

USCIS Announces Extension of Certain Flexibilities

Since March 2020, U.S. Citizenship and Immigration Services (USCIS) has granted petitioners and beneficiaries certain flexibilities with respect to various petitions filed with USCIS. Since that time, those flexibilities have continued to be extended on a routine basis.

On October 24, 2022, USCIS extended certain COVID-19 flexibilities through January 24, 2023. USCIS has granted an additional 60 days to respond to Notices of Intent to Deny/Revoke/Rescind and Requests for Evidence if issued between March 1, 2020, and January 24, 2023. As a means of finding ways to assist applicants, employers, petitioners, beneficiaries, and requestors, USCIS announced that it will continue to consider a response received within 60 calendar days after the due date set forth in the request or notice before taking any action, if the request or notice was issued between March 1, 2020, and January 24, 2023.

In addition, in an effort to take the lessons learned from the pandemic, USCIS has been evaluating which flexibilities can and should be extended indefinitely. As a result of this evaluation, USCIS announced on July 25, 2022, that the “reproduced signature flexibility” was now a permanent policy. This flexibility allows attorneys to submit “a scanned, faxed, photocopied, or similarly reproduced copy of a document to USCIS” as long as the copy is of an original document with an original handwritten signature. The original document should be maintained as USCIS retains the right to request the original document for inspection.

We will continue to monitor these flexibilities and update our alerts as necessary.



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