U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 40375345

Date: NOV. 25, 2025

Appeal of Service Center Operations (SCOPS) Decision

Form I-140, Immigrant Petition for Alien Workers (National Interest Waiver)

The Petitioner, an airline pilot and flight instructor, seeks employment-based second preference (EB-2) immigrant classification as a member of the professions holding an advanced degree, as well as a national interest waiver of the job offer requirement attached to this classification. *See* Immigration and Nationality Act (the Act) section 203(b)(2), 8 U.S.C. § 1153(b)(2).

Service Center Operations (SCOPS) denied the petition, concluding the Petitioner did not establish eligibility for the underlying EB-2 classification as a member of the professionals holding an advanced degree. The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3. 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.

U.S. Citizenship and Immigration Services (USCIS) requires a valid signature on applications, petitions, requests, and certain other documents filed with USCIS, including the Form I-140, Immigrant Petition for Alien Workers. *See* 8 C.F.R. § 103.2(a)(2) (explaining that an applicant or petitioner must sign their benefit request). The Form I-140 instructions also specify that the form must be signed. *See Instructions for Form I-140*, https://www.uscis.gov/i-140.

The regulations provide that "[b]y signing the benefit request, the applicant or petitioner . . . certifies 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." 8 C.F.R. § 103.2(a)(2). According to USCIS policy, "[i]f USCIS accepts a request for adjudication and later determines that it has a deficient signature, USCIS denies the request." *See* 1 *USCIS Policy Manual* B.2(A), https://www.uscis.gov/policy-manual.

In this case, the Petitioner did not sign his Form I-140. The Form I-140 at Part 8 ("Contact Information, Certification, and Signature of the Petitioner or Authorized Signatory") is blank. Because the form does not contain the required signature, it was not properly filed. As the petition was not properly filed, we must dismiss it.

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.