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Get to know more about INS Forms I-797. by Nancy Mervin

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To USCIS when a petition or application is submitted the applicant or petitioner will receive a Receipt notice. This receipt notice will be sent to the applicant on receipt of the petition or application by USCIS. The receipt notice is also called as Form I-797. Approval notice will be sent by USCIS after successful processing of the application or petition. Form I-797 is not a visa and cannot be used in place of a visa. It states that action is taken on your application and this will be mentioned in the form.

Approval Notice Versions

When an USCIS application or petition is approved INS Forms I-797, Notice of Action is issued. To an applicant I-797A, Notice of Action is issued as a replacement Form I-94. As approval of an alien worker petition I-797B, Notice of Action is issued. To acknowledge receipt of payments, if applications are rejected, if files are transferred, after fingerprint biometrics I-797C, Notice of Action is issued. Form I-797C is also issued to inform applicant about interview and re-scheduled appointments and also to re-open cases. Along with benefit cards I-797D is issued. If I-797E is issued it means USCIS request for evidence. To allow applicants to travel I-797F, Transportation Letter is issued overseas.

For approval of adjustment of status applications and immigrant visas Form I-797 is used. For extension of stay and changes of non-immigrant status when applicant is in US Form I-797A is issued with a I-94 card. When applicant is outside US and wants a non-immigrant visa Form I-797B is issued along with a notification card. For non-approval actions like requests for more information, rejection or filing receipts Form I-797C is used.

The information about how long you are permitted to stay legally in the United States is available on the USCIS Approval Notice on Form I-797. Please note that the date in the I-94 card matches with this date always. Hence the receipt number would be blank if your application is rejected by USCIS and if you receive Form I-797C.

Information on Form I-797

Applicantâ€™s personal information, beneficiaryâ€™s details, Application or petition name, receipt numbe with which you can check the status, receipt date, priority date which tells waiting list queue status, notice date, notice type, class or the category you belong to and validity of your application or petition. Hence in case of Form I-797C you wonâ€™t find receipt number.

The priority date is decided depending on the category you come under and also home country. When the current date is same as the priority date it denotes the immediate availability of visa. Your legal period of stay in the US can be got from the approval notice form.

The USCIS center address information will be on the notice. So once the notice is received in case of any discrepancies you should inform them immediately. This approval notice has to be kept safely since you may have to have it handy during visa stamping and interview processes. Duplicate copies of the approval notice can be obtained if USCIS fail to send one or if they send one with errors. Approval notice information helps you track status of application.

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