



# RIGHTS AND OBLIGATIONS OF PERMANENT RESIDENTS



## 1. When will I receive my Permanent Residence Card ("Green Card")? What is its period of validity?

The Permanent Residence Card should be mailed to the applicant's last known address within a few weeks from the date the applicant became a lawful permanent resident ("LPR"). Currently issued cards are valid for ten years, and can be renewed indefinitely if you do not become a citizen<sup>1</sup>.



## 2. As an LPR, do I have the same rights as a U.S. citizen?

No, although LPRs share many of the same rights as U.S. citizens, among other limitations, you may not vote, are not entitled to certain government employment and other benefits, and may not serve as a juror.



## 3. Do I need to file income tax returns and pay U.S. and state income taxes?

In order to maintain Permanent Residence Status, you are required to file U.S. Federal Income tax returns on worldwide income whether residing in the U.S. or abroad. In addition to federal income tax returns, state income tax return filing may also be required.



## 4. Am I subject to United States Selective Service requirements?

All male LPRs are required to register with the United States Selective Service upon reaching age 18 (or before age 26, if entering and taking up permanent residence in the United States when already older than 18). A man who fails to register may, if prosecuted and convicted, face fines and/or a prison term. Registration is also required to qualify for federal student aid, job training benefits, and most federal employment. In addition, failure to register when required to do so may prove problematic when applying for naturalization to become a U. S. Citizen. Selective Service registration forms are available at any United States post office and on-line at <https://www.sss.gov>.



## 5. If I travel outside of the United States, will I lose my LPR status?

LPR status requires that you maintain a permanent residence in the United States. If you leave the U.S. for a continuous period of a year or more, your LPR status will be deemed abandoned, unless a reentry permit is filed prior to your departure. Absences of less than a year may also result in abandonment of your LPR status if while abroad you have taken actions inconsistent with an intent to reside permanently in the United States, e.g., employment abroad, failing to pay U.S. taxes as a resident, establishing residence abroad, etc.



## 6. What documents do I need to carry when I re-enter the United States?

You should carry your valid foreign passport, and your unexpired original green card. You do not need a letter from your employer. However, if you have been arrested or had other issues with law enforcement, or have been outside the U.S. while a permanent resident for an extended period in the past (6+ months at a time), we would recommend that you contact us before leaving the country.

<sup>1</sup>Special requirements for minors under age 14: If the minor child received the green card before their 14th birthday, the child will need to register and file a Form I-90 application.



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## 7. Am I free to move within the United States and change jobs?

LPRs are authorized to travel anywhere within the U.S. You are required to notify the United States Citizenship and Immigration Services of any change of address within 10 days of the change by filing Form AR-11. You may change jobs both within a company and also move to a different company.



## 8 : How and when may I become citizen?

In most cases, you may be eligible to apply for naturalization to become a citizen of the United States 4 years and 9 months after the grant of lawful permanent residence. If lawful permanent residence was obtained based on marriage to a U.S. citizen, however, you may be eligible to apply for naturalization after 2 years and 9 months.

To qualify for naturalization, you must demonstrate that you have resided in the United States as an LPR for a period of 57 months as an LPR immediately preceding your application to file a petition for naturalization (or 33 months if based on a marriage to a U.S. citizen) and that you have been physically present in the United States as an LPR for at least 30 months (or 18 months if based on marriage to a U.S. citizen).

In addition, in most cases, you must demonstrate that you have not been out of the United States continuously for a period of 180 days or more.

## Preservation of Permanent Residence Status



LPR may use the Alien Registration Card (Form I-551) as lawful documentation to reenter the U.S. subsequent to a temporary trip abroad, provided that the reentry to the United States is within one year of the last departure and the LPR can demonstrate that his or her trip abroad was temporary. If the LPR accepts employment or establishes residence abroad or fails to pay U.S. taxes, his or her permanent residence status may be deemed abandoned.

If the permanent resident seeks readmission to the U.S. after having remained outside the United States for over one year, the Alien Registration Card will be insufficient to allow the permanent resident to reenter the United States. The permanent resident will be considered to have abandoned his or her lawful permanent resident status. In most cases the LPR will know before leaving the U.S. whether he or she will return to the United States within the year. If an LPR plans to remain outside the United States for a continuous period exceeding one year, he or she should apply for a Reentry Permit. As a practical matter, even if the LPR plans to live abroad for less than one year, it may be advisable to obtain a Reentry Permit. If the LPR is required to remain abroad in excess of two years he or she must return to the U.S. prior to the expiration of the Reentry Permit in order to apply for a new permit. An application for a Reentry Permit must be made while the alien is physically present in the United States, and 30 days prior to his or her departure from the U.S.

An LPR cannot obtain new Reentry Permits indefinitely. With each new application for a Reentry Permit, the LPR can anticipate closer scrutiny with respect to his or her intention to continue to maintain lawful permanent residence status in the United States.



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Reentry Permits are also available to LPRs who are stateless and cannot obtain a passport from any country. In such circumstances, the Reentry Permit can be used in lieu of a passport. While not all foreign countries will accept the Reentry Permit in lieu of a passport, many countries will take the Reentry Permit as a guarantee that the United States will readmit the alien subsequent to his or her visit to that foreign country.