



This Immigration Update[©] from FosterQuan, LLP contains important information regarding the following:

U.S. CITIZENSHIP & IMMIGRATION SERVICES NOW SENDING ORIGINAL I-797 APPROVAL NOTICES DIRECTLY TO THE PETITIONER/APPLICANT

U.S. Citizenship & Immigration Services (CIS) has recently implemented a new practice of sending original Form I-797 Approval and Receipt Notices directly to the Petitioning Employer or the individual Applicant rather than to the attorney of record.

Under this new practice, attorneys of record are receiving only “Courtesy” copies of the Form I-797 Approval and Receipt Notices. This is an unannounced shift from previous USCIS policy, which was to send Courtesy copies to employers and individual applicants, with original I-797 Approval and Receipt Notices sent directly to the attorney of record.

Employers are advised to be on the lookout for any correspondence received directly from USCIS, as such correspondence may contain original Approval Notices. Original Approval Notices now being sent directly to petitioners include H-1B, L-1, O-1, and TN Approval Notices, as well as I-140 Immigrant Petition Approval Notices. Be aware that nonimmigrant status Approval Notices may contain the original Form I-94 Arrival/Departure records attached. These are critical documents which serve as evidence of an individual beneficiary’s lawful U.S. nonimmigrant status and work authorization.

Employers and HR Representatives are cautioned not to assume that Notices received from USCIS are only copies, courtesy notices or duplicate originals. The Notices may, in fact, be the only original Approval documents issued by the CIS for a particular matter. HR Representatives are advised to send their FosterQuan attorney scanned copies of any Notices received directly from USCIS so that we may review and provide further guidance.

FosterQuan has contacted USCIS about this new procedure, which is also being reviewed by the American Immigration Lawyers Association (AILA) Liaison. It is possible that the CIS may change this new practice in response to attorney comments. In the interim, HR Representatives may continue to receive original I-797 Approval Notices directly from USCIS.

As always, FosterQuan will continue to monitor developments regarding this new USCIS practice and will make additional updates available via our firm’s [website](#).