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## DOS Issues Final Rule Updating Regulation on Signed Photos for Visa Processing

**Legal Update**

03.13.2023

*This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.*

Effective April 5, 2023, the Department of State (DOS) is updating its regulation regarding visa applicants' furnishing of signed photographs as required under Immigration and Nationality Act § 221(b). DOS said the updates reflect changes in technology, including the ability to upload digital photographs electronically as part of the online visa application process.

The final rule clarifies that immigrant and nonimmigrant visa applicants may upload digital photographs electronically as part of the online visa application process instead of submitting ink-signed photographs. The electronic signature on the DS-160, Online Nonimmigrant Visa Application, or the biometric signature for the DS-260, Online Application for Immigrant Visa and Alien Registration, will be "considered as signing the digital photograph and any paper photographs that may be otherwise submitted." Additionally, the rule amends language concerning the nonimmigrant photograph to clarify that the submitted photograph must meet the specifications prescribed by DOS and deletes language allowing immigrant visa applicants to submit black and white photographs.