporting documents; and [t]he person certifies under penalty of perjury that the request and any other supporting documents

are true and correct." *See generally* 1 *USCIS Policy Manual* B.2(B). A person's signature on an immigration form establishes a strong presumption that the signer knows its contents and has assented to them, absent evidence of fraud or other wrongful acts by another person. *Matter of Valdez*, 27 I&N Dec. 496, 499 (BIA 2018) (citing *Thompson v. Lynch*, 788 F.3d 638, 647 (6th Cir. 2015); *Bingham v. Holder*, 637 F.3d 1040, 1045 (9th Cir. 2011).

The USCIS Policy Manual provides that in "general, any person requesting an immigration benefit must sign their own immigration benefit request, and any other associated documents, before filing it with USCIS." *See generally* 1 *USCIS Policy Manual*, *supra*, at B.2(C)(1) (citing to 8 C.F.R. § 103.2(a)(2)). Without the Petitioner's actual and personal signature as the declarant, the declaration under the penalty of perjury on the Form I-290B has no evidentiary force. Moreover, if we determine that a benefit request does not contain a valid or a proper signature, we reject, deny, or dismiss it without providing an opportunity to correct or cure a deficient signature. 8 C.F.R. § 103.2(a)(7)(ii)(A); *See generally* 1 *USCIS Policy Manual*, *supra*, at B.2(A).

II. ANALYSIS

The record does not establish that the Petitioner personally signed Form I-290B. The signature appearing in Part 4 of Form I-290B is a handwritten rendering of the Petitioner's surname, [redacted] That signature differs substantially from the Petitioner's signatures elsewhere in the record. Specifically, the Petitioner signed the underlying Form I-140 with a distinctive script signature. The same or substantially similar script signature also appears on the Petitioner's letter submitted in support of the underlying petition and on the Petitioner's passport. These signatures are consistent with one another but materially different in appearance from the handwritten name appearing in the Petitioner's signature block on Form I-290B. We further observe that the handwriting used for the Petitioner's purported signature on Form I-290B resembles the handwriting used for the preparer's signature on the same form. The relevant issue is whether the record established that the Petitioner personally signed the appeal.

Considering the materially different signature on Form I-290B and the consistent examples of the Petitioner's signature elsewhere in the record, the Petitioner has not established that the signature on the Form I-290B is their signature or is consistent with how they normally sign their name.

Accordingly, the record does not establish that Form I-290B was personally signed by the Petitioner as required by 8 C.F.R. § 103.2(a)(2). In this case, the signature is invalid because it does not signify the purported signatory knows the contents of the request and supporting documents submitted on their behalf, that they have reviewed and approved of the information therein, and that they have certified the truth and correctness of the request under penalty of perjury.

The probative force of a benefit request subscribed under penalty of perjury derives from the actual signature of the applicant or petitioner. 28 U.S.C. § 1746 (requiring the signature of the declarant); *see also U.S. v. Bueno-Vargas*, 383 F.3d 1104, 1111 (9th Cir. 2004) ("We conclude that signing a statement under penalty of perjury satisfies the standard for an oath or affirmation, as it is a signal that the declarant understands the legal significance of the declarant's statements and the potential for punishment if the declarant lies."). By requiring a petitioner to verify the truth of the benefit request, the submitted evidence, and the related claims by personally reviewing and signing the immigration

form under penalty of perjury, USCIS aims to ensure the accuracy of the information. Only the petitioner can attest to the truth of these matters. When a USCIS form is not signed by the petitioner to attest to its veracity, the evidentiary basis for the petition and supporting evidence no longer exists.

Because the record does not establish that the Petitioner personally signed Form I-290B, we cannot recognize the appeal as properly filed by an affected party with legal standing in these proceedings. *See* 8 C.F.R. § 103.3(a)(1)(iii)(B). Nor can we decide that the Petitioner properly filed this appeal, and we will dismiss this filing. *See generally* 1 *USCIS Policy Manual*, *supra*, at B.2(B). Because this issue is dispositive of the appeal, we do not reach the merits of the USCIS' decision or the Petitioner's arguments on appeal.

III. CONCLUSION

The Petitioner has not established that Form I-290B contains her valid signature. Accordingly, the appeal was not properly filed. In visa petition proceedings, it is a petitioner's burden to establish eligibility for the immigration benefit sought. The Petitioner has not met that burden.

ORDER: The appeal is dismissed.

NOTICE: This constitutes the final decision in this matter. The filing of a motion will not postpone the effect of the decision. 8 C.F.R. § 103.5(a)(1)(iv). Aliens who are not lawfully present, or who are otherwise inadmissible or deportable, may be subject to the commencement of removal proceedings under section 240 of the Act through the issuance of a Form I-862, Notice to Appear. Those proceedings may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.