

RE-ENTRY PERMIT

If you are a Permanent Resident of the United States, you may travel outside of the U.S. But that said, traveling outside the United States does have some limitations. As a permanent resident, you are required to comply with the residency requirements. A trip that goes beyond six months raises a red flag because you do not want to convey to the government that you are abandoning your residency. Typically, a re-entry permit comes into play when the absence from the United States is a year or more. A Re-entry permit is valid for two years from the date of issuance. Green Card holders should apply for this benefit before leaving the United States. Reentry Permit may not be extended and does not guarantee you admission into the U.S. Foreign nationals with Re-entry Permit are subject to the immigration inspections process at port of entry.

Application Process:

You must file Form I-131, Application for a Travel Document, complete with supporting documentation, photos and applicable fees with the USCIS. Processing time is between 8 to 16 months.

Documents Required:

A permanent or Conditional Resident must attach any one of the following documents along with Form I-131, Application for a Travel Document:

- A copy of the alien registration receipt card
- A copy of the biographic page of your passport and the page of your passport indicating initial admission as a permanent resident or other evidence that you are a permanent resident (if you do not have an alien registration receipt card)
- A copy of the approval notice of a separate application for replacement of the alien registration receipt card or temporary evidence of permanent resident status

Basic Requirements:

If you intend to travel or live outside of the United States for more than 5 months in a year, you must get a visitor visa instead of getting a green card, otherwise, you may lose your green card based on the assumption of abandonment of intention.

In addition, you must be physically present in the United States when filing the application. Your application may be denied if you have already departed the United States before the collection of your biometric (fingerprint). You have the option to request that the biometrics appointment be expedited if valid reasons exists for such expedition.

Eligibility:

Lawful Permanent Residents and Conditional Residents require Reentry Permits to re-enter the United States after travel of one year or more.

Validity Period:

Reentry Permit is valid for two years from the date the re-entry permit was issued for Lawful Permanent Residents returning to the United States. On the other hand, Reentry Permit is valid for two years from the date the re-entry permit was issued or until the date the conditional resident must apply for the removal of conditions for Conditional Residents returning to the United States.

Benefits:

- You won't need to obtain a visa from an American Consulate for returning to the United States after having traveled abroad.
- You may remain outside the United States for the validity of the re-entry permit

Difference between Advance Parole and Reentry Permit:

Advance Parole is issued to foreign individual who does not have a permanent resident status. Its document is just a piece of paper bearing the foreign individual's photograph. Whereas, Reentry Permit is issued to a permanent resident of the United States and its appearance is like a passport.

Fees:

Below is the attorney's fee that Atty. Gambacorta charges for a typical case of this type when filed in the United States at the US Citizenship and Immigration Services (USCIS) and the filing fee currently charged by the USCIS.

- \$ 350.00 attorney's fees (expedition fee \$250.00 more if applicable)
- \$ 445 .00 US CIS filing fee for the main petition