



**Embassy of the United States of America
100 Duke & Young Streets, Kingston, Georgetown, Guyana**

Ask the Consul Installment One Hundred Twenty-Six Permanent Resident (Green Card Holders) Regulations

This edition of Ask the Consul addresses common questions that applicants ask when they intend to travel outside the United States.

I'm a legal permanent resident, how long can I stay outside the United States?

According to United States Citizenship and Immigration Services (USCIS), permanent residents are free to travel outside the United States. Temporary or brief travel usually does not affect your permanent resident status. However, if it is determined that you did not intend to make the United States your permanent home, you will be found to have abandoned your permanent resident status. A general guide used is whether you have been absent from the United States for more than one year. Abandonment may be found to occur in trips of less than a year if it is apparent that you did not intend to make the United States your permanent residence.

How can I show that it was not my intention to abandon my permanent resident status?

The officer may consider criteria such as whether or not your intention was to visit abroad only temporarily. Some factors that are considered when evaluating a resident's intentions is whether or not you maintained U.S. family and community ties, maintained U.S. employment, filed U.S. income taxes as a resident, and/or otherwise established your intention to return to the United States and maintain the United States as your permanent home. Other factors that may also be considered include whether you maintained a U.S. mailing address, kept U.S. bank accounts and possess a valid U.S. driver's license; own property or run a business in the United States; or any other evidence that supports the temporary nature of your absence.

I came to Guyana and I stayed here longer than one year. I do not want to lose my green card, what can I do?

If you traveled and stayed outside the United States longer than one year, you can consider applying for a returning resident visa (SB-1) at the nearest U.S. embassy or consulate. An SB-1 applicant will be required to establish eligibility for an immigrant visa and will need a medical exam. This type of visa has some strict requirements that must be met prior to issuance. Further details regarding the requirements can be found at the United States Department of State website http://travel.state.gov/visa/immigrants/info/info_1333.html.

I traveled to Guyana and did not notice that my Green Card was about to expire. What can I do to go back to the United States?

If you notice that your Green Card has expired, and you intend to travel back to the United States, you must come to the U.S. Embassy and apply for a “transportation letter.” A transportation letter will allow you to travel back to the United States and renew your Green Card there. The requirements: a completed I-90 form, a statement explaining the original situation, three 2x2 identical passport photographs, and a police report, if the Green Card was lost or stolen. The cost for these services is \$165USD. **Green Card Holders are strongly urged to ensure that their cards will not expire during their time outside the United States.** The Embassy can issue a transportation letter only with the concurrence of USCIS, which can take up to several weeks.

Note: These are broad guidelines, since each case is different and applicant circumstances differ. You may contact the U.S. Embassy Georgetown at visageorge@state.gov or USCIS at www.uscis.gov for further details.

“Ask the Consul” is a bi-weekly column from the U.S. Embassy answering questions about U.S. immigration law and visa issues. If you have a general question about visa policy please email it to us at AskGeorge@state.gov. We select questions every other week and publish the answers in Stabroek News and on our website at <http://georgetown.usembassy.gov/ask-the-consul.html>. Information about visas and travel can be viewed at <http://georgetown.usembassy.gov>, <http://travel.state.gov>, and at <http://www.dhs.gov>. Applicants are strongly encouraged to prepare their own documents and avoid third-party advice. U.S. Consular rules change frequently and non-US government advisors often provide inadequate or inaccurate information. Other than the questions we select, we DO NOT respond to questions sent to Ask the Consul. Please contact the visa inquiries unit (email visageorge@state.gov or call 225-7965 between 8 am and 4 pm Monday through Friday) if you have questions about a specific case.