

Let me explain my situation: I have a green card, but I don't live in America. I mean, I travel to the US once or twice a year usually, but my husband, job and everything are here. Now, I haven't gone by my relatives in the US for nearly a year, and so I'm wondering if I'll get in trouble by you. Did I do anything wrong, and if so, will I lose my green card, and if I lose my green card, can I still get a visa just to go on holiday?

Half –Trini Half-American

This is a very good question because of lot of people from Trinidad and Tobago are Legal Permanent Residents in the United States and possess Permanent Residence Cards (Green Cards), but actually live in Trinidad or Tobago.

The Green Card is for Legal Permanent Residents; that means that if you have a Green Card you should be residing permanently in the United States. Many use their Green Cards as a tourist visa and only travel to the US for holidays, etc. just like the author of this letter. The problem with this scenario is that if you spend too much time outside of the United States, the US Department of Homeland Security (DHS), who work at the borders and issue Green Cards, may decide that you are no longer "in status" as a Legal Permanent Resident and take away your Green Card. Usually it takes one year outside of the US for this to happen, but it is the decision of DHS and they could take it away for less time. Do not gamble with your Green Card! If you want to keep it then you should be living in the US.

So, if you have a Green Card, but do not want to live in the US and would still like to visit your friends and family in the US, then you should apply for Non-Immigrant Visa. When you apply for a Non-Immigrant Visa you will need to surrender your Green Card. You should know, however, that surrendering your Green Card does not guarantee that you will receive a visa, and when you surrender your Green Card you are thereby giving up the right to any kind of public benefit that you could have received from the US government as a Legal Permanent Resident.

Either way, you need to decide what is right for you and for your family: if you want to live and work in the United States, then get a Green Card. If you want to go across once a year for the holidays, then apply for a visa.