

TEMPLATE AND INFORMATION FOR AC21 PORTABILITY LETTER TO USCIS

- **Submit a G28 (Change of representation) for you and all your dependents along with this to insure this gets to your file.**
- Keep a copy of the entire packet sent to USCIS.
- Send this package to USCIS by USPS Express or FEDEX or Any service where you will have a dated receipt and preferably signature of receiving party. i.e. Delivery Confirmation.
- Keep the proof of mailing / delivery confirmation.
- Be prepared for a RFE, despite sending this letter.
- **If there are any issues always refer to a good immigration lawyer.**

Your Name
Your Address
Your Email
Your Phone Number/s
Date

Alien Number: A-XXX-XXX-XXX

To
USCIS
Address

Subject : Notification of Change of Employment as permitted under the Portability provisions of the Twenty-First Century Act of 2000 (AC21) (Public Law 106-313)

Dear Sir / Madam

My application for I-485 Adjustment of Status was received by your office on xx-xx-xxxx. It has been pending approval, subject to visa number availability for the past xx months. (See copy of receipt).
My Labor Certification (copy attached) was approved on: xx-xx-xxxx
My I-140 (copy attached) was approved on: xx-xx-xxxx

Comment [ak1]: I-485 Receipt Date

At this time I wish to inform the USCIS of my intention to invoke the Portability provisions of the AC21 Act of 2000. As per the law and the interpretations of the attached USCIS Memos, I am allowed to port my employment as long as my new job is in same/similar occupations and my I-485 has been pending for 180 days (6 months). As noted above my application has been with your office for the past xx months.

My Labor Certification was approved for a xxx position, my duties as outlined in that role were xx. I am currently employed as an xxx where my duties and job function are xx. Attached please find my current employment verification letter and letter from my supervisor outlining my current role and duties. As you can see I will be performing my functions in the same / similar areas as outlined in my Labor Certification.

Comment [ak2]: Put in Old Title

Comment [ak3]: Describe Old Role, be as broad as you can, refer LC application (if available)

Comment [ak4]: Put in New Job Title

Comment [ak5]: Describe New Role and make sure there is adequate overlap between Old and New Roles.

I would be obliged if you could include this letter and the attached documentation as part of my I-485 file to avoid any delays in the processing of my I-485.

Sincerely
XXX (Do not forget to sign and date)

Attachments:

1. Submit EVL (Employment Verification Letter) from your current employer.
2. Letter from current supervisor outlining your role and duties.
3. Submit copy of your approved Labor Certification. (if you do not have a copy that is fine, it is not mandatory)
4. Submit copy of your approved I-140 form.
5. Submit copy of your receipt of the I-485 application.
6. Submit copy/ies of the latest USCIS Memo – Neufeld Memo of May 30th 2008 (or all 5 memos below)

All memos are here: <http://ac21portability.com/modules/wflinks/>

6. Submit a G28 (Change of representation) for you and all your dependents.

www.ac21portability.com